

Vol. 18. No. 7
November 1976
Price 40c

SASH



The Black Sash magazine

CONTENTS

NOVEMBER 1976

	Page
EDITORIAL	1
AND THE BITTERNESS GROWS	2
Pat Tucker	
A CONSTITUTION FOR NAMIBIA	3
John Dugard	
BANTUSTANS — A CYNICAL SMOKESCREEN	7
Benjamin Pogrund	
WHITHER RHODESIA?	9
BOOK REVIEW	11
BIRTH OF THE BPA	12
Manas Buthelezi	
OUR LAND, SOUTH AFRICA	14
A VICIOUS INSTRUMENT	16
Christopher Marchand	
COLOUR THEM ANGRY	19
ADVICE OFFICE ROUND-UP	21

The Black Sash Die Swart Serp

ON the 26th October South Africa was torn apart and on that day 3 300 000 South Africans suddenly became foreigners. Three pieces of land were excised from the Republic to become foreign soil and the people who are said to belong there have had their rightful claim to a just share of South Africa's land, wealth and production taken away from them. Over one million of these people do not even live in Transkei and are permanently settled in other parts of the South African Republic. On 26th October they ceased to be citizens of South Africa in terms of the Status of the Transkei Act. None of them any longer enjoy even the limited rights they used to have as citizens of South Africa but are to be accorded "privileges" as foreign guest workers.

In the common area of the Republic there has been an overwhelming rejection of citizenship of Transkei by the Xhosa and Sotho speaking people who are affected. On election day in September seven polling booths were set up in Soweto. At one of these ten people voted and the other six reported a maximum of five votes cast. Urban Black people have made it clear that they will have nothing whatsoever to do with separate development.

Even in Transkei it is not at all clear whether the people who live there are in favour of independence. Chief Kaiser Matanzima refused to hold a referendum on the independence issue and, prior to the September elections, the entire leadership of the opposition Democratic Party was detained in prison without trial by his Government. There has therefore been no free election. The number of voters participating in Transkei elections decreased from 601 204 in 1963 to 323 092 in 1973 and increased only slightly to 354 489 in 1967. The leaders of the 60 000 Sotho-speaking people who live in the new Republic have claimed that they are discriminated against by the Xhosa authorities and have stated that they did not wish to be included in an independent Transkei.

The enormity of what has been done is difficult to assimilate. In exchange for their rightful heritage millions of South Africa's people have been given citizenship of a small country which will remain almost entirely economically dependent upon the Republic, a country where 32 per cent of the citizens live permanently outside her borders and another 11 per cent have to move outside to find employment on a migrant basis.

No doubt they will eventually carry passports instead of reference books but these passports will still have to be stamped with permits to work and reside in South Africa and will not be much use for wide travel as other countries will not recognise them. It is also reasonable to assume that the fingerprints and personal particulars of Transkeian citizens will continue to be stored in the Bantu Central Reference Bureau's Pretoria computer because the South African Government will continue to impose controls on their residence in and entry into South Africa.

No doubt, Transkei citizens will be given "privileges" in South Africa's cities, privileges such as being jumped to the top of waiting lists for houses and easier access to contracts of employment. These things are necessary to the attempt to persuade the leaders of other homelands to ask "voluntarily" for independence in their turn. But it is also likely that, in the longer term, the South African Government will maintain that it is under no obligation to build houses and to provide jobs for foreigners.

The Republic of Transkei is isolated from the international community and her independence is unrecognised. No doubt Mr Vorster and his Government will continue to claim that they have led this new state to a peaceful and negotiated freedom but there is also no doubt that Transkei independence will be challenged internally and externally when the future change to majority rule in South Africa is accomplished — as it inevitably will be.

And the bitterness grows...

PAT TUCKER

THE event: An ordinary day in the lives of some of the pupils of the Morris Isaacson School in Soweto and their teachers. Classes were in progress and the hum of learning was all around.

UNTIL a posse of police cars surrounded the school. Teachers and pupils were bundled into four police vans. Seventy-eight more Black people are in jail.

The event: An unhappy Saturday for the family of Miss Anna Mkwanazi, a 17-year-old student who was to be buried that day. A thousand people gathered to mourn the young girl. It was a regular funeral.

UNTIL police, claiming provocation and stoning, opened fire, killing one, injuring one and arresting others.

The event: The Sunday funeral of Jacob Zungwane Mashabane, 22-year-old former Ngoye student who allegedly hanged himself while in detention in Johannesburg's Fort. The graveside ceremony was proceeding, attended by between 4 000 and 5 000 people.

UNTIL police opened fire, killing at least three, wounding 51.

In the storm of questions, contradictory statements and anger which followed, only one fact emerged clearly — that South Africa is never likely to know exactly what happened on these three days or why the police felt it necessary to act as they did.

From Major General Dawie Kriel, Deputy Commissioner of Police in charge of Riot Control came claims of provocation by stone throwing and Black Power salutes.

From reporters on the scene came denials of stone-throwing, confirmation of shows of Black Power.

"They were warned," say the police.

"There was no warning," say others.

Just how many died? Who knows.

Why were the police there at all?

"Funerals are being manipulated by people who want to create chaos," say the officials.

Confrontation, it seems, is the theme of Soweto — an insoluble war between the men whose role it is to protect the people and the people they are meant to protect.

The anger is growing, hatred fuelled by bullets and bird shot, detentions and deaths.

An editorial in the Black newspaper *The World* warns "Anti-police feeling is running very high and, being the representatives of authority in this country, unless their actions are justified they may well be striking the last blow that can wreck race relations beyond repair."

The mothers of Soweto are weeping but through their tears they cry "take the police away, it is they we fear".

And the children? Their hatred grows with every bullet that reaches the heart of a school-mate; with every body that emerges from a prison cell to be buried in Doornkop Cemetery. When and how can it end?

A constitution for Namibia

JOHN DUGARD

This address was delivered at a South West Africa/Namibia Day Symposium held by the National Independence Party in Windhoek on September 25.

IN approaching the subject of "Constitutional Solutions in a Multiracial Society" much of what I shall say applies with equal force to South Africa. We in South Africa live in a multiracial society too and it is high time that all racial groups in South Africa met together to discuss their future in the way that you are doing. In many respects we in South Africa are looking to you in Namibia for guidance. If you succeed in establishing a peaceful state in which all races live and work together this will inevitably help South Africa to solve its problems. On the other hand, if you fail, this will clearly have an effect in South Africa and hamper the causes of progress and racial justice in South Africa itself.

When it comes to drawing up a new Constitution the constitutional lawyer should bear two things in mind. First, that a Constitution cannot solve the problems of the society in question — it can only give legal form to a political settlement. Secondly, that the problems of each society are unique and it is impossible simply to impose a Constitution which may work well in one society onto another society without making the adjustments necessary for local conditions.

To the outsider, it appears that perhaps you in Namibia are looking too much for a constitutional settlement and too little for a political settlement. A Constitution can give effect to a political settlement and ensure to a limited extent that a political consensus is maintained by legal and constitutional means. But a Constitution cannot create a consensus where it does not exist already.

These remarks, you will appreciate, refer to the absence of certain political groups, particularly SWAPO, from the Turnhalle Conference. Personally I do not see how you in Namibia can plan your future without SWAPO any more than we in South Africa can plan our future without the ANC and the PAC.

Pretoria has repeatedly stated that it will not interfere with the exercise of self-determination in Namibia and that for this reason it will not interfere in your constitutional talks. I am not sure how true this is in general, but there is one instance in which the South African Government repeatedly interferes in your exercise of

self-determination and this is in respect to the role of SWAPO in your constitutional deliberations. Repeated statements by Mr Vorster and others have branded SWAPO as an unrepresentative, terrorist group which will not be permitted to participate in the planning of the future of Namibia.

There are a few observations that should be made on this subject.

(i) First, I do not know how much popular support SWAPO enjoys in Namibia. But in this regard I am in good company as I am sure that no one else can predict SWAPO's support with any accuracy.

At the very least I would suggest that SWAPO's international standing warrants its inclusion in the Turnhalle talks if a political consensus is to be achieved.

(ii) Secondly, every day that SWAPO is left out of the talks the situation deteriorates for the following reasons:

(a) The military conflict on your northern border intensifies;

(b) SWAPO entrenches its international position and this makes it more difficult for the international community to accept a solution in which SWAPO is not sole representative of the Namibian people.

As I have already suggested, it would be wrong to impose a Constitution which has served another society well on Namibia without taking account of the special local circumstances. On the other hand, it would be equally wrong to ignore the experience of other nations. The constitution-builder in Namibia must therefore seek to construct a Constitution suited to local conditions, which at the same time relies on constitutional safeguards and devices which have stood the tests of time and political stress in other countries.

The special circumstances which I regard as necessary to be taken into account in the case of Namibia are:

(a) The large size of the country and the small size of the population (746 000 according to the 1970 census).

(b) The diversity of the population. There are thirteen different racial, cultural or linguistic

population groups — if one divides the White community into three language groups — with the largest (Owambo) less than 400 000 in number.

(c) The unequal distribution of wealth.

(d) Namibia's very special international status.

There are a number of constitutional models and forms which should be considered.

(a) Confederation

A confederation is best defined as a loose association of sovereign independent States in which States agree to co-operate in certain limited areas without sacrificing their independence or sovereignty. The member states of a confederation retain full control and sovereignty over their own citizens.

A confederation cannot, however, be seriously considered for two reasons. First, the independent states (homelands) in question would be too small in terms of population and resources to constitute real states. Secondly, the United Nations has repeatedly rejected the policy of independent homelands and a fragmentation of South West Africa. Most societies would not have to consider the view of the international community when they engage in constitution-building. South West Africa is, however, a very special case owing to its "international character" — a consideration which Pretoria itself has been obliged to recognise.

(b) Partition

Some have suggested the partition of Namibia into two independent States. This suggestion was made in 1958 by the Arden-Clarke Good Offices Committee established by the General Assembly, but it was firmly rejected by the United Nations and must therefore be seen as a politically untenable proposal in the present international climate.

(c) Unitary System

In South Africa a unitary system prevails, based on the Westminster model. The cardinal features of the South African system are the following:

(a) South Africa and South West Africa are divided into some 171 constituencies for White voters only. Each constituency elects a Member of Parliament.

(b) The political party which commands the support of the majority of the 171 Members of Parliament can enact any law that it pleases.

(c) There is no Bill of Rights and there are no constitutional restraints on the majority party.

Thus, according to this, the dominant political group is given absolute control of the legislative machine and is permitted to impose its will on others without constitutional restraint.

This type of government has been a failure in Southern Africa, as evidenced by the history

of South Africa. In 1909 there was some support for a Bill of Rights and a federation, but the majority of the delegates — all of whom were White — opted for a unitary State with all power vested in the hands of the White oligarchy. To the shame of the British Government it approved this scheme and gave all political and legislative power to a central Parliament which was completely controlled by Whites.

An attempt was made to suggest that the different regions in South Africa retained some autonomy by means of the provincial system. But this was, and is, a mere facade as all power vests in the central Government.

You will be aware of the fact that SWAPO has advocated a unitary system for Namibia. In a paper presented to the International Conference on Namibia and Human Rights held in Dakar, Senegal, in January 1976, it suggested that Namibia be divided into 100 constituencies of approximately equal size which would elect 100 members of a single legislative body. SWAPO rejects regionalism on the grounds that it would perpetuate tribalism.

The danger of the SWAPO proposal is that it would hand over power to the politically dominant group in Namibia which would then be able to impose its will on the electorate. SWAPO does not, however, envisage the vesting of absolute power in the legislative majority, as in the case of the National Party in South Africa, for it proposes a fairly rigid Constitution, a Bill of Rights and a Constitutional Court to enforce constitutional safeguards. While these safeguards have not worked in countries such as Lesotho and Rhodesia they do at least constitute a vast improvement on the South African system which knows no constitutional restraints.

The South African-type unitary State is in my view the worst possible model for a multi-racial State. For this reason I am concerned about the future of the Transkei which has simply opted for the South African model. If Namibia is to choose a unitary system it should at least accept a Bill of Rights and other constitutional restraints to act as check against the kind of abuses of power that have occurred in South Africa.

(d) Federation

Under a federation a group of States agree to surrender some of their sovereign powers to a central, federal Government. The States generally retain control over local matters, such as education, health, welfare, police and law enforcement, while the Federal Government assumes control of matters such as foreign affairs and defence. Generally the federation agreement between the States is enshrined in a Constitution which can be amended only by a special procedure, and a Constitutional Court is given power to ensure compliance with the Constitution. A

Bill of Rights is also a common feature of a federal compact.

A federal system apparently has considerable appeal in South West Africa. I suspect that many who would prefer a confederation, but who realise that it is politically non-feasible, have given their support to federation in the expectation that a weak federal government and strong state or regional governments will achieve the goal of confederation. On the other hand, I am sure that there are many who believe that federation is an ideal solution to so diverse a society as that of South West Africa. Certainly this is generally my own view in respect to heterogeneous societies.

There are, however, a number of objections to the federal solution in respect of South West Africa.

First, I would suggest that the main aim of leaders in South West Africa should be to promote among the people of Namibia a unity of purpose, a common identity, which transcends ethnic divisions. In this respect it will be necessary to overcome years of propaganda on the part of the South African Government designed to emphasise disunity and a lack of common identity. Unfortunately a federation, whether premised on ethnic groups or geographical regions, would serve to perpetuate racial, linguistic and cultural differences rather than promote unity.

