

RACE RELATIONS

SURVEY

1987/88

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PREFACE

This is the 52nd annual *Race Relations Survey* to be published.

Previous *Surveys* concentrated only on the year preceding publication but this volume deals with both the present and the previous year. It covers the whole of 1987 and as much information about 1988 as could be included.

Since different chapters are written at different times, some are more up to date than others. The *Overview* in particular not only describes some of the events of 1987, but also includes major developments up to about the middle of September 1988. The time lag between when events occurred and the date of publication has thus been substantially reduced, an improvement made possible by the introduction this year of desk-top publishing at the Institute.

Where the year is omitted from a date that is given, the year in question is 1987 unless the context indicates otherwise.

Compilation of the *Survey* is made more difficult by restrictions on the media and other forms of censorship. Less obviously, it is also complicated by the fragmentation of information arising from the South African constitution. Statistics covering the entire country (ie including all ten of the homelands) are often very difficult to obtain and in some cases do not appear to be kept by anyone. To make matters worse, even official publications, never mind the public media, sometimes do not indicate whether figures relating to some or all of the homelands are included or not.

For example, the department of national health and population development published a booklet in 1986 saying that South Africa's population by the year 2000 would be 47m. The booklet did not state whether this figure included or excluded the four independent homelands—the Transkei, Bophuthatswana, Venda, and the Ciskei, sometimes known as the TBVC countries. Upon enquiry the department informed the Institute that its figures excluded these four areas, but projections by a private sector economist, based on other official statistics, reached roughly the same figure by the same date, with the four independent homelands included.

It was once possible to obtain a figure for spending on African education by asking one minister one question in Parliament. Obtaining such figures today may necessitate approaching ten homeland education departments as well as the central government. This time-consuming difficulty has been with us for some time. It has recently been made more difficult by the introduction of the 'own affairs' system. To get a complete statistical picture of education now involves approaching two general affairs ministries of the central government (national education, and education and development aid), three 'own affairs' departments (white, coloured, and Indian), and ten homeland administrations—fifteen departments in all.

Sometimes it is impossible to obtain a complete picture. For example, the latest figure for per capita spending on African education in white-designated areas is R477. The figures for the four homelands in respect of which this *Survey* was able to obtain information were all less than this. Figures for the other six homelands were not available.

Leaving out the homelands can give an extremely distorted picture. The department of education and training is responsible for African education in the white-designated areas only, and as the present *Survey* reports, gave the classroom shortage there as 4 524. Other Institute research uncovered a classroom shortage in the independent and non-independent homelands of 33 258. The shortage outside the homelands thus accounts for not much more than 10% of the nation-wide shortage for Africans.

Wherever possible this *Survey* has included statistics for the whole country, including all ten of the homelands.

John Kane-Berman

Executive Director

South African Institute of Race Relations

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OVERVIEW¹ [**Information in this *Overview* that is excerpted from the text is not referenced. References are given only in respect of new data.**]

Introduction

The state of emergency imposed in June 1986 was reimposed in June 1987 and again in June 1988. There was a downturn in political violence during the period under review, except that in Natal violence flared up towards the end of 1987. The ruling National Party was returned to power with an overwhelming majority in a general election among whites in May 1987, but the right-wing Conservative Party replaced the liberal Progressive Federal Party as the official opposition. The NP celebrated 40 years of unbroken power a year later. The state president, Mr P W Botha, said that constitutional reform should have been faster and gone much further than it had. He cited foreign intervention in South Africa's domestic affairs and the reluctance of many South Africans to give up their strong traditions as among the reasons. In August 1988 the minister of constitutional development and planning, Mr Chris Heunis, said that there had been more changes in the past decade than in any

other in the country's history. 'The road of reform we have chosen is irreversible and we can turn around only at our own peril,' he said.² [² *The Citizen* 30 May 1988, 20 August 1988] Equal political rights for all was the ultimate aim of constitutional planning, the government said.³ [³ *The Citizen* 27 May 1988]

However, few black leaders with proven followings indicated any willingness to participate in the government's constitutional initiatives. The only new constitutional development that enjoyed any black participation was the Joint Executive Authority for KwaZulu and Natal, which was inaugurated in November 1987. The initiative came from outside the central government.