A second difficulty in the way of a federation relates to the parts or unity which would compromise the federation. Would the units comprise the various ethnic groups and therefore be a race federation rather than a territorial federation? Or would the geographical homelands become the units of the federation? Or would a limited number of separate regions be created for the purpose of serving as parts of the federation? A race federation would promote racial differences and a federation based on the homelands would be rejected as a disguise for bantustanisation by the international community. This means that only a federation with a number of newly created regions would be feasible. These regions would, however, lack the separate identity generally required of states forming part of a federation. It should be recalled that the states which formed the United States had already existed as separate colonies for many years and that the colonies which became the provinces of the Union of South Africa had already acquired their historical and cultural identities before 1910. In any event one should pose the question whether the population of Namibia as a whole, and in its different parts, is not too small to make federation impracticable.

My conclusion as to the respective merits of a unitary form of government or a federal form of government is that neither is completely satisfactory in its simple form. The South African

type Unitary system has no constitutional safeguards for minority groups or individuals, and the federal system may promote disunity rather than unity.

A more satisfactory constitutional formula, therefore, would probably be a unitary system accompanied by constitutional safeguards designed to prevent one group from suppressing other groups, or individuals in other groups. The main feature of the unitary system would be a central government with extensive powers, but there is no reason why it could not be combined with regional or local councils designed to take account of regional linguistic or cultural differences.

A number of constitutional safeguards have been employed at both the national and the international level in recent times to protect the individual against an abuse of power. These safeguards are foreign to the South African system as the human rights movement, which has dominated the international scene since the Second World War, has not been felt in South Africa.

The most common method of protecting human rights is by attaching a Bill of Rights to a constitution which may not be changed at all by the legislature or changed only by a majority vote greater than that required for ordinary legislation. Some Bills of Rights have been a success, as in the case of the United States, and some have not. The Southern African experience has been particularly disappointing as the governments of Rhodesia, Lesotho and Swaziland have all repudiated their Constitutions containing a Bill of Rights when they became politically restricting. This experience emphasises that a constitution and a Bill of Rights cannot restrain a determined political power which has the support of the army and police force and that one cannot expect too much from a Bill of Rights.

But this does not mean that a Bill of Rights is worthless. In the first place it has important educational value. In a State with a Bill of Rights which acknowledges that individuals — as individuals and not as members of a group — have certain basic rights, the people and especially the youth grow up in the belief that the object of government is to promote the well-being of the individual. In a racially diverse society this serves to emphasize the importance of the individual rather than the group and so helps to break down group-thinking.

Secondly, a Bill of Rights which guarantees freedom of speech, assembly and association, provides the avenues for peaceful social change by ensuring that new ideas will be openly debated rather than forced underground. This is precisely the problem that South Africa faces at the moment. There are so many restrictions placed on the exercise of free speech, assembly and

association among Blacks that opposition has been driven underground and the Government now complains that it has no visible urban Black leaders to whom it can talk.

Thirdly, a Bill of Rights which empowers the judiciary to set aside legislation and administrative actions contrary to its provisions, can create a strong, independent judiciary which will act as a healthy curb on the abuse of power. In South Africa the judiciary has no power to review Acts of Parliament with the result that it sees itself as a powerless body not directly concerned with the legislative standards of justice administered in South Africa. The judiciary should see itself as an important branch of government, as a body which will stand between individual and executive and defend the individual against the exercise of arbitrary power on the part of the executive; and this is more likely in a system which confers powers of judicial review on the courts than in the South African type system.

Ultimately the success of a Bill of Rights will depend on the courage and wisdom of the judiciary and on the extent to which the rights protected are respected by public opinion.

A Bill of Rights should contain the customary guarantees of freedom of person, speech, assembly, religion, the right to a fair trial, freedom from cruel and degrading punishment, etc. It should also provide for equality before the law. In Namibia it may, however, be necessary to go further and provide for criminal or civil sanctions against those who practice racial discrimination in the distribution of services, employment etc. This type of legislation is to be found in Britain (the 1968 Race Relations Act) and is particularly necessary in a society which has long been subjected to laws which promote racial discrimination.

As I have indicated, a powerful government may ignore or repudiate a Bill of Rights. In order to make this more difficult it would be desirable for an independent Namibia — if it adopts a Bill of Rights — to accept at least two international covenants — the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, and the 1966 International Covenant on Civil and Political Rights. By accepting these two covenants, an independent Namibia would announce its respect for human rights to the international community and undertake to accept certain standards of behaviour towards its own citizens in the field of human rights. These treaties would be legally binding on the new state and although human rights treaties can never be an absolute guarantee against arbitrary political power, they would at least provide a double check, together with the Bill of Rights, against arbitrary governmental action.

A Bill of Rights, backed by an independent judiciary, and an international legal commitment to the two covenants I have mentioned, would go a long way towards protecting individual rights in Namibia. And where the individual's rights are secure the group's rights will also be secure.

Some may feel that group rights should be still further recognised and protected. This could be done, either by providing for group representation in the cabinet or by creating an upper legislative body with group representation.

In Cyprus, before the present crisis, the constitution required a fixed proportion of 7:3 between Greek and Turkish ministers. In Canada, by convention, both English and French speaking Canadians must be included in the cabinet. Such a scheme could conceivably be worked out for Namibia. The Cyprus experience suggests that not too much reliance could be placed on such a scheme; but in South West Africa, where no ethnic group constitutes more than 50 per cent of the population, it might be possible to insist on a cabinet drawn from different racial groups.

Another method used to satisfy group interests in a plural society is the establishment of an upper legislative house with group representation regardless of population.

The objection to both these devices is that they may further the causes of regionalism and disunity, rather than that of unity. It would be preferable, in my view, to adopt an election procedure which would ensure that cabinet members and members of an upper house are acceptable to all or most ethnic groups rather than that they represent a particular ethnic group. This could be done by creating a special electoral college consisting of the representatives of all ethnic groups in Namibia which would elect all members of the upper house and elect cabinet ministers from a list of candidates presented by the Prime Minister. This would ensure that cabinet ministers and members of the upper house were acceptable to a majority of ethnic groups and did not represent purely ethnic interests.

Although there are forces of disunity in South West Africa there are certain forces which could be harnessed to promote a unity of purpose. The natural resources of the country, a common religion, and a shared history, are unifying factors which could be exploited to promote a common society. But in order to achieve this a political consensus must be reached and this must be translated into a constitution which will make it possible for all Namibians to work together without fear of repression and domination by one group. No constitution can guarantee this; but a constitution can make some contribution toward this end.

Bantustans — a cynical smokescreen

BENJAMIN POGRUND

From an address by Mr Pogrund, Assistant Editor of the Rand Daily Mail, to the Pretoria Branch of the Black Sash early this year.

IN October this year South Africa will change fundamentally, perhaps irreversibly, when the Transkei becomes independent. This will bring about far reaching changes and consequences. Does South Africa realise it? It is of basic concern to all of us to explore the subject — to spark meaningful debate.

In 1948 the National Party came into power on the crude Apartheid-Baasskap platform, which the Afrikaner intellectual felt to be inadequate. There was a strong feeling among many Afrikaners that a moral basis was essential. This was developed by the South African Bureau for Racial Affairs under the then leader, Nic Olivier.

In the late 50s Dr Verwoerd, then Minister of Bantu Affairs, clashed with SABRA but took over its policy of separate development which culminated in the Promotion of Self Government Act in 1958.

The '60s saw a period of consolidation, with the accent on tribalism. The policy of "divide and rule" was coming into its own. School children attended schools of their ethnic groups and all tribal functions assumed an importance they had lacked before.

About this time, too, the idea was evolved that Africans were temporary sojourners in the "White" cities, and actually "belonged" to their respective homelands. Pressure was applied to the Government to get Africans to accept tribal authorities.

Dissident chieftains were quietly removed from office. Buthelezi explained cogently that he had no authority to tell his people what to do — they instructed him in the path he should take. Matanzima, on the other hand, was a willing party all along to the structure of tribal authorities, regional authorities, territorial authorities and legislative assemblies.

It is intended that White South Africa retain 86 per cent of the land, while the nine Bantustans control the remaining 14 per cent. Each Bantustan is at liberty to claim total independence if it wants it.

This means, to the Nationalist way of thinking, that overnight their racial problems will

be solved and the world will get off South Africa's back.

"Foreign" workers from the Bantustans will come to South Africa by courtesy of the South African Government. The bitterly resented pass will become a passport (carried as it is by the migrant workers in Europe, e.g. the Turks in Germany).

There will be no question of franchise for these people as they are "foreigners", nor will they be eligible for inclusion in "White South Africa's" sports teams. In short, what the Whites decide to do in White South Africa will be their own business.

The picture then emerges of a White South Africa surrounded by mini-states which are hopefully friendly.

An effective partition or Balkanisation will have taken place, which has its precedent numerous times in history — notably in the cases of Pakistan and Ireland.

But the division is grossly inequable — 14 per cent of the land for 75 per cent of its population is plainly unfair. The Whites fall heir to all the established industrial areas and all the ports with the exception of Port St Johns.

The argument that the Whites merit all this because the country advanced because of White skills and White money is erroneous, as it has always been firmly bolstered by Black skills as well.

The patchwork quilt effect of the respective homelands makes a mockery of the very term. The Transkei is composed of three pieces of land, KwaZulu will have 10 separate chunks of land (at present it has 48 plus more than 100 "Black spots"), while others, too, are much dispersed. The intricacies of establishing rail links, telephone lines, water supplies and police forces are legion.

Even a limited consolidation of the homelands involves a movement of people on a staggering scale. The cost of the moves and the scale of suffering are inestimable.

The present distribution of population is against the policy. Forty-nine per cent of the African population is permanently resident in

the White urban areas and farming areas. The homelands simply do not have the resources to accommodate all these people.

The abysmally low quality of life in urban townships with poor, overcrowded schools and houses and the multiple ills of migrant labour are brushed aside by the Government with the platitude that since every African is a citizen of a homeland where he can own his own home, the above difficulties are irrelevant.

The accent on ethnic grouping is largely artificial and, had it not been actively fostered by the Government, it would probably have died out of its own accord. Mr Justice Snyman, in the report on his one-man investigation into trouble and unrest at Turfloop University, found that the majority of students rejected ethnic grouping.

The comparison drawn between the Turks in Germany and the Blacks in White South Africa is misleading as the Turks can do what they like in Germany within the confines of the law. After a five year sojourn they may even become citizens. The leaders of our Blacks may use the international hotels but no rights accrue to other Blacks, especially that of citizenship.

None of the Bantustans can exist economically without South Africa. The application of the homeland policy has obscured the pressing need of South Africa to decentralise — in a country where three quarters of the population is heavily dependent on the Vaal River. Because decentralisation has political overtones it obscures the valid economic need for it to take place.

The enormous sums of money spent on controlling migrant labour, administering the pass laws, policemen's, magistrates' and warders' salaries and the costs of prosecutions could be far better spent on developing the Bantustans.

In short the entire Bantustan policy is an elaborate device for racial discrimination. It is a vast, cynical, smokescreen to hand South Africa's troubles over to the Bantustans. They will have the responsibilities of the ethnic universities, hotbeds of unrest, the labour problems and the worry about massive unemployment, and the resentment of their own people eyeing White South Africa where the grass is certainly greener.

The only point that can be advanced in favour of the Bantustan policy is that some change has been injected into the South African racial scene, which was in a state of logjam and stalemate.

The launching of this elaborate policy coincided with the banning of African political organisations. African leaders, assuredly, can speak out from the homelands thereby further entrenching themselves in the system to which they give an ironic validity.

With the Transkei to be declared independent in October, and BophutaTswana to follow shortly

afterwards, ushering in a period when White South Africa will be surrounded by a series of mini states, what will the effects be for the future?

The emergent states have pledged themselves to the doctrine of non-racialism which will be a salutary lesson to White South Africa. If the Bantustans were to provide sanctuary for terrorists and guerrillas against South Africa, and Pretoria were to move in, there would be international repercussions. The Coloureds and Indians will remain in a state of suspended limbo — with no valid role at all to play in the entire situation.

That the Bantustan policy will be pushed through to its logical conclusion is necessary in the psychological climate existent after the recent events in Mozambique, Rhodesia and especially Angola.

To buy time, more restrictive legislation is unhappily on the cards. The Parliamentary Committee on Internal Security, and the amending of the Suppression of Communism Act will give the Government much wider scope of action. The stress on patriotism will provide the emotional validity.

Chief Kaiser Matanzima contends that a better deal for the Blacks does not necessarily threaten the Whites; it is necessary to create areas where Blacks can exercise political rights; the homeland policy offers the hope of economic advancement of these areas which will halt the flow of young Blacks into the cities — with their attendant ills; and the policy will restore the personal dignity of Black and Brown South Africans to an extent that the Whites will find them acceptable.

Perhaps, in favour of the homeland policy, some sort of viable federation might develop. In any event, we are about to enter on a hazardous period of our history. Who, for instance, will be prepared to stick their necks out sufficiently to recognise the Transkei? Zaire and Zambia, in desperate financial straits, might have South African diplomatic pressure brought to bear on them to recognise the independent bantustans.

Things will undoubtedly change, but only under the ceiling of separate development. Nothing will penetrate that confining influence. These changes are about to usher in the end of South Africa as we know it, attended by uncertainty regarding the political future of the land.

Whither Rhodesia?

PAUL RICH

Mr Rich is a lecturer in the Department of Comparative African Government and Law at the University of Cape Town. This article was written before Dr Kissinger's visit.

THERE is a markedly different atmosphere, difficult exactly to define, when one passes through the customs post at Beit Bridge on the way to Rhodesia. The change in atmosphere is not altogether dissimilar to that when one goes to Lesotho or Swaziland for there is a sense that Rhodesia is a country that does not suffer the same degree of intolerable police-state repression as South Africa.

Of course, this does not mean that Rhodesia is a marvellous land of the free. Far from it. But there is a feeling that this is a colony that sooner or later has to effect a change in the balance of power towards a government that represents Black majority rule.

It is this colonial feature of Rhodesian society, indeed, which will always distinguish it from its South African counterpart. There simply are not the same type of governmental structures available to the Smith regime to sustain White minority rule permanently.

The most important feature about White rule in Rhodesia is that, while Britain has always insisted on exercising the right to intervene in internal politics as the ultimate colonising power, actual colonial rule has always in practice been under the control of the settlers.

While the Rhodesian regime of Ian Smith has utilised colonial structures and values from the time of British hegemony, the actual system of White minority rule has in many respects acquired an autonomy of its own that outruns the formal structures of colonialism. I call such a system in this article *terminal colonialism* since this means that it has pushed political polarisation to its logical conclusion and produced a nationalist African opposition that seeks not merely political independence, but revolutionary transformation of the society as well.

Such a situation has inevitably arisen from the Africans' frustration with negotiating with Smith as though he was a colonial ruler on the classic British pattern. In most British colonies, for instance, power was usually delegated by a gradual process which eventually left effective control in the hands of the Nationalists.

At this point, independence would be formally declared by a flag-lowering ceremony in the presence of one of the members of the British

royal family. Such a procedure, of course, could work in a situation when the British Colonial Office was in effective control so that, as in the case of Kenya, the government could stand up to the demands of the settlers and push through independence.

In Rhodesia, however, it was another matter since the settlers had effective control of governmental institutions from as far back as 1923.

The African response to Smith, therefore, has been a developing one whereby it gradually became apparent that formal bargaining methods no longer worked.

John Day has christened this approach "international nationalism" since it usually involved flying off to either London or the United Nations to present an invincible case for African self-determination in Rhodesia and majority rule. Such an approach, of course, ignored developments on the ground whereby the Smith regime has tightened up more and more in internal African political opposition.

Of course, one other feature in this process which has undoubtedly aided the Smith regime's control is the ethnic cleavage between Mashona and Matabele sections of the African population.

This has not automatically followed on the ZAPU-ZANU split (though ZAPU is heavily Matabele-orientated and urban based), but undoubtedly "tribal" differences have come into play here. These ethnic differences between Mashona and Matabele have, in many ways, to be seen as a product of colonialism which has emphasised regional differences by buttressing the power of chiefs and traditional social structures.

Such cleavages, however, overlay class differences which have also emerged within the African population.

Rhodesia has always had a fairly significant African middle class which has played a key role in the development of political organisations. In 1923, for example, Abraham Twala founded the Rhodesian Bantu Voters' Association which was a moderate reformist body which was heavily dependent on Matabele support.²

Then in 1934 there was founded in Bulawayo the African National Congress, which took its inspiration from its South African namesake. The ANC, in fact, was to be the main African

political body in Rhodesia until the end of the 1950s, though it was to go through a slack period until the emergence, in 1955, of a Salisbury-based Youth League led by James Chikerema and George Nyandoro which was to challenge the hegemony of the old Bulawayo-centred ANC under the chairmanship of Joshua Nkomo.

The Youth League injected a new radicalism into Rhodesian politics at a time when the Central African Federation was at its height. One clear ground for grievance, as one South African historian, Eshmael Mlambo, has pointed out, was the government's attempt to "modernise" African peasant agriculture through the Land Husbandry Act of 1951. This Act imposed restrictions on African peasants in the reserves and left an African family with the right to only five head of cattle and eight acres of land.³

Grievances against such provisions clearly provided a fillip to the Nationalist movement which now sought equal opportunity in political, economic and social institutions of the country.

The Rhodesian government's response by the end of the 1950s, however, was a crackdown. The "liberal" Garfield Todd was removed from power in 1958 and his successor, Edgar Whitehead, banned the ANC in 1959. This ushered in a period of increasing repression which led to the banning of the ANC's successor, the National Democratic Party, in 1961 and the Zimbabwe African People's Union in 1962.

The victory of the Rhodesia Front in the same year against Whitehead's United Federal Party completed this process of White entrenchment and it now began to seem that constitutional methods for African political advancement were no longer available.

This point, however, only became clear to the African Nationalist movements after a considerable period of appraisal. The middle-class leadership of these movements was naturally reluctant to adopt revolutionary means to overthrow White rule especially as, in the case of Joshua Nkomo's ZAPU, the basis for this did not seem available.

In fact, it has become increasingly clear that the offshoot of ZAPU, the Zimbabwe African National Union led by the Reverend Ndabaningi Sithole, has been much more closely geared to guerrilla warfare. This has been partly because ZANU has sought a greater following among the Mashona eastern part of the country where there is an important tradition of resistance to European rule dating back to the time of the 1896-97 rebellions. This resistance, as the historian Terence Ranger has shown, was organised through the basis of spirit-mediums and was welded by an important religious ideology based upon the cult of Mwari.⁴ It is thus interesting to see that the resistance to White rule is labelled by ZANU the *Chimurenga*, which has the meaning of a religious war of national liberation.

This peasant basis of ZANU contrasts fairly starkly with the more urban-orientated ZAPU

which has captured the sympathies of the new Black working class which has not done badly, comparatively speaking, out of the Rhodesian economic boom since the time of Federation. Between 1963 and 1972, for example, incomes among African workers have risen by an average compound rate of seven per cent a year.⁵

In addition, by 1972 at least 10 000 Black workers could be classified as skilled, business, administrative or technical personnel while a further 30 000 (or 8,91 per cent of the entire Black force) could be classified as semi-skilled.⁶ This does not mean the automatic erosion of the structures of White domination, as many liberal analysts have been too ready to assume, but it does mean a difference in attitude and consciousness by Black workers compared to their rural counterparts.

The impact of Western and capitalist values may well mean a tendency by this working class to focus on solutions based on the power of unions, concentrating especially on better wages and conditions.

It does *not*, however, mean an automatic affiliation to a rurally-orientated movement among the peasantry based on the Frelimo example of protracted war. There seems an important contradiction here which may well, even at this stage, hamper the African liberation struggle.

This point becomes clear when it is realised that between 1969 and 1972 ZANU was undergoing an ideological transformation in the direction of protracted war.⁷ This involved an accommodation with Frelimo which had by this time established a secure foothold in Tete Province of Mozambique.

Thus precisely at a time when some analysts were optimistically concluding that the Smith regime had successfully defeated African nationalist insurgency after some initial incursions in 1966-67, a new era of war was about to begin.⁸ But it was heavily based on ZANU and it is not clear what role, if any ZAPU can play if the solution to Rhodesia's political cleavages is to be based on violent revolution. It is now highly unlikely, however, that any peaceful settlement can include ZANU which has gone too far in the development of a revolutionary posture.

The African National Council of Bishop Muzorewa potentially filled this gap, but the ANC has now effectively become defunct. The only potential area of bargaining, therefore, is really with Nkomo who, as I have shown, is heavily based on urban Africans who might well be susceptible to the kind of bargain which any peaceful accommodation with Smith would involve. Perhaps the key question to surround this is the potential pressure that can be brought to bear from the increasing internationalisation of the whole Rhodesian issue.

Through the 1960s the United Nations still tended to treat Rhodesia as essentially a British

colonial affair: hence the somewhat stage-managed meetings between Harold Wilson and Ian Smith on board the *Tiger* and *Fearless*. With the collapse of Portuguese colonialism, this ended as the East-West conflict began to intrude into Southern Africa. In addition, too, it was recognised by the British government after the collapse of the Pearce Commission in 1971 that any further solution had to emerge from inside Rhodesia.

It therefore comes to seem likely that the future most influential powers in Rhodesia will be South Africa and the United States. A revolutionary war against terminal colonialism as envisaged by ZANU is clearly perceived as a threat to the whole position of Western interests in Southern Africa.

In the short-term, of course, the Rhodesian army may well be able to hold out: it has some 4 700 regular men but a further 45 000 odd irregulars against an insurgent force of some 9 000, 7 000 of whom are in Mozambique.⁹ But in the long run, Rhodesia may be faced with a combined invasion from Mozambique, Zambia and even Botswana by men who have shown an increasing ability to wage guerilla warfare successfully.

To this extent, a political settlement is seen by Western observers as increasingly necessary if the whole of Southern Africa is not to be

involved in a vast race war. Whether, of course, Ian Smith has the ability to manoeuvre within the narrow limits available to him is an interesting question.

Perhaps he might, if only because the numbers of Whites to defend Rhodesia are so few in number (though increasing use is being made of Black troops). But if Smith can hold out for so long against such seemingly overwhelming odds, how much more difficult is it going to be to change South Africa in a peaceful manner? The question may well be the most important one the Western world will have to face in the next generation.

1. John Day, *INTERNATIONAL NATIONALISM*, London, Routledge and Kegan Paul, 1967.
2. Terence Ranger, *THE AFRICAN VOICE IN SOUTHERN RHODESIA*, London, Heinemann, 1970, p. 94.
3. Eshmael Mlambo, *RHODESIA: THE STRUGGLE FOR A BIRTHRIGHT*, London, C. Hurst & Co., p. 121.
4. Terence Ranger, *REVOLT IN SOUTHERN RHODESIA 1896-7: A STUDY IN AFRICAN RESISTANCE*, London, Heinemann, 1967.
5. Peter Harris, "Industrial Workers in Rhodesia, 1946-1972", *JOURNAL OF SOUTHERN AFRICAN STUDIES*, Vol. I, No. 2, April 1975, p. 144.
6. *ibid.*, pp. 146-147.
7. Simbi V. Mubako, "The Rhodesian Border Blockade of 1973 and the African Liberation Struggle", *JOURNAL OF COMMONWEALTH AND COMPARATIVE POLITICS*, Vol. XII, Nov. 1974, No. 3, p. 298.
8. See, for example, L. H. Gann, "Rhodesia and the Prophets", *AFRICAN AFFAIRS*, Vol. 71, No. 283, April 1972, pp. 125-143.
9. "Rhodesia Packs a Wallop", *THE STAR*, June 1, 1976, p. 33.

Book review

Home? — by Dr Margaret Nash

HOME is much more than "an introduction to the housing crisis in Cape Town". Though Cape Town's squatter population is given as the example throughout, much of the information and all of the many practical proposals are relevant wherever shelter for the urban poor is at crisis point.

How does a government qualify for a public housing loan from the World Bank? The criteria laid down by the Bank — which "is not concerned with philanthropy, charity or disguised 'do-gooding'" — have been set out clearly by Dr Nash.

How have Durban slum-dwellers elsewhere been enabled to upgrade themselves at minimum cost to the State? The example of Ants' Villa, Toggo, is given.

How can private initiative and existing bodies such as churches make effective contributions when tackling such a mammoth problem? A variety of impressive beginnings are described in sufficient detail that others may follow suit.

Though the human tragedy and terrible wastefulness resulting from poverty, deprivation and insecurity form a part of this booklet's 76-page text, no space is taken up with simply deploring. It is the author's wish that people should understand and then act, and she has left no stone unturned to help us do so.

Copies may be ordered from CFCJA Office, Church Hall, Brooke Street, Claremont, 7700.

CANDY MALHERBE

Birth of the BPA

MANAS BUTHELEZI

WHEN I thought about what I was going to talk about tonight, I was in some difficulty because the riots have been so well publicised that they are common knowledge and I do not want to bore you with what you already know.

I want to make a contribution tonight by way of presenting a case study of one organisation which was born out of the disturbances in Soweto and has lived through them and perhaps suffered through them — the Black Parents' Association.

In June 21, five days after the disturbances started, a number of Black organisations convened in order to discuss among themselves how to help in the funeral arrangements which had to be made because of the deaths of so many people at one time.

It was felt it would be wrong for each organisation to create a fund for this purpose but instead one organisation should be formed and so the Black Parents' Association was created.

The aims of this association were very modest — to provide funds and facilities to help the affected families and to pool resources with existing organisations — it was our intention to make some contribution to each family.

At the same time we tried to mobilise the whole community to an awareness of what we were trying to do.

We got a marvellous response. Some undertakers donated coffins and the taxi association made available, free of charge, 700 taxis for use at the funerals. We were advised to apply for permission to hold a mass funeral.

At the same time some of our committee tried to locate and identify the families to be helped. This was not easy as there was no list of victims published and we had to get the information ourselves.

We had representatives from the profession on the association — doctors to identify corpses and social workers who visited families.

Our application for a mass funeral was turned down which meant that the resources we had accumulated — the taxis, etc., could not be used, and later we discovered that some of the families had to bear great expenses for funerals. We subsidised each family in respect of the burials and we received considerable unsolicited help — people came forward themselves.

After the funerals we were faced with the problem of sending the children back to school. Even though the schools were re-opened the children did not go to school, mainly out of fear. We called a meeting of parents and the BPA was asked to permit certain resolutions taken at this meeting.