International pressure against South Africa mounted steadily. A stream of foreign companies left the country. The American congress, which had introduced various sanctions against South Africa in October 1986, was discussing even tougher sanctions as this *Survey* went to press in September 1988, although some sanctions supporters were having second thoughts. South Africa's inability to attract foreign capital, other than short-term trade finance, was generally cited as the reason why the government acted in May and again in August 1988 to cool down the economy, which had experienced a spurt of economic growth from the closing months of 1987. Given the inability of the formal sector of the economy to grow fast enough to reduce unemployment, increasing hope was placed in the informal sector, including black taxis, hawkers and other small businessmen.

The period under review also saw more public attention being paid to South Africa's rapid rate of urbanisation and the mushrooming of informal settlements around the cities, resulting from the huge national shortage of affordable formal housing for blacks. One consequence of the black shortage was that black people continued to move illegally into vacant flats and houses in white group areas. At the time of going to press, a special sitting of Parliament was due to consider amendments to the Group Areas Act: on the one hand these would provide for certain de facto racially mixed areas to become legally open to people of all races; on the other they would enable residential apartheid to be enforced much more strictly in areas that the government wanted to keep segregated.

The NP said the amendments would 'drastically improve' the act. The PFP said some of them would turn South Africa into a 'battleground of racial conflict'. The CP listed 17 white suburbs into which blacks had moved despite the act.⁴ [⁴ *Patriot* 9 September 1988; *Business Day* 14, 15 September 1988]

The sitting—the third in 1988—was called after most parliamentary parties had boycotted a second sitting (in August) in protest against the government's handling of the legislation. Prominent among the boycotters was the Rev Allan Hendrickse, leader of the Labour Party, who had been at loggerheads with Mr Botha ever since going for a swim in January 1987 from a whites-only beach in Port Elizabeth. He subsequently apologised to Mr Botha on television, but in August 1987 he left the cabinet—of which he had been South Africa's first coloured member.

Strikes reached record levels in 1987 but dropped to much lower levels in 1988. A feature of the strikes in 1987 was the violence which surrounded some of them.

The minister of justice, Mr Kobie Coetsee, said in August 1988 that there were 33 unlawful organisations in South Africa.⁵ [⁵ *Cape Times* 23 August 1988] These excluded the organisations on which severe security clamps (but not outright bannings) had been imposed in February 1988.

Natal suffered devastating floods in September and October 1987. At least 269 people were killed and hundreds of millions of rands' worth of damage caused to property. The government estimated that about 56 000 people had been left homeless by the floods and a university group put the figure at 460 000.⁶ [⁶ *The Citizen* 10 October 1987] The insurance industry said that the damage claims it was expecting would be the biggest it had ever had to deal with and that the floods were the single largest catastrophe the country had yet experienced. They were also without precedent in Africa.⁷ [⁷ *Ibid*, *Sunday Times* 15 November 1987, *Business Day* 19 November 1987]

One of the province's most prominent residents, Dr Alan Paton, died in April 1988.

The best known of the jailed leaders of the African National Congress, Mr Nelson Mandela, turned 70 in July 1988. He was admitted to Tygerberg Hospital in Cape Town the following month with tuberculosis. The state president said that he was hoping for a conciliatory gesture from Mr Mandela to enable the government to consider his release as he did not think it fitting for a man of Mr Mandela's age to remain in prison. After his health had apparently improved, Mr Mandela was transferred to a private clinic elsewhere in the city. There was speculation that he would not be returned to prison, but the prison authorities said that his status had not changed.⁸ [⁸ *The Citizen* 2 September 1988 12 June 1988] The president of the ANC, Mr Oliver Tambo, said that Mr Mandela had 'adapted to prison beautifully.' His 25-year imprisonment had proved to be an enormous boon to the international standing of the ANC.⁹ [⁹ *The Observer* (London) 12 June 1988]