Some of these were: In view of the fact that so many children had attended school for so long, examinations should be postponed; again, taking into consideration the absence from school, the closing date for registration for examinations should be delayed and finally, the evaluation of performance should take into consideration absence from school.

We received a reply from the Department of Bantu Education in Pretoria turning down the first request, acceding to the second and answering the third diplomatically, saying it would lower the standards.

It now became clear that the Black Parents' Association, initially formed to help families in regard to burials, had become the representative of the Black community.

We were then informed that the students had pledged to return to school and they asked the BPA to help them place their underlying grievances before the authorities. I cannot report with any degree of finality regarding this last responsibility.

We have not carried out the mandate of the students but the attitude to the dialogue can play a crucial role in dissolving the present tensions. In this context too we experienced some of our colleagues being detained and this is hampering us in our efforts.

Among your expectations tonight you would like me to say a few words about the aspirations of the Black people and what the Black people want. My answer is that first Black people want to have a share in all that our country offers — an adequate share.

Like you, the Black people have made a contribution to the progress and development of this country, even though due recognition of this fact has not been sufficiently given and in turn they expect that they should enjoy, like everybody else, the fruits of their contribution.

We are living in a wealthy country; we are living in a city that produces the largest share of the world's gold and there is no reason to say we do not have sufficient to satisfy the needs of its people.

The Black people would like to have a share of all that belongs to God and are given to us. Black people feel it is unjust that they should receive lower wages than the rest of the community. Also what the Black people want is a good educational system which is comparable with that given to other sections of the community.

So-called Bantu education is totally unacceptable — it does not meet the aspirations of the people, it is totally unsatisfactory to the Black

people and what has happened in Soweto has come out of this dissatisfaction.

How do you deal with this psychological and emotional problem? — In order to deal with the problem of Soweto, it is necessary that these grievances should be approached with an open mind, without having one's eyes coloured by certain ideologies.

Black people want to have a share in the power; they would like to play a role in the decision-making processes of their country — there

is nothing abnormal in this, it is natural.

Blacks want exactly what you want for yourselves, they do not want any more. They want to have a voice regarding the laws binding them and it is natural that they should have this voice.

Separate development has meant that those who are responsible for making the laws and dividing life into compartments have had no experience of what it means in practice to live under these laws.

ADELAIDE

ADELAIDE lives in a house in Soweto. There are four rooms and a fowl run. In these rooms and, in dry weather in the fowl run, live 24 people.

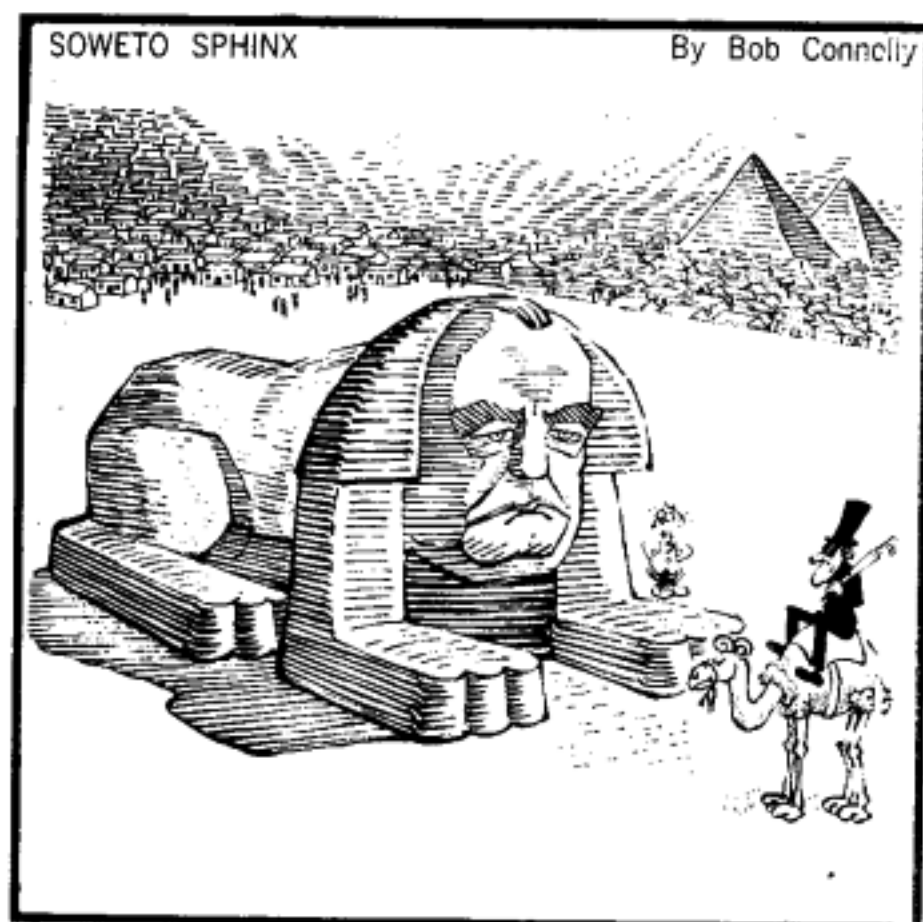
There is her mother and her father and two unmarried brothers, one of whom is still at school. There is a married brother with his wife and three children aged ten, seven and two years. There is a divorced sister with four children between 13 and three years old. There is an unmarried sister whose marriage will not take place because her lover disappeared before the lobola payments were completed. She has three children aged five, three and one year. There are two other unmarried sisters one of whom has a one year old child and there is Adelaide herself with her two children, a fourteen year old boy and a nine year old girl. Adelaide's husband lives in a hostel in Carletonville and she has decided that they cannot marry because he is a foreign worker from Lesotho and, if they do marry, her children will be regarded as citizens of that country — not of South Africa where they were born.

Adelaide's family are not poverty-stricken. The adults are in regular employment and earn reasonable wages but they cannot in any way improve their living conditions.

Adelaide and her four sisters cannot rent a house for themselves because no woman is accepted on to the waiting list for a house if there is no male head of the family. Even were Adelaide to marry her husband they could not have a house because he is a foreigner and foreigners are not accepted on the waiting list. Two of her brothers cannot rent a house of their own because

they are unmarried. The married brother is on the waiting list but will probably have at least five more years to wait. He tried to speed this up by applying to buy a house under the restored leasehold scheme but was told that his 10(1)(b) permanent resident's qualification was not good enough and he must first obtain a Johannesburg birth certificate.

Adelaide sleeps under the kitchen table, but in the summer months the house is sometimes unbearable hot, so, if the sky is clear and the township quiet, she sleeps out in the yard. Her son needs no agitators to inform him that life is intolerable for his parents and his grandparents, nor that, if they were White, life would not be like this.



Our Land, South Africa

"**B**USINESS organisations should buy arms, preferably shotguns. This is one of the security measures suggested in a controversial secret document sent to Sakekammers around the country by the Afrikaanse Handelsinstituut."

Sunday Express, 10.10.76.

THERE are tsotsis, of course. Militants, sure. And agitators? Possibly, but we ourselves have radicalised the African youth as no agitators could have done — by educating them and then denying the opportunities their education leads them to expect.

Lawrence Gandar, Rand Daily Mail.

THE Black Power sign is a salute to Nelson Mandela — "our leader who is on Robben Island because of his love for us," a schoolboy told the Cillie Commission of Inquiry yesterday... Asked by Mr Justice Cillie, Judge President of the Transvaal, why he had taken the oath with the Black Power sign, he said: "I was told to raise my hand and swear. I was not told how to raise my hand."

Rand Daily Mail, 8.10.76.

"**H**E had been shot in the back so I bent over him and asked him why he had set the building on fire. He just mumbled 'amandla' and glowered at me. He would not say anything more."

Rand Daily Mail, 7.10.76.

HEAVILY armed police mingled with hundreds of people outside the Soweto Magistrate's Courts today as 129 people from the age of eight years upwards appeared on charges relating to violence in the townships... At least 26 of the 129 on the charge sheets were children. It appeared that the youngest of these was eight years old... So far 1400 Black children have been charged with public violence, arson and theft since June, but it is not known how many children are still in detention awaiting charges.

The Star, 5.10.76.

THE National Secretary of the YWCA, Mrs Joyce Seroke, who is also a member of the world executive of the organisation, has had her passport seized. (Ms Seroke is now in detention.)

Rand Daily Mail, 7.10.76.

I WATCHED my mother. Her lips trembled, veins on her temples stood out and her eyes filled with tears. With shaking hands she read the paper I had given her. Then she broke down and cried like a baby, because detention had come right into her household. My 18-year-old brother had been taken... She would let none of us rest until we found out what had happened to her son. But our private investigations brought us only more confusion.

One day we heard a story that he had been charged with sabotage. The next day we heard that he had been charged with arson and had appeared in a Supreme Court. Then we read in a newspaper that four youths from his school had appeared in a court in connection with the burning of a school. Was he among them? Where was he? And how was he? These were the questions we kept asking one another.

We have not heard. We are still hoping, since there is no harm in endless hope...

Maud Motanyane, The Star, 9.10.76.

IN an unprecedented move, representative Blacks from all over the Pretoria area and the Vaal Triangle invited homeland leaders to meet them on Friday night after the Pretoria "summit" with the Prime Minister. A "secret strategy" for the future was hammered out and agreed. One of those present described the meeting as "the biggest show of Black solidarity since the days of the old African National Congress."

Sunday Express, 10.10.76.

"**P**LEASE don't use the expression 'homeland leader'," he (Chief Gatsha Buthelezi) said. "From now on it's outdated. There is no longer any difference — we are all equally committed to liberation."

Sunday Express, 10.10.76.

THE Soweto Urban Bantu Council — nicknamed the Useless Boy's Club during the riots — yesterday adjourned indefinitely. The vote was unanimous... Mr de Villiers (Chief Director of the West Rand Administration Board) said the councillors who did not wish to serve under the UBC should resign. Mr Mlonzi, hammering the table, said, "I am not going to resign. I'll destroy the UBC from within." The people did not want the UBC and "cosmetic concessions", he said, "they wanted full rights."

Rand Daily Mail, 8.10.76.

ACCORDING to a joint communique issued after the talks (with homeland leaders), Mr Vorster "rejected the principle of a national conference because he saw no merit in the idea at all."

On the plea for release of detained leaders to enable them to take part in a national convention, Mr Vorster "could not and would not interfere with the law", because machinery existed whereby the detention of the individuals concerned would be reviewed.

Mr Vorster also turned down a demand for the abolition of Bantu Administration Boards which were viewed by Africans as instruments of oppression.

Rand Daily Mail, 9.10.76.

AT last politics is coming to be for real, involving the true contenders for power, not merely the phoney fight among White groups of varying degrees of conservatism.

Lawrence Gandar, Rand Daily Mail.

A vicious instrument

CHRISTOPHER MARCHAND

AT the centre of the labyrinth of laws which control Black labour in South Africa are the labour bureaux. They are an administrative device whose primary functions are to recruit Black labour, register employers, workseekers and contracts of employment and to regulate the flow of Black workers from the rural and homeland areas to the towns. Thus, labour bureaux are crucial in yielding essential Black labour for the White-controlled economy and in upholding influx control enforcement. They must be examined against the whole system of underpaid, forced labour which prevails in South Africa to serve all White interests — be they Afrikaner Nationalist or English Liberalist capitalist.

The Bantu Labour Act of 1964 and two major sets of Government Proclamations promulgated in 1965 and 1968, outline the framework of labour bureaux. In "White" South Africa, a complex, hierarchical network of local, district and regional bureaux have been established. On 31 December 1975, there were 294 local, 241 district and eight regional labour bureaux in the Republic. In the homelands, a similar structure of tribal, district and territorial labour bureaux have been proclaimed. On 30 April 1976, they numbered 518 tribal, 96 district and eight territorial labour bureaux.

Each labour bureau is manned by a tribal, district, local labour officer, etc., whatever the case may be. Each labour officer must maintain records of registration of workseekers and contracts of employment attested at his bureau. He must also furnish such information as may be required by the Director of Bantu Labour. The Director of Bantu Labour, who heads a central labour bureau, oversees the functioning of all labour bureaux and the efficient implementation of policy nationwide. Senior labour officers can also exercise powers of inspection over bureaux in their domain. From my observations of bureaux in the homelands, all tribal labour officers are Black officials responsible to a senior labour officer or magistrate who is White.

Every employer of Black labour in the Republic or the homelands must be registered at the local or tribal labour bureau. All vacancies in employment must be notified to the bureau within fourteen days and the onus for registering a contract of employment lies on the employer. The employer must sign the Reference Book of each of his Black employees before the eighth day of every month.

For their part, all Blacks qualifying to be in the prescribed areas, must register at the

local bureau within fourteen days of turning 15 or three days of becoming unemployed, unless attending an educational institution full time. Black people over 65 or those whom the labour officer considers unemployable because of physical or mental infirmity are exempt from this requirement. Blacks engaged in professional occupations also enjoy such exemption. In the homelands, the same requirement to register as a workseeker applies to any person dependent on employment for a livelihood or who want to take up employment. Because the homelands are so chronically underdeveloped in effect this means that the majority of productive workers must register as workseekers, for there are no economic opportunities available in the homelands. Two lists of registered workseekers are kept by the bureau: "registered employed" consisting of workseekers with contracts of employment and "registered unemployed" comprising workers without jobs.

In the homelands, the registration of workseekers reveals a massive labour market. That such a market exists is evidenced by the high rate of unemployment in the homelands. It has been claimed in Parliament that no statistics exist on unemployment amongst Black people in South Africa or the homelands. But from official sheets I examined for a labour tribal bureau, the unemployment figure for 1975 ranged from 20 per cent to 30 per cent of the total 1970 male population. Certainly, the statistics are faulty, but in this case they represent official unemployment figures which are under-estimated because many Blacks do not register although economically unoccupied. The "Financial Mail" has estimated that at the end of 1975, unemployment stood at 20 per cent of the Black work force.

At all the tribal bureaux I visited, I was literally besieged by supplicants for work. Sitting in one labour office with open windows on two walls and a door in another, innumerable pairs of eyes from all three openings subjected me to fixed and soulless stares. Yet I detected a spark of resentment, even anger, smouldering in their depths, representing a conscious if inarticulate condemnation of the iniquity of a system that drives them from their families and homes into an alien, depersonalised environment and all for a beggar's wages.

One may argue that the purpose of this labour market is to ensure an abundant and profitable supply of labour for the "White" economy. Charged with the responsibility of producing the recruits, labour bureaux operate without regard

to the worker's freedom of choice in an occupation. One method by which this can be done takes place when registering the workseeker. On registration, workers are placed in a category of employment of which 17 are listed in the 1968 Regulations. Although these Regulations require the tribal labour officer to take the workseeker's preferences into account when registering him for an occupation, there is no law obliging the tribal officer to do so. In any case, in a labour market in which employers enjoy immense scope to pick and choose, the scramble for jobs is so great that the worker will take any work going, for the alternative is to starve. In the May 1974 issue of "SASH", Mrs Duncan wrote graphically of how selection procedures operate at rural labour bureaux.

Another means by which freedom of choice is restricted is by "zoning" a labour bureau for recruiting to a specific area (a farming belt) or occupation (mining or farming). This is also done inversely by restricting workers from employment in a particular area e.g. the Witwatersrand industrial metropolis, effectively forcing workers to find work on the Witbank coal mines or Rustenberg farms. The Department of Bantu Administration fobs off questions on the matter of "zoning" by pleading an absence of statistics on the matter. They intimate that only by asking each of the 22 Bantu Administration Boards in the Republic as well as the homeland authorities, will one elicit information on "zoned" areas and recruiting practices. It is also significant that the 1968 Regulations make it an offence to fail to register as a workseeker if obliged to do so or to report for recruitment on a day specified by the tribal labour officer. Both in law and in practice, the freedom of choice has been so eroded that it can be said South Africa's is a forced labour system.

A second ramification of the surplus homeland labour market is that it provides for low paid labour. This is characterised by an absence of bargaining between employer and employee over wages, hours of work, etc. I was not surprised, therefore, when I was told that the main problem tribal bureaux experience is the high rate of desertions by workers from their contracts of employment. This raises the question of workers' conditions of employment and their awareness of their rights. Negotiations over wage rates and benefits are non-existent, certainly at the tribal bureaux I visited. In an instance I observed, the thumbprint of the workseeker was placed on the contract of employment before the hours of work and rates of pay were specified. The main terms of the contract were perfunctorily explained to the contracting workers assembled in a group who then raised their hands to indicate assent.

The contract may only be attested after a host of conditions are satisfied. After attestation of the contract, the 1968 Regulations provide that

four copies be made and distributed to the attesting officer, tribal labour officer, employer and labour officer in the area where the Black worker will be employed. The Department of Bantu Administration told me it is not considered necessary for a Black worker to receive a copy of his contract.

To glance through the record cards of the Black Sash Advice Office at Lestar House, Johannesburg, reveals an endless number of advice seekers complaining that they have never had their legal or factual position properly explained to them. In particular, difficulties concern the terms of the contract and the procedure for obtaining or re-obtaining work. No regulations have ever been promulgated instructing labour bureau officers to render such advice. Clearly, a close look is required at the desirability and possibility of training an official at each bureau to function as a fully fledged advice officer.

In the prescribed areas there is more latitude in labour practices. Contracts between lawful workseekers and employers may be negotiated at their own initiative, the labour bureaux acting as the recording agency. However, the Environmental (née Physical) Planning Act does restrict the urban workseeker's freedom of choice. Where quotas have been imposed on increases in the number of workers in certain occupations, workers will not be able to find jobs in that industry. This means that labour bureaux will refuse to register employment in those jobs. From February 1, 1971, to January 31, 1976, 45 503 Black workers in the Transvaal were affected by refusals to extend quotas under the Act. If the Act is more vigorously applied as could well happen, the "Financial Mail" has estimated that 100 000 workers could be affected.

Exclusion of workers from desired jobs does not necessarily mean that the thwarted workseeker will take up employment elsewhere. Often, workseekers officially registered as unemployed illegally engage in a desired occupation or else turn to crime. Those that do take up other employment unwillingly will justifiably be dissatisfied and absenteeism and low productivity are often the result. The controls on the utilisation of Black labour in the Environmental Planning Act are an exercise in futility underlining the fact that legal attempts to restrict socio-economic forces are doomed to failure and bring heartbreak and disaster in their wake.

This vicious circle completes its turn with the provision under Section 29 of the Urban Areas Act providing for the removal of "idle" and "undesirable" workers from the urban areas. Both the labour bureaux and labour inspectors may refer such alleged offenders to the Bantu Affairs Commissioner. Although the Section is not extensively invoked (no one was endorsed out of Johannesburg last year under Section 29 while 207 people received suspended sentences and 18

were sent to work colonies), nevertheless it is a law which allows for the punishment of people without them committing a crime. One may well assert that by Section 29, the capitalist system has set up a legal device for the discarding of workers who are obstructive and constitute a "nuisance" to the system.

Like most paper empires, labour bureaux are a haven of inefficiency. There is a massive flow of paper work wrought by copying employment contracts in quadruplicate and the requirement that contracts be annually renewed on the "call-in" system. Statistics are inaccurate, administrative skills are lacking and there is a cumbersome bureaucratic procedure. Requisitions for labour in the urban areas travel upwards through the urban hierarchy, are transmitted at high level and then handed down the homelands hierarchy. There is little, if any, contact between tribal and local labour bureaux, which contact would be a great time saving device. In another example of bureaucratic ineptitude: where a worker in a homeland, despairing of recruitment there, enters a prescribed area illegally, finds a job and presents himself for registration at an urban bureau, he will be endorsed out back to his tribal area as a "new arrival"! If lucky he will sign on with his new employer at his tribal bureau and then re-enter the prescribed area — this time legally. Thus, there is a tremendous waste of time and manpower.

Homelands offer no solution to the problem of labour bureaux. Homeland governments are reliant on the revenues they generate from fees levied for contracts of employment attested and monthly payments on each worker employed. This is evidenced by the fact that although the home-

lands have acquired legislative capacity in respect of labour matters in their territory, labour bureaux (and migrant labour) have not been phased out. Indeed, the Transkei and KwaZulu Legislative Assemblies have enacted laws raising the labour bureaux fees and providing for their receipt into Government coffers. In the Transkei, the Minister of the Interior, in place of the South African Minister of Bantu Administration and Development, now issues regulations for labour bureaux there. The homeland economies are so interwoven into that of South Africa in a demand-supply capacity of labour, that to talk of homeland independence in anything other than a showcase way is purely another excursion into Wonderland.

The South African labour system is the most blatant example of racial inequality before the law, for no other laws make so great an inroad into the Black man's life yet do not apply to Whites. The establishment of freedom for all wage labourers is the imperative solution. Whether South African capitalism will prove capable of instituting reforms such as better job opportunities, efficient unemployment insurance, the rights of workers to combine and, most important, the abolition of migrant labour, remains to be seen. Personally I am very skeptical, for the ruthless exploitation of the Black wage labourer in our country, compounded by its racial dimension of White "haves" and Black "have-nots" has, I suspect, made reform impossible. Labour bureaux remain a vicious instrument in the oppression of the Black man. The abolition of these bureaux as they are presently structured is the only acceptable solution as part of a complete reconstruction of South Africa's labour system.

JESSIE MACINTOSH RICHEY

MRS RICHEY'S death in Grahamstown, shortly after her 94th birthday, recalls some of the early history of the Sash in the Eastern Province.

Born in Johannesburg, a descendant of Dr John Philip, the LMS missionary, she was always interested in education, in social welfare and in *people*, particularly young ones.

Her husband, a Balliol man, was a Director of Education in British India, and after his death, just before the war, she returned to England and worked for ARP in London's East End. After the war, she made a home in Grahamstown with her two sisters, and did voluntary work for Cripple Care and SANTA.

She founded the Grahamstown branch of the Black Sash, and although in her 70s journeyed to Pretoria to take part in the vigil outside the Union Buildings, and later joined the car convoy to Cape Town and the House of Assembly.

The deaths of all her family left her, the eldest, alone of her generation, and the last decade of her life was rather sad and solitary. She became increasingly weaker, so that her friends could only rejoice when the end came peacefully on August 20. May her noble soul rest in peace.

Colour them angry

NOEL ROBB

BEFORE examining the attitude of Coloured people today it is useful to remind ourselves what has happened to them since 1909. At that date, in the Cape where the majority of Coloured people lived then and do today, there was a non-racial qualified franchise according to which Coloured men were entitled to vote under qualifications which applied to all races.

In 1909 the National Convention agreed to maintain this position except that Blacks were no longer entitled to sit in Parliament, and in Natal no more Africans or Asians were to be registered as voters. In the Transvaal and OFS the franchise had always been limited to White men only.

The next blow came in 1930 when White women were enfranchised but not women of other races and again in 1931 when income and property qualifications were removed for White men in the Cape and Natal but not for Coloured men.

The Representation of Natives Act of 1936 provided that African voters in the Cape should be placed on a separate roll to elect three White members to the House of Assembly and two to the Cape Provincial Council. So now the voters in the Cape consisted of White men and women over the age of 21 and Coloured men over 21 who satisfied the income and property qualifications. After battling for several years to remove even those Coloured voters from the common roll, the Nationalist Government, unable to obtain the necessary majority of Assembly and Senate sitting together, increased the size of the Senate and removed the Coloured voters.

In 1965 Coloured teachers were prohibited from being members of the Nationalist, United, Progressive and Liberal Parties.

The Coloured Persons Representative Council Act 49 of 1964, provided for a council of 46 Coloured members, 30 to be elected and 16 to be nominated by the State President.

The Act also provided for the general registration of voters — coloured men and women over the age of 21 years. (The age of White voters had been lowered to 18 in 1958 — this is now to be done for Coloured voters too.)

At the first Coloured elections in 1969 the Labour Party won a majority of the 40 elected seats, but the Government then nominated Federal Party members — the defeated candidates — to be the 20 nominated members so that the Federal Party had a majority in the Council.

In March 1975 the Labour Party gained 31 seats to the Federal Party's eight and now had a clear majority irrespective of the political affiliations of the persons to be nominated.

It was interesting to note that in 1969 out of about 800 000 odd people qualified to vote only 600 000 registered and of them only about 300 000 cast their votes, whereas in 1975 out of 900 000 entitled to register, 500 000 did so and only 250 000 actually voted.

This was not due to lethargy it was a refusal to take part in a system of which they disapproved.

In November 1975 the Minister of Coloured Affairs dismissed Mr Sonny Leon as Chairman of the CRC executive and appointed Mrs Alatheia Jansen in his place.

The other members of the executive promptly resigned.

Now the Coloured people were really interested and literally thousands flocked to the report back meetings all over the country.

Until then people said that the Labour Party did not represent the Coloured people as only 25 per cent of the people entitled to vote had voted — the percentage vote in Cape Town was only 12 per cent but in the country areas it was much higher. Now those who had refused to vote at all, let alone for the Labour Party, turned out to show their appreciation of the CRC Executive's action and it became possible to get some idea of what Coloured people were thinking.

Right from the beginning the Labour Party had stood for a non-racial franchise and full citizenship rights for all South Africans, not only the Coloured people.

There is now no doubt that a very large percentage of Coloured people insist on full political and civil rights — nothing less than universal suffrage will satisfy them. They also insist on equal pay for equal work, the removal of all discriminatory legislation such as group areas, job reservation, etc.

In a letter to the Cape Times, Mr David Curry, deputy leader of the Labour Party, said, "Last year I prophesied that the CRC will go from crisis to crisis. This year will prove to be the same because the policy of separate development has a bitter frustration complex.

"Crisis after crisis will come because the CRC is so badly constructed. The Government even now has to appoint an ex-civil servant in the person of Mrs A Jansen to run the show.

He went on, "It is quite clear that the Government has no clear policy as far as the Coloured people are concerned. They have to spell out quite clearly how they will separate power and how the Coloured people will 'share power' in the framework of separate development.

"We as a political party have stated clearly what we want: First-class citizenship for all South Africans regardless of race or colour.

"It is the Government that must be questioned on the application of its policy. Its own policy has been responsible for the re-awakening of a political consciousness among Coloured people. It will have to satisfy that consciousness.

It has given us a form of representation without responsibilities. It is not our job to advise the Government as to how it should implement its policy. It has had 27 years of ruling our country and by now it should know what to do with its own policy.