Mr Zephania Mothopeng, president of one of the ANC's rival organisations, the Pan-Africanist Congress, turned 75 in prison in September 1988. He was also admitted to hospital, in Johannesburg. Mr Mothopeng is serving a 15-year sentence which has six years to run.¹⁰ [¹⁰ *City Press* 11 September 1988]

At the time of writing peace talks between South Africa, Angola and Cuba were in progress with a view to ending the involvement of South African and Cuban soldiers in Angola, and terminating South African rule over South West Africa/Namibia. At the end of August 1988 all South African forces had been withdrawn from Angola in terms of the peace agreement but no date had yet been set for the withdrawal of Cuban forces from Angola. They were indeed reported to be building up.

Mr Botha visited Mozambique and Malawi in September 1988 as he approached his tenth anniversary in power.

As South Africa became more and more isolated from the United States, there was increased contact between Russians and South Africans of various political persuasions. Some South Africans visited

neighbouring states for discussions with Russian diplomats and others went to the Soviet Union. The department of foreign affairs established a Russian desk in the Union Buildings in Pretoria. There were various reports that the Soviet Union was reassessing its policy towards southern Africa as it wanted to avoid an extended war. It was reported that the ANC was worried about a possible shift in Soviet policy.¹¹ [¹¹ *The Star* 24 June 1988] The government said it welcomed the new realism of the Soviet Union towards southern Africa.¹² [¹² *Sunday Times* 18 September 1988]

According to figures published by the Bureau for Market Research of the University of South Africa in September 1988, South Africa's population (including the four 'independent' homelands) would grow from 33,2m in 1985 to 53,3m in 2005. Whites would decline to 10% and Africans grow to 80% of the total.¹³ [¹³ *The Citizen* 14 September 1988]

Politics

When the Conservative Party displaced the Progressive Federal Party as the official opposition in the 1987 election, it meant that for the first time since the National Party gained power in 1948 its opposition in Parliament lay on the right. The National Party based its election campaign on 'reform' in the context of 'security'.

In the run-up to the election both the NP and the PFP suffered defections. Notably, the South African ambassador to the United Kingdom, Dr Denis Worrall, resigned his post and ran as an independent, charging that the NP's reforms had come to a standstill. Dr Worrall was particularly critical of the government's unenthusiastic response to the proposals of the KwaZulu Natal Indaba for multi-racial government in that area. Dr Worrall and other disaffected Nationalists formed a loose alliance known as the Independent Movement, but this itself later split. Dr Worrall subsequently formed the Independent Party and Mr Wynand Malan with other independents formed the National Democratic Movement. The NDM included a number of PFP MPs who quit their party after internal disagreements when three PFP MPs joined a delegation to Dakar (Senegal) in July 1987 to meet representatives of the ANC. The leader of the PFP, Mr Colin Eglin, resigned that position and was replaced in August 1988 by Dr Zach de Beer.

Although it was banned, the ANC featured prominently in the election. This was mainly because the government attacked the PFP as being soft on law and order in the face of the revolutionary threat it claimed the ANC posed to South Africa.