"In the meantime, we in the Labour Party will continue to oppose, expose and embarrass the Government regarding its own actions. We have no illusion about the situation we find ourselves in. We will continue to strive for full citizenship because change is being written on the walls of South Africa. Change will come and White South Africa will conform to change not because it wants to but because it has to."

Most Coloured people, especially the younger ones, have lost all faith in White men's promises and now demand the whole cake — not half the cake or 90 per cent of the cake but the whole cake.

The bitterness and anti-White feeling among the younger Coloured people is tragic and terrifying. There is only one way in which we can recapture their respect and trust and maybe eventually their affection, and that is to remove all discriminatory legislation and grant them full political and civil rights.

The more political Coloured people will only accept this if it is extended to all South Africans, not only to Coloured and White ones. Their firm stand on principle has been quite wonderful. It is impossible to gauge whether the man in the street shares their views. Coloured people have the same fears of being swamped as Whites have, but on the other hand they know what it is like to have no representation at all.

Howard Lawrence, in the Sunday Times of February 22, wrote, "In the context of the Angolan war and the threat to South Africa's borders, it is my impression that Coloured South Africans are not 'patriotic' because they do not believe they would be fighting for 'our' country.

"It is the failure of the Government to 'move away from racial discrimination' as promised that has created this hostile attitude — the

attitude that the war in Angola is a war against Whites in the interest of Blacks, and not a communist threat." How can White South Africa contemplate defending itself against the world with a 5th column of 18 million Black people?

In the Sunday Express of February 22 Allister Sparks quotes Macaulay as saying, "We know of no great revolution which might not have been prevented by compromise early and graciously given". Sparks commends that "Britain at the time was teetering on the brink of revolution. The lower social orders or 'the mob', as the aristocracy called them — were seething with discontent and clamouring for reforms in a socio-political system which discriminated against them and kept them powerless. But Britain took Macaulay's advice and offered compromise in sufficient time and with a good enough grace. They didn't wait until the revolution was upon them and the lower orders were no longer in a mood to compromise.

"And because of it the British aristocracy survived more effectively than any other in the world. To this day."

He says, "This is why I believe Macaulay's advice is so singularly appropriate for the Whites of Southern Africa today. For we are in the same position as those British aristocrats, and our interest is in survival.

"The Portuguese territories are to us what France was to Macaulay and his fellow British aristocrats — the terrible example on your very doorstep of what happens when you wait too long before offering the compromise and introducing the reforms.

"Only the British listened. All the others have hung on grimly, stubbornly and with increasing blindness until the revolution burst upon them and eliminated them." Is that what is in store for us?

As Macaulay said, "Already we seem to ourselves to perceive the signs of unquiet times, the vague presentiment of something strange which pervades the community. The restless and turbid hopes of those who have everything to gain, the dimly hinted forebodings of those who have everything to lose".

We can blame the Government for not facing the facts but they would have to have the support of the majority of Whites in order to make the drastic changes necessary and to make them in time to avert revolution.

'You cannot get Unemployment Insurance benefits, to which you have contributed, without registering as a workseeker which you cannot do without a residential permit, which you cannot get because you cannot find accommodation and cannot pay for it if you had it because you are unemployed.'

Advice Office roundup

These reports, which cover a period from March 1975 to May 1976, have been severely curtailed because of lack of space. We apologise.

athlone

In 1975 het heelwat uitbreiding in die werksaamhede van die Athlone-advieskantoor meegebring. Die verwysingsdiens rakende alle soorte probleme wat oor die verloop van 17 jaar aan inwoners en aspirant inwoners van die drie Bantoe-woongebiede aan Kaapstad gelewer is, is met enige toename voortgesit.

Terselfdertyd is nuwe moontlikhede geopen met die buitengewone groeitempo en konsolidasie van plakkersgemeenskappe, veral by die sogenaamde Crossroads (Nyanga, uitbreiding 3).

Hierdie plakkersdorp het gedurende Februarie, Maart en April vanjaar ontstaan, grootliks op aansporing van inspekteurs van die Afdelingsraad wat klaarblyklik daarin geslaag het om die Bantoe uit 'n hele paar kampe, geleë aan die buitewyke van Kaapstad, aan te keer.

Die inspekteurs het dié mense te kenne gegee dat hulle weer by Crossroads kan bou, aangesien dit 'n spesiale gebied vir hulle sou wees.

Hulle is dus sodoende gerieflik op 'n plek byeengegooi wat die Bantoe-owerhede in heel 'n ander lig gesien het, soos 'n oorgangskamp.

Die mense self wat in Maart groepsgewys by die Advieskantoor om hulp, veral vir borg en regsadvies in die howe, kom aanklop het, het ons van hierdie toedrag van sake verwittig. Hierdie mense is altyd hoopvol, maar baie onseker en met 'n dringende bewysheid van 'n mate van mensereg tot vreedsame saamwoon met hulle gesinne en binne bereik van 'n verdienste.

Hulle het 'n merkwaardige gees van samehorigheid en moedige vasberadenheid getoon in hulle poging om saam te staan. Regshulp is klaarblyklik van die allergrootste belang.

Dit is gevind dat party van die mense gehuggies by Crossroads opgerig het slegs omdat hulle geen woonplek waarop hulle in die oorvol dorpsgebiede geregtig is, kon vind nie. Nog baie huise is nodig vir mense wat reeds wetlik op 'n permanente basis hier is en vanselfsprekend het hulle die eerste aanspraak op behuisingskemas.

Daar is egter baie min wat kragtens doodgewoon humanitêre oorwegings sonder goeie rede hier is en die beeld wat gesien word, is 'n faset van ons inflasionêre tye. Daar is geweldige armoede in die verarmde landelike gebiede en die kumulatiewe dryfkrag van honger, angs en eenzaamheid neem die vroue na hulle mans waar daar werkgeleenthede is en waar hulle binne bereik van hospitale vir siek kinders is. Dit is dus gewoonlik vir 'n prokureur moontlik op grond van versagende omstandighede te pleit wanneer hierdie mense voor die hof verskyn.

Basies eerlik en wetsgehoorsaam (gewis met uitsonderinge soos in enige toevallige mensegemeenskap, maar minder as wat algemeen is) is die mense by Crossroads nie opstandig nie, maar min van hulle aanvaar die voorstel dat hulle uit die Skiereiland moet weg. Hulle is hier en hulle is van plan om hier te bly.

Hierdie stelling word oor en oor deur hulle herhaal. Gedagtig aan ons plig om aan mense hulle posisie ten opsigte van die wet te verduidelik, volg ondervraers van die Advieskantoor hierdie gewone prosedure deur elke persoon sonder 'n pasboek of sonder vergunning om in die gebied te wees, in te lig aangaande waar hy of sy wetlik behoort te wees.

Ons merk dat baie plakkersvroue hulle mans vanaf plase in blanke besit gevolg het en hulle kan dus nie teruggaan nie. Baie gesinne het nêrens anders behalwe in die bosse van die Kaapse Vlakte 'n woonplek of 'n vastrapplek nie. Dit is die "ontheemde persone" en saam met die groot gros "plakkers" is hulle openhartig oor hulle toekomsplanne.

Daar word gewoonlik Seksie 14 "verwyderings" bevele deur die howe gedien teen vroue wat skuldig bevind is van onwettige aanwesigheid in die gebied, waarop die owerheid kan optree om hulle weg te stuur.

'n Aantal sulke vroue het gekla dat hulle onder dwang verplig is om haastig opgestelde inventarisse van hulle sinkplate en huisraad te teken, waarin hulle "aansoek doen" om verwydering van

hierdie goedere na plattelandse spoorwegeindpunte.

Origens vrywaar die vorm die Raad van verantwoordelikheid vir verlies of beskadiging van goedere. In sommige gevalle beweer die vrou dat sy gedwing is om hierdie dokument te teken terwyl haar man weg was na sy wettige werk. Hy het na Crossroads teruggekeer om uit te vind dat sy pondok weg of leeg is terwyl sy vrou op 'n trein na die Oos-Kaap gesit is.

Sy eie persoonlike kledingstukke en besittings is beslag op gelê of weggekarwei vir die verwydering per goederetrein tesame met dié van sy ongelukkige vrou en gesin.

Sy reg om beheer uit te oefen oor sy eie besittings is geheel en al verontagsaam. Prokureurs is tans besig om die Raad te pak in verband met die vermiste besittings van sekere eggenote.

'n Man wie se vrou nie toegelaat word om by hom binne bereik van sy verdienste te woon nie, is *de facto* 'n trekvoel self wanneer, soos dikwels die geval is, hy ten volle gekwalifiseer is om permanent hier te woon. Sowat 200 pare wat in hierdie dilemma is, het gedurende die jaar na die Advieskantoor gekom op soek na 'n wyse waarop hulle kon saamwoon. Gewoonlik is die man verplig om vir 'n slaapplek in die enkelkwartiere te betaal wat hy nie wil hê nie, maar wat hy nie mag prysgee nie. Dit word dan as 'n bewys gebruik dat die vrou elders 'n tuiste het.

"Werkgenot" is 'n berugte plakkerkamp by Bellville wat op 25 Oktober 1974 grotendeels deur 'n vuur verwoes is. Sekere inspekteurs, wat nooit suksesvol voor die hof gedaag is nie, is opgemerk waar hulle vroeg in die oggend besig was om doelbewus pondokke met spiritus en vuurhoutjies aan die brand te steek. Stootskrapers was byderhand om af te reken met wat oorgebly het. Verskrikking het vir 'n wyle geheers en baie besittings is verwoes. Genadiglik is min mense beseer hoewel een man nog mank loop.

Die polisie het die hele episode afgekeur en die plakkers gesteun so ver hulle kon, met die gevolg dat hulle toegelaat is om nuwe pondokke op te rig terwyl 'n saak teen die inspekteurs hangende was. 'n Oop stuk grond by Nyanga is beskikbaar gestel.

Dit staan bekend as „die KTC”, vernoem na 'n nabygeleë winkel. Wyle mnr S. Shikwambana van Guguletu en andere het 'n beskeie fonds gestig om in die basiese behoeftes, soos lakens en sinkplate, te voorsien en die gemeenskappe het gevestig geraak.

Met verloop van tyd het verskeie ander daklose gesinne by hulle aangesluit. 'n Saak het voor die hof gediën en koerante was weke lank vol daarvan. Maar die verkeerde inspekteurs is aangekla en toe hulle vrygespreek is, het die hele saak doodgeloop tot groot ontnugtering van die slagoffers.

Baie mense het tesame met hulle huise, goeie en kosbare klere en meubels in die vuur verloor. Lyste is opgestel en aan prokureurs gegee en

die bedrae wat vergoeding geeis is beloop duisende rande.

Die mense het verwag dat iets verder sou gebeur, dat 'n nuwe saak aanhangig gemaak sou word en veral dat hulle geld sou ontvang. Maar hulle tydperk van wag het ten einde geloop toe kennisgewings hulle waarsku dat hulle pondokke „onwettige strukture” is.

Daarna het daar groen vangwaens, verskeie arrestasies en aanklagte ingevolge Seksie 10(4) van die Wet (d.i. wederregtelike teenwoordigheid in die gebied) en nuwe slopings gevolg. Hulle pondokke is op groot skaal afgebreek, maar stootskrapers word nie gebruik nie en eienaars kan hulle sinkplate en ander besittings gaan opeis by die inspekteurs in Nyanga.

Ons prokureurs het verskeie persone in die hof van die Bantoe-kommisaris in Langa verdedig. Dit hou verdienste in, aangesien sommige aanklagte laat vaar is terwyl ander persone minimaal beboet of met 'n waarskuwing ontslaan is.

Wat meer kan gedoen word om hierdie mense wat met reg baie gekrenk is, te help? Alle beskikbare konkrete bewyse aangaande verliese en beskadiging word deur die Advieskantoor bymekaargemaak en verskeie beëdigte verklarings is sorgvuldig opgestel. Die saak sal nie daar gelaat word nie, maar dit bied nog skrale troos vir die mense.

Die wet maak voorsiening dat getroude mense mekaar kan besoek; as die man kragtens Artikel 10 in hierdie gebied begeregtig is, maar sy vrou is nie, mag hy aansoek om vergunning doen dat sy ongeveer al om die anderjaar vir hom kom kuier, op voorwaarde dat hy eers 'n kamer te huur kry in die rariteit van 'n ruim dorpsgesinswoning. Sy vrou mag egter onder geen omstandighede kom voor dat die permit uitgereik is nie, anders sal die owerhede haar versoek om onverwyld te vertrek.

Ons het namens Wilson Mkonjwa 'n beroep gedoen op Adjunkminister T. H. H. Janson en in Maart vanjaar het ons 'n antwoord van die minister se sekretaris ontvang waarin beweer word dat... „volgens inligting verskaf deur hierdie departement se Kaapstadse kantoor is die beskikbare verblyf vir getroude pare in die Bantoe-stadsgebied van Kaapstad reeds oorvol, terwyl baie ander Bantoe wat vir gesinswoningplek kwalifiseer op die waglys is. Afgesien van die feit dat die beskikbaarheid van woonplek voorvereiste is vir die oorweging van aansoeke om toelating van Bantoe in Kaapstad, is dit verklaarde staatsbeleid om geen ander Bantoe toe te laat om die gebied Wes-Kaapland uit ander gebiede binne te kom nie — veral nie uit die tuislande nie. In die omstandighede is dit ongelukkig nie moontlik om in hierdie stadium aan u versoek te voldoen nie.”

Dit het so finaal geklink dat daar oënskynlik geen ander maniere was waarop hierdie saak verder gevoer kon word nie. Die feit dat Wes-Kaapland as 'n „Kleurling-voorkeurgebied” beskou word, is die kern van die oënskynlike onop-

lcsbaarheid van behuising-, permit- en woonprobleme vir Bantoes alhier.

Dit is onrusbarend om in ander soortgelyke gevalle te let op die geringe, indien enige, aandag wat selfs aan 'n sterk hospitaalsertifikaat gegee word deur beamptes met geen kennis van die medisyne nie, en skynbaar slegs geïnteresseerd in rubberstempels.

Die Advieskantoor het gevind dat heelwat misverstand op die afskaffing in 1974 van die Here en Diensbodes Wet gevolg het. Die polisie en ander owerhede wys nou terug op die feit dat die geskille tussen huisbediendes en hulle werkgewers nou slegs 'n siviele geding is. Maar 'n belangrike klousule in die Arbeidwet is *nie* herroep nie en hierdie feit moet beklemtoon word, aangesien dit 'n mate van beskerming aan Bantoe-huisbediendes en landbou-arbeiders bied wat geen basiese loonvasstelling het nie.

Artikel 16 van die Arbeidwet maak dit 'n oortreding vir 'n werkgewer om lone terug te hou en 'n Bantowerker is steeds geregtig om 'n kriminele klag teen 'n werkgewer te maak indien hy weier om te betaal vir werk wat gedoen is. Die Advieskantoor het vanjaar talle navrae in hierdie verband gehad.

Die lone van huisbediendes is dikwels nog skandelik en baie laag. Huiswerk wat goed gedoen word, is geskoolde arbeid en verdien erkenning vir die waarde. Baie ordentlike en duidelik hardwerkende vroue aanvaar lone van R40 per maand of minder vir voltydse "inslaap"-werk omdat hulle geen ander keuse het nie; hierdie werkgewers is in hulle onkunde baie in hulle skik met hulle vrygewigheid.

„Ek was so goed vir die mens, sy het nie eens 'n pas gehad nie en tog gee ek haar R1 per dag en 'n kamer met 'n volvloermat.” Ja, madam.

Die hulp wat ons van ons prokureurs kry, vul ons met trots en waardering. Hierdie jaar veral was hulle baie besig en ons waardering vir hulle troue steun aan ons kan nie in woorde uitgedruk word nie. Die meeste van ons Crossroadsgevalle het hulp in een of ander vorm van ons prokureurs gekry, veral in die vorm van pleidooie ter versagting vir vroue skuldig kragtens Artikel 10(4) van die Wet.

Ons wil graag afsluit met die bemoedigende woorde wat 'n vooraanstaande oorsese besoeker oor ons te sê gehad het: „Dit is duidelik 'n uiterste poging tot vreedsame verandering.”

**R. N. ROBB,
B. D. VERSVELD.**

east london

DURING 1975 the Advice Office opened twice a week on Mondays and Thursdays. The cases dropped away at the end of the year and we had a shortage of helpers. This year we are opening once a week on a Thursday.

The majority of our cases are in connection with the shortage of housing. We have found that people's chances are jeopardised if we send letters to their Black councillors. They are advised to pester their councillors and get as much publicity as possible about their plight.

Wage disputes are frequent. We find often that just explaining a wage slip solves the problem. Or a sympathetic listener is all people need.

We are certainly seeing more hire purchase cases. The furniture firms are becoming aware of the Advice Office, and we hope they will be more careful about signing up people for far more than they are capable of repaying. We must give credit to our lawyers for their help in these cases.

We write many letter to obtain marriage, birth and death certificates. We fill in many forms and send people to the right officials.

grahamstown

THE kind of work being done here has not changed significantly since the office was opened, nearly three years ago, but the volume is much greater. It trebled during 1975, with August as a peak month (75 attendances). We are still only open on Saturday mornings, but for longer hours.

We have hardly any of the pass-law cases which are staple in Cape Town or Johannesburg. Ours are a mixed assortment with the emphasis mainly on employment — or perhaps more correctly, unemployment — and on welfare matters like pensions and grants.

This is not to say that the residence laws and the migratory labour system don't hit Grahams-town hard. They do, but mainly with the other end of the stick so to speak.

Grahamstown is a poor area, from any but the White point of view. Over 90 per cent of the officially recorded Black population are "qualified residents" in Section 10 terms, including a solid core of third-generation or even older families. But they have to chase far too few jobs, incomes, homes, facilities and amenities of every kind.

The effect of the residence laws is to prevent workers and more especially families from moving away in search of better living standards.

On top of its captive work force Grahamstown also has an unknown number of what are sadly and ominously called "illegal" residents. They come in from the rural hinterland because life there tends to be even poorer and less secure from their point of view. A farm worker may be getting just R8 and one bag of mealies per month, to support a dozen old and young kin. Where do his children go as they grow up? Where does the whole family go if he loses his job?

A threatened removal to Committees Drift (40 km) has now hung for years over the whole Black population of Grahamstown, both "legal"

and "illegal". Among other things it has served as a reason or excuse for not extending facilities even where the need is desperate and on the most basic level, as with housing, water and sanitation.

What can the Advice Office do in all this? We try to keep flexible; to ease individual problems in any way we can (remembering our terms of reference as a referral agency), and especially to help with bureaucratic tangles. And sometimes we can do something to humanise a little corner in the system, by more general representations to official or other agencies. We are helped by the humane and co-operative attitudes of many local officials, including notably those at the Bantu Affairs Commission and BAAB, and at the Labour Department in Port Elizabeth.

There are about 8 000 Black people in registered jobs in Grahamstown. Nearly half of them are women in domestic work, and even the men are practically all in unskilled jobs.

The official figures of registered unemployed workseekers on January 31 were 1 748 men and 5 345 women. But some unemployed, especially "illegals" don't register, so we might almost say there is one unemployed for every employed worker.

With this "shadow army" in the background employers will inevitably be tempted to pay low and fire easily.

Many of our cases are about dismissal. (Often a story of incredibly low wages will emerge at the same time, e.g. less than R10 a month for a fulltime domestic worker.) We sometimes succeed in getting notice pay, and occasionally holiday pay, though the amounts are liable to be small like the wages. We have also made some representations about quick firing, notably in a case where a public body planning retrenchment suddenly turned off numbers of men with up to 15 years of blameless service, giving them just a few days' notice.

In the rare cases where a retirement gratuity scheme operates, it sometimes looks as if the worker is being turned off just before he would qualify, in order to save money. In one case a man had served for 32 years and had been kept on past retiring age when he was suddenly sacked on an unproved accusation of theft, and his gratuity withheld accordingly. Legal advice is being sought.

Unemployment Insurance cases come our way, either because the employer has not handed over the card on dismissal, or because the unemployed person cannot discover what money he should be getting, if any. Payment is at the Magistrates' Court but authorisation and funds come from the Labour Department in Port Elizabeth, and writing to them is the only effective way to sort these problems out.

The milling crowds at pensions pay offices from early to late on payout day would daunt the stoutest, let alone the old and infirm. Few

pensioners know for sure whether they are getting all they should or could.

For a while people could not even apply for mother's maintenance grants, since nobody seemed able or willing to sign the official endorsement to the application. The Bantu Affairs Commissioner then stepped in and put one of his staff in charge of these and other pension/grant queries — a most welcome arrangement.

We often have to refer clients to "charitable" welfare organisations, notably GADRA, who give emergency help with rations or rent. (Their "means test" is a significant pointer to local conditions — not more than 5c per head per day after rent has been paid.)

Housing cases are among the hardest. The townships are bursting at the seams. Public provision of housing was never adequate but it has virtually dried up on account of the Committees' removal threat.

One hundred new houses were authorised, just once, when 1 000 had been requested and 3 000 were needed. Private or self-help building is severely limited by regulation. The main site where people have been allowed to build cottages is a graveyard, bulldozed for the purpose.

A house in the "private" areas often has a warren of lean-tos or outbuildings tucked away behind. The main house will usually be made into a seemly and pleasant home, in spite of some crowding. But a single out-room may be serving up to 10 or more people, for all purposes: eating, cooking, bathing, sleeping, making love, feeding the baby, doing laundry or school homework... Densities of 75 to an erf have been reported.

Problems that reach us are eviction, being cheated by the landlord, or just desperately needing more space. The BAAB are sympathetic, but with a waiting list of over 3 000 for houses what can they or anyone do?

Family and marital cases are mostly about non-support of children. We normally refer the mother to the BAC to seek a court order, garnishee order, or some less formal arrangement. Some mothers, especially the unmarried, prefer a private lawyer on the grounds that "the magistrate's court always favours the man".

IONA MAYER.

johannesburg

DURING this period 4 438 people came to the office. We have been told by several people that they were subject to a certain amount of abuse from junior officials because "if you have been to the Black Sash you needn't come here". This is, of course, a quite unwarranted misuse of power by bureaucrats.

The percentage of cases which were successfully concluded has again risen slightly from 22 per cent to 22,4 per cent. We sometimes doubt

the value of keeping records of successful appeals or applications because it remains iniquitous that citizens of our country should require permits to be where they are, to live with their families and to work at all.

Every year, with monotonous regularity, the Black Sash annual reports state that the law and the administration of the pass laws has once again become more severe and more rigid in application.

The Johannesburg Advice Office has not been able to isolate one single instance in the past year where things have improved, but constantly finds administrative procedures and actions which are making the oppressive system worse and life more difficult than it has ever been before.

When Mr Punt Janson was Deputy Minister of Bantu Administration he set up a committee to investigate the workings of the migrant labour system. The Black Sash was among the many organisations which submitted memoranda to the Department on this subject.

Now, two years later, the Government has announced that the report of that committee is to remain unpublished. The problems of those men who are trapped in the oscillating migrant system remain insoluble.

MR DHLAMINI has remained illegally in Johannesburg since his last contract expired in April 1964, because his labour bureau at home has been closed to all recruiting except for farm labour. Not only has he no desire to do farm work, but he has a physical injury which makes it impossible.

MR NKOMO's employer wished to make application for him to come to Johannesburg on a one-year contract as a domestic worker; application refused because Mr Nkomo's home area is closed to recruitment for Johannesburg.

Large numbers of men and women have come to our office seeking advice as to how they may be registered in work. For the majority who come from other areas there is no way in which they may obtain registration in employment of their choice. They are supposed to remain in their home areas to await recruitment and many complain that they have been waiting for months at home without being offered a job in kind. It is our impression that the unemployment rate is extremely high at present but this is another area in which official figures are unobtainable.

A promise made by Mr Janson in an interview with the Weekend World in February 1975 is being carried out. He said that the pass laws would be even more strictly enforced in the future and it would be more difficult to enter urban areas because a new system of compulsory registration of all those living outside the homelands would be in use by the end of the year.

The raids which so incense White South Africans are a regular occurrence in Black suburbs and reap a fine harvest of fines from people who

are "illegally" sleeping peacefully in houses where the law does not allow them to be.

The critical shortage of housing in the West Rand Administration area remains the most serious facet of life for Black people. It is not only a question of a roof over one's head but the crucial importance of being able to produce a residential or lodger's permit for purposes of work registration and enrolment in schools and for almost everything else a person may want to do.

The insistence by the authorities on proof of accommodation is aggravating an already serious situation. Homeless women now cannot be registered in work. They will either remain unemployed or will work illegally, storing up yet more difficulties for themselves and their children in the future, as the length of time during which they have been unregistered accumulates to the point where they are ordered to leave because there is no official record that they have remained in the area.

This opens the way to yet another abuse. Some people are paying exorbitant sums to the registered tenant of a house merely for his consent to their request for a lodger's permit. They do not live in the house but continue to snatch a night's accommodation wherever they can find it, but they pay him for the privilege of holding a permit as well as the official R1 a month lodger's fee exacted by the Administration Board.

Last year Mrs Helen Suzman, MP, said there were 17 225 families on the waiting list for houses in Soweto. The Government's policy of restricting the building of houses for families in the common area of the Republic in order to force people into the Bantustans does not seem to have changed in any way.

It doesn't work, of course, because the demands of industry and commerce for labour and for a stable work force pull in the opposite direction as does the desperate need of people for employment and the dearth of opportunities to earn a living in the Bantustans.

All it leads to is increasing anger and frustration, the evil break-up of families and social disruption on an unprecedented scale.

MR GUMEDE has been on the waiting list since 1970.

MR MAGUBANE and MR VILIKAZI, who have been waiting since 1971 and 1970 respectively, have been informed that the Zulu section list is still at the 1969 level.

Then there are all the families who cannot get on to the waiting list at all and have no hope of doing so.

MRS TSOLE has her 10(1)(b) qualification, but because she is divorced she cannot hope for a house for herself and her four children.

MRS LUSHABA is a widow with two children. She lives in a hostel and farms the children out to friends and relatives.

The Advice Office has also seen dozens of people who have been ordered to leave their houses for one reason or another.

MR MNUNGAMA is divorced but has remarried. He has been ordered to vacate his house and told he must go on the waiting list again.

MR NDIMANDI is a foreigner but has lived and worked legally in Benoni since 1922. He is ordered to leave his house because his wife has deserted him.

There have been the usual crop of cases arising from the demolition of all family housing in Alexandra township and the building of hostels there.