At its 75th anniversary celebrations in Lusaka (Zambia) in January 1987 the ANC declared 1987 the 'Year of Advance to People's Power'. In December the ANC held a conference in Anisha (Tanzania) attended by more than 500 delegates and solidarity groups from 50 countries. A declaration published by the ANC said that it would intensify the armed struggle against South Africa until the government was prepared to negotiate over the abolition of apartheid. South African intelligence sources claimed the ANC's military wing was losing impetus, however. In August 1988 the ANC published a new set of

constitutional guidelines. These stated, inter alia, that South Africa would be a unitary state under one central legislature and that the constitution would include a bill of rights.¹⁴ [¹⁴ *The Weekly Mail* 12-18 August 1988]

In addition to the group that visited Dakar, a number of other figures travelled abroad for discussions with officials of the ANC. A black Sunday newspaper, *City Press*, rebuked them in an editorial in May 1988. Instead of 'running' to talk to the ANC to 'exonerate' their guilt, white politicians should 'talk to the white electorate to change their attitudes', it said.¹⁵ [¹⁵ *City Press* 29 May 1988]

The CP followed up its successful showing in the general election with a number of by-election victories. In particular it won the west Rand town of Randfontein by a landslide in April 1988 in which there was a 9,6% swing to the right.¹⁶ [¹⁶ *Sunday Times* (London) 3 April 1988] This was cited as proof that the CP could win blue-collar urban seats as well as rural constituencies. Although a number of political analysts pooh-poohed the notion that the CP could unseat the NP, the leader of the CP, Dr Andries Treurnicht, said that he was working on the assumption that his party would win power in the next general election.¹⁷ [¹⁷ *Business Day* 1 March 1988] CP officials claimed that the party could win at least 70% of the local authorities in the Transvaal in the municipal elections in October 1988, Pretoria among them.¹⁸ [¹⁸ *Business Day* 2 May 1988]

In its manifesto for the municipal elections the CP promised to reverse the reforms introduced under Mr Botha. It said, for example, that it would 'repossess' black property rights in urban areas.¹⁹ [¹⁹ *SA Digest* 29 April 1988] It would also outlaw black trade unions and reimpose influx control.²⁰ [²⁰ *Sunday Times* 28 August 1988] But the CP appeared to have its own internal disagreements. A statement by a CP MP that black people could not be removed from the Johannesburg grey area of Hillbrow, which as a consequence might have to be cut out of the white state, was repudiated by Dr Treurnicht, who said it would hamper the party's election campaign in the area. Dr Treurnicht said that his party would continue the fight to make Hillbrow white.²¹ [²¹ *The Star* 5 July 1988] Although Dr Treurnicht said that it was CP policy that 70% of blacks would be back in their homelands in ten to fifteen years,²² [²² *The Sunday Star* 17 April 1988] he conceded that blacks were permanently urbanised and that the CP might have to negotiate with them about the final borders of a white state.²³ [²³ *The Star* 4 May 1988]

The CP's Transvaal congress in August 1988 was reported to have papered over cracks between people who wanted simply to reimpose classical apartheid and those who favoured smaller white homelands.²⁴ [²⁴ *Sunday Times* 28 August 1988]

The idea of a much smaller white homeland was advocated from various platforms by Professor Carel Boshoff, who launched a new group called the Stigting Afrikanervryheid.²⁵ [²⁵ *Sunday Times* 19 June 1988] Professor Boshoff said that the Afrikaners were too thinly spread to control the whole of South Africa.²⁶ [²⁶ *The Star* 27 June 1988] It was no longer practicable to impose classical separate development because

desegregation had now gone too far, he argued. The only solution was for Afrikaners to negotiate for a much smaller Afrikaner homeland which would exclude all the metropolitan areas of the country.²⁷ [²⁷ *Rapport* 19 June 1988]

Responding in September to calls from the state president for Afrikaner unity, Dr Treurnicht said that Mr Botha would first have to reject power sharing and turn away from multi-racial structures.²⁸ [²⁸ *The Citizen* 9 September 1988]

Referring to the CP challenge to the NP, Mr Hendrickse said in May 1988 that perhaps it was time for the government to put the coloured people back on to the common voters' roll to create a united front against a right-wing threat that could cause the country to go under.²⁹ [²⁹ *Business Day* 4 May 1988]

However, relations between the government and Mr Hendrickse's Labour Party deteriorated markedly. Mr Hendrickse was particularly critical of the government's failure to repeal (rather than only amend) the Group Areas Act. Unless this was done, he said, his party would continue to block proposed changes to the constitution which would allow a general election, due to be held by March 1990, to be postponed to 1992.

During the special second sitting of Parliament called to amend the Group Areas Act, the LP refused even to discuss the proposed amendments in the House of Representatives, which it controlled and which it adjourned. Mr Hendrickse said that his party was seriously thinking of quitting the tricameral Parliament. He said that it had promised its people that it would participate for the first five years with a clear-cut mandate to dismantle apartheid, but that it had not been able to do so because the government 'stubbornly clings to archaic statutory discrimination'.³⁰ [³⁰ *Sunday Times* 7 August 1988] The party had joined the tricameral system when it was launched in September 1984.

As general affairs legislation the group areas amendments (incorporated in three bills) required the assent of all three houses of Parliament, but the Indian chamber joined the coloured chamber in refusing to debate them. The white chamber then suspended parliamentary rules so that the three group areas bills and three other bills could be treated as own affairs legislation. This would expedite their enactment. The government said that it was not prepared to allow 'technicalities' to be used to block the legislative process. The PFP and the NDM then walked out of Parliament in protest against what they said was 'manipulation' of its rules. The House of Assembly duly passed the group areas bills, which were opposed by the CP, although for reasons that differed from those of the other opposition parties. The CP said that it took no pleasure in watching the government struggle to 'save a sinking constitution.'³¹ [³¹ *The Citizen* 26 August 1988, *Business Day* 26 August 1988] The result of the various walkouts was that 150 of the 318 MPs in the three houses were boycotting debates on the group areas bills.³² [³² *Business Day* 26 August 1988]

After discussions between the government and Mr Hendrickse, a compromise was reached whereby the three group areas bills would be withdrawn, along with a Slums Bill and a Prevention of Illegal

Squatting Amendment Bill, which were also contentious. The House of Representatives then agreed to consider and dispose of a number of other bills which were mainly non-contentious but which the government wished to implement as soon as possible. Parliament would then adjourn but it would reconvene in the last week of September to consider the contentious legislation, or revised versions thereof, again. The LP made it clear that the agreement reached with the government did not imply that the House of Representatives would necessarily accept any or all of the bills. The agreement meant that Parliament could function again according to its normal procedures.³³ [³³ *The Citizen* 2 September 1988]

Without the agreement South Africa 'would have moved towards a constitutional crisis,' the government said. 'Baas Hendrickse' was now ruling the country, the CP said.³⁴ [³⁴ *Ibid* 3 September 1988]

Following a mandate it obtained in the white general election in 1987 to negotiate with African leaders about power sharing outside the homelands, the government proceeded with plans to launch a National Council. It said that it had held more than 300 discussions and negotiations with black leaders about the council.

In June 1988 the Promotion of Constitutional Development Act was passed to enable the government to establish the council as a negotiating forum to prepare a constitution to provide for participation by all South African citizens in the process of government. However, at the time of writing very few black leaders with any proven following had indicated that they would join the council when it was established. In particular the chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, continued to demand the release of Mr Mandela and the 'unshackling' of 'black democracy' before he would consider participating. It was reported that the government hoped that the council would grow in legitimacy and draw in black leaders at a later date. Sources within the government were quoted as having said that the tricameral Parliament had also been ridiculed and boycotted at first but had subsequently grown in legitimacy.³⁵ [³⁵ *Sunday Times* 26 June 1988]

Other government plans to bring Africans into central government included their appointment as ministers or deputy ministers. This necessitated a change to the constitution, but the Labour Party refused to pass the proposed amendment as part of its campaign of non-co-operation with the government until the Group Areas Act was repealed.³⁶ [³⁶ SAIRR, *Quarterly Countdown Ten*, Second Quarter 1988]

Another plan was for the establishment of elected regional assemblies outside the homelands in which Africans could control their 'own affairs'. Draft legislation to establish such bodies was published in mid-year but had not been introduced in Parliament at the time of going to press. A third plan was for a Leaders' Council.

The only constitutional initiative that was successfully implemented during the period under review was the Joint Executive Authority for KwaZulu and Natal, which was officially launched by the state president in November 1987. The JEA had been proposed by the KwaZulu administration and the Natal provincial council early the previous year. Dr Oscar Dhlomo, secretary general of Inkatha and minister of education and culture in the KwaZulu administration, was appointed as first chairman of the JEA. The proposals of the KwaZulu Natal Indaba for a multi-racial legislature to govern KwaZulu and Natal as a single entity were presented to the government in January 1987. By mid-September 1988 the

government had not yet given any formal response to the Indaba's proposals, although various government spokesmen argued that they did not provide adequate protection for minority groups. The Indaba claimed that opinion surveys showed that there was strong support for its proposals across provincial boundaries and across a broad spectrum of both black and white opinion.

About 7 200 people were due to be elected to more than 1 150 local authorities and management committees in municipal elections on 26 October 1988—the country's first-ever nation-wide municipal elections involving people of all races, though on separate rolls and for separate institutions. About 46% of these were white, while 21% were African. The remainder were coloured and Indian institutions, but these were management committees linked in an advisory capacity to white local authorities rather than fully-fledged local authorities in their own right.³⁷ [³⁷ *Business Day* 4 May 1988]

The elections provoked much controversy, particularly because they were being held while many people were in detention under emergency regulations. A number of political organisers believed to be in favour of an election boycott were said to have been detained in September 1988.³⁸ [³⁸ *City Press* 11 September 1988]

Mr Olaus van Zyl, member of the Transvaal provincial executive responsible for local government, predicted that the elections would re-establish African local authorities and said that the percentage poll would be of greater importance than the election results. He said that the percentage poll was likely to indicate whether security action against opponents of the local government system, together with the physical upgrading of some townships, had created greater support for the official system among residents.

A spokesman for the United Democratic Front said that although the election was a first in allowing municipal voters of all races to go to the polls at roughly the same time, indications were that there would be little support, and there would possibly be a UDF-planned boycott. Such action was later declared illegal by a government notice. However, about six weeks before polling day the Archbishop of Cape Town, the Most Rev Desmond Tutu, called during a sermon for a boycott. The police asked for, and were given, a copy of his speech. During a visit to southern Africa in September 1988 Pope John Paul II said he did not favour election boycotts.³⁹ [³⁹ *Sunday Times* 11 September 1988]

One of the candidates in Soweto, Mr David Nkomo of the Sofasonke Party, was murdered towards the end of August. He was the seventh member of his party to be killed in a political attack in 1988. A rival candidate was charged with his murder.⁴⁰ [⁴⁰ *City Press* 18 September 1988]

The ANC was planning to increase 'terror attacks on defenceless people to disrupt the municipal elections', the police claimed.⁴¹ [⁴¹ *Business Day* 15 September 1988]

Political violence

There was an overall decrease in political violence in 1987, but a dramatic escalation of conflict in Natal towards the end of the year. According to the police, the number of cases of public violence in 1987 was 76% lower than in 1986. Research conducted by the South African Institute of Race Relations concluded that there were 661 deaths as a result of political violence in 1987, a 49% decrease on the figure for 1986. The majority (60%) of the 1987 deaths occurred in the Natal Midlands. In September 1988 it was reported that the preceding 14 months had claimed 789 lives in the Pietermaritzburg area.⁴² [⁴² *The Weekly Mail* 9-15 September 1988] These deaths were partly the result of conflict between black groups. Poverty and unemployment were cited as contributory causes.

At the beginning of September 1988 the Congress of South African Trade Unions and Inkatha signed an agreement pledging themselves to work for peace. They agreed also to set up a complaints adjudicating board under a retired judge. The agreement covered the Pietermaritzburg area.⁴³ [⁴³ *Business Day* 6 September 1988] Dr Dhlomo called for the restrictions on the UDF to be lifted so that further peace negotiations could take place.⁴⁴ [⁴⁴ *Sunday Times* 4 September 1988] He said the conflict was more between the UDF and Inkatha than between COSATU and Inkatha.⁴⁵ [⁴⁵ *The Weekly Mail* 9-15 September 1988]

The government said that 121 people had been charged with murder after the deaths of 392 people by 'necklacing' between 1984 and 1987. In 1984 and 1985, 67 people were murdered by necklacing, and the following year 306. In 1987 the number of necklace murders dropped to 19.⁴⁶ [⁴⁶ *Business Day* 16 August 1988]

It was reported in February 1988 that the wave of unrest since September 1984 had cost the country more than R285 million and that more than 880 members of the South African Police had been injured and 71 killed.⁴⁷ [⁴⁷ *The New Nation* 11-17 February 1988] In 1987 alone there had been 750 attacks on security forces while in 1986 and 1987 more than 1 000 homes belonging to policemen had been attacked.⁴⁸ [⁴⁸ *The Weekly Mail* 17-23 June 1988] More than 3 700 police vehicles, 90 power pylons and transformers, and 7 police stations had been damaged.

By the middle of 1988 at least 25 people were reported to have been killed in insurgency attacks involving car bombs, limpet mines, hand grenades, and AK47 rifles. The places where the attacks occurred included a street outside a rugby stadium after a rugby match, shopping centres, an entertainment arcade, a shebeen, restaurants, snack bars, a bus terminus, and a casino.⁴⁹ [⁴⁹ *The Star* 4 July 1988, *The Citizen* 6 August 1988, 22 September 1988, *City Press* 26 June 1988] According to the Institute for Strategic Studies at the University of Pretoria about 70% of all incidents in 1987 had been directed at 'soft' or 'unprotected' targets. In an attack on an amusement arcade in the centre of Johannesburg on 22 June, a black woman lost twins, who were born prematurely following the attack. One was stillborn and the other died after a day.⁵⁰ [⁵⁰ *City Press* 25 June 1988]

The International Freedom Foundation claimed that ‘indiscriminate’ insurgency—including attacks on civilians—had risen from 19% of the total in 1985 to 49% in the first half of 1988.⁵¹ [⁵¹ *The Citizen* 3 August 1988]

Among the alleged insurgents shot dead by the police were three women who were shot dead near the Swaziland border in June, reportedly the first women used by the ANC in insurgency operations.⁵² [⁵² *Beeld* 17 June 1988]

It was reported in February 1988 that South African intelligence sources believed that the military wing of the ANC, Umkhonto we Sizwe, was losing impetus. Umkhonto had suffered unprecedented losses in the field in 1986 and 1987, it was claimed. Police and security forces had been highly successful in capturing or eliminating insurgents. As a result of the continued lack of success of Umkhonto in starting a mass-based armed struggle, the sources said, the ANC had been turning more and more to efforts in the field of diplomacy.⁵³ [⁵³ *The Citizen* 2 February 1988]

The police said acts of insurgency had risen from 4 in 1976 to 136 in 1985, 230 in 1986 and 234 in 1987. There had been 88 incidents in the first six months of 1988.⁵⁴ [⁵⁴ *The Star* 24 August 1988]

The police said in August 1988 that security forces had eliminated 419 insurgents linked to the ANC or other organisations in the 18 months up to June 1988. Of these 86 had been killed and 333 arrested. Most had come from training camps in Angola, and half those killed or arrested had infiltrated South Africa via Botswana. Between January 1987 and June 1988 there had been 261 cases of infiltration into South Africa from neighbouring states, the police said. The insurgents included members of the Pan-Africanist Congress (PAC) and the Black Consciousness Movement of Azania. In 1987, 85 of the insurgents killed or arrested were members of the PAC or linked organisations