MR PHASA qualifies as 10(1)(b) in Johannesburg and lives legally with a "single" permit in Alexandra. His wife and three children are legally resident in Soweto but have been refused a transfer to live with him in Alexandra. There is thus no hope for the family of being resettled to a house. They will have to get on to a waiting list and wait and wait — and wait.

There have also been the usual number of teenagers who are refused issue of reference books and ordered to leave the area because their parents had no house and therefore they have not appeared on any residential permit.

JAMES ZONDO cannot get a reference book because he has always lived illegally with his mother at her places of employment. He is just one of hundreds of children who are refused issue of reference books because they have no residential permit. The law says they must have a reference book but the law also prevents them from obtaining one.

Nearly 300 of the people who came to the office this year were husbands and wives who could not get permission to live together. The people concerned are, of course, never told the reason for such refusals, but the authorities often claim that this evil separation of married couples is due to the shortage of accommodation.

The claim is spurious. A man cannot get on the waiting list for a house unless his wife is legally in the area and she has no hope of getting a permit if he has no accommodation for her.

Even in the homelands, where separate freedoms are promised, people do not live free and have no rights. They also only have permits.

MISS KHUNOU is 19 years old. She lived legally in Ga-Rankua — that showplace township in BophuthaTswana — with her grandmother. Her grandmother died in 1974 and Miss Khunou was told to get out of the house and go to Johannesburg to be with her parents. Needless to say when she did as she was told she was ordered to leave Johannesburg.

It is no wonder that Black people are not deluded by promises of the benefits arising from citizenship of independent Bantustans.

On May 1 last year the Minister of Bantu

Administration announced that the leasehold title rights removed by the Government in 1968 were to be restored. No regulations have yet been promulgated but official statements have declared that leasehold title will only be allowed to those who qualify for housing under the 1968 regulations — that is 10(1)(a) or (b) men whose dependents are lawfully in the area and who are "rendering services within the prescribed area" — and that applicants will have to apply for homeland citizenship certificates first. (This paragraph was written before the regulations were promulgated — after a year's delay — and before the withdrawal of the citizenship requirement — after much protest — Ed.)

Everything is dependent upon a housing permit. You cannot get a reference book without one and you are committing an offence by not having a reference book.

You cannot register as a workseeker without one but the law compels you to register as a workseeker within 72 hours of becoming unemployed.

You cannot get Unemployment Insurance benefits, to which you have contributed, without registering as a workseeker which you cannot do without a residential permit, which you cannot get because you cannot find accommodation and cannot pay for it if you had it because you are unemployed. You cannot get an old age or disability pension without a residential permit and you cannot get the permit for reasons as above.

You cannot get on the waiting list for a house unless you are 10(1)(a) or (b) and you cannot get 10(1)(a) or (b) without a birth certificate. You cannot get a birth certificate if the tax place in your reference book is not the same as the place where you were born and you cannot get your tax place changed without a birth certificate. The computer says so while denying at the same time that your tax place has anything to do with your influx qualifications.

You cannot get into school unless you appear on a residential permit, and you cannot get on a permit without a birth certificate and, if you were born somewhere else and get the certificate, you cannot get on the permit anyway.

White South Africa argues that it would be national suicide to abolish influx control. To anyone with experience of what influx control really means, national suicide is this road we have chosen to take.

Anyone with the imagination to realise what it means to be trapped inside the vicious circle as outlined in this report must also be able to imagine the rage and frustration which builds up as one runs hopelessly round the treadmill. Blacks do not need imagination. This is their daily experience and this is their rage.

In the aftermath of the recent riots in Black townships, Black people are saying that two of the urgent things which must be done if we are to avert continuing violent White-Black confronta-

tion are to recognise urban Africans as permanent residents in the common area of the Republic with guaranteed property rights and to abolish the pass laws.

People have been saying this over and over again for many years and surely the time has now come when White South Africa will really hear what Blacks are saying and will try to understand what it really means.

Once more we must record our sincere thanks to our legal advisor. Never once has he said he is too busy or too tired and we learn from his wise counsel daily.

Our work could never be achieved without the selfless and cheerful sacrifice of our patient secretary, Margaret Kirk, and the willing cooperation of her assistant-typiste cum interpreter cum dogsbody, Ingrid Kekane, together with the magnificent and concerned assistance given to us and to the people who come to us by all three interpreters, Henrietta Moabi, Thakane Pholosi and Mabel Makgabutlane.

SHEENA DUNCAN,
Advice Office Director.

natal coastal

THERE has been an increase in the number of people seeking advice and assistance, the emphasis being on the problems of the working man and woman.

Our close proximity to the African Trade Union has helped tremendously, but we are completely separate from them. We are able to table a large percentage of successes.

During the last couple of months we have not been as busy as usual. This could be due to the present economic situation, of which one of the side effects is high unemployment. In a recent report it was estimated that in the urban areas alone there were 400 000 and in the homelands two million Africans unemployed.

Taking into account that Natal is a border area, these people in its bigger towns, for example Durban, must constitute a large percentage of those figures.

Contract workers especially are finding it impossible to find employment and orders to leave the area are a matter of course. Here begins the same old trudge! Back to the homeland tribal labour bureau to register as a workseeker, no employment available there so back to Durban in the hope of being able to earn something in order to subsist.

There seems to be no control over, or order within the tribal labour bureau, and recruitment is virtually non-existent.

African workers are ripe for exploitation and will work under any conditions, if only to survive. MR M and MR K have worked for a large well-established company for 25 and 30 years respectively. At the end of March, one of its subsidiaries was incorporated into the holding company and as these gentlemen worked for the subsidiary, their job classification changed to "machine operator assistants", whereas before they were "machine operators".

Having been assured at the outset that their working conditions and salaries would in no way be affected, they were somewhat shattered to find their weekly wage cut by 20 per cent. On enquiring (from our office) as to the reason for this we were told that MR M and MR K should consider themselves lucky that they still had their jobs, as 10 of their colleagues were retrenched. R19 is hardly a princely wage after giving one company more than half their working lives!

ROBERT MANDLA MTHEMBU came to our office the day after he was first endorsed out of Durban, on March 11, 1974. Since then he has not had a pass, legal residence or registered employment. His endorsement out was a result of his last employer's incompetence and thoughtlessness.

He appealed against this, but the BAC rejected his appeal on the grounds that it was lodged too late for consideration. We asked for and were granted legal aid on Mr Mthembu's behalf, this was at the end of 1974.

On April 12, 1976, the Supreme Court passed judgment in favour of Mr Mthembu's appeal for rights under Section 10 of the Urban Areas Act of 1945. He now has a pass and a workseeker's permit.

It has taken over two years, during which time Mr Mthembu has been imprisoned three times.

Firstly, for allegedly stealing a jacket, he was jailed for nine weeks and then discharged — not guilty.

Secondly, under Section 29, Mr Mthembu was tried and found guilty and escorted to Umzinto, where he was left at the station and told to find his own way.

His last period in that place was when he was about two years old. He has no parents no brothers or sisters and is a bachelor.

Mr Mthembu came back to Durban — the only place he knows, and was arrested in January this year on a charge of theft, for which he was subsequently found guilty and imprisoned until May 2, 1976. Here is a young man of pleasant disposition whom circumstances beyond his control almost turned into a criminal.

As rehabilitation is not available for a person of his needs, we can only hope that he will be

able to pick up the threads of normal living once again and make a success. Mr Mthembu has been fortunate — how many thousand other African men and women are in the same position — only no legal aid is fighting for their rights.

The housing situation for Africans, Indians and Coloureds is critical, and no advancement seems to have been achieved. There are 14 400 people on the waiting list for Umlazi alone. Just recently 144 houses were released for that township, these have been completed for almost a year now.

Now at last people who applied in November and December 1970 are being given houses. This is a homeland area, but people have still to qualify under Section 10(1)(a) or (b) of the Urban Areas Act in order to get onto the waiting list.

KwaMashu applicants, who number 664, have to ensure that both the husband and wife qualify under Section 10. This seems a little ludicrous as that township is being incorporated into Kwa-Zulu early in 1977.

People waiting to buy houses are now being put onto a waiting list. Initially it was stated that anyone willing and able to purchase a house could do so at any time, provided that he had a suitable seller. Potential house owners are also having to comply with the Section 10 stipulation.

Lodging accommodation is equally desperate, the hostels are full to overflowing and it goes without saying that most houses have more than their quota of occupants.

As far as the African contributors to the Unemployment Insurance Fund, established by Act 30 of 1966, is concerned, there are many discrepancies and also illegal administration on the

part of some employers. Penalties for contravening this act are not being imposed stringently enough.

People are still having to wait for months before claims under the Workmen's Compensation Act are paid out. Black workers are continuously having to fight for their rights as regards wage and working conditions. These constitute the majority of cases with which we deal.

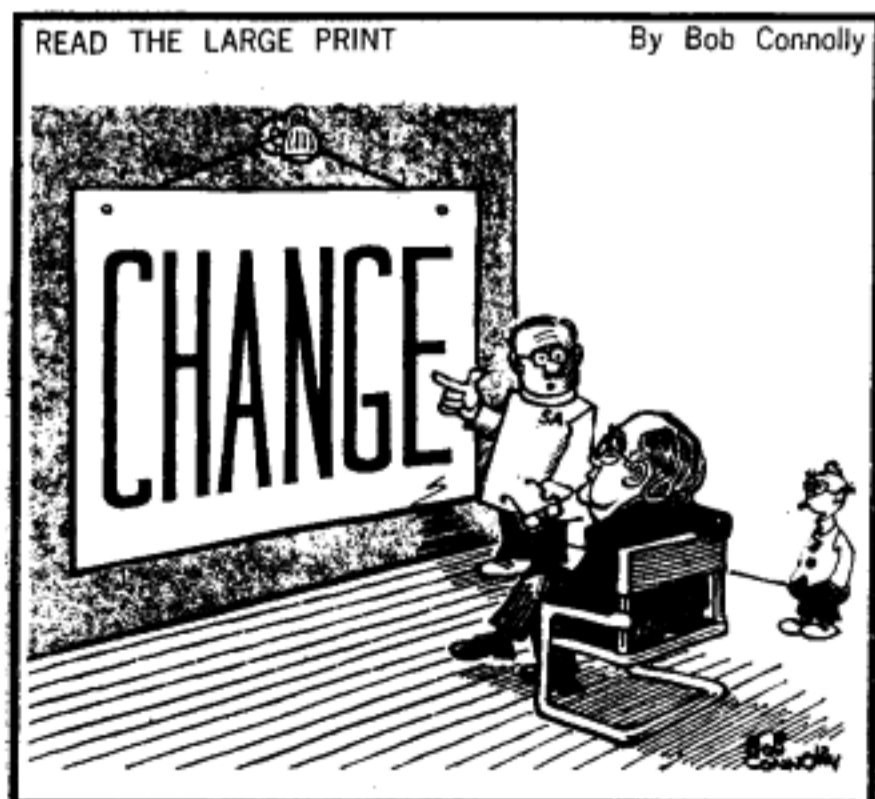
In most instances when we ask a worker if he has in fact initially gone through the correct channels and spoken to those people supposedly assigned to assist him, the answer is in the affirmative, but the outcome unsatisfactory for the worker. The complaints are mainly concerned with failure to get holiday, notice or sick or overtime pay. There is also the bewilderment of being fired on the spot for no apparent reason — often after 10 years of service.

It should be obligatory for employees to be given a copy of their contracts, listing the terms of employment in the vernacular.

Legal assistance is readily available through the Legal Aid Society and the Trade Union's legal advisors.

We still have the valuable assistance of our interpreter, Mrs Faith Khanyezi, and also that of Miss Irene Dlamini in an advisory capacity. The office is open daily from 8 am to 12.30 pm and we are extremely fortunate in having the facilities at our disposal from the African Trade Unions, for which we are very grateful.

SOLVEIG PIPER,
Advice Office Supervisor.



‘NEXT TUESDAY, November 2, will be the first time in my life that I will be able to cast my vote and I can't tell you the excitement and joy I feel at being able to exercise this for once. When you talk to my son tell him that this is going to be one of the most memorable days of my life. I want so much to share this day with him. I'm going to have a friend take a picture of me at the polls which I will send to him.’

Letter from a Black South African who is now a citizen of the USA.

DEAD

WILLIAM NAMODI TSHWANE of Jabavu, arrested on July 25, died in Modder Bee prison.

DUMISANI ISAK MBATHA, 16, arrested during disturbances in Johannesburg, died in prison on September 25.

MAPETLA MOHAPE, 29, found hanging in Kei Prison, Kingwilliamstown, on August 5.

LUKE MAZWEMBE, 32, reportedly found hanged in a cell in Cape Town within hours of his detention under the General Laws Amendment Act.

JACOB MASHABANE, 22, of Dube, found dead in his cell in the Fort on the morning of October 5. Officials allege suicide.

FENUEL MOGATSUI, 22, awaiting trial prisoner on a robbery charge. Died September 28 of natural causes as the result of suffocation during an epileptic fit.

WHY?

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SA ISSN 0036-4843

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 and S. Duncan, of 501 Lestar House, 58 Marshall Street, Johannesburg. Cartoon by courtesy of Bob Connolly and the Rand Daily Mail.

Published by the Black Sash, 501 Lestar House, 58 Marshall Street, Johannesburg, and printed by Messrs. Pacific Press (Pty.) Ltd., 302 Fox Street, Johannesburg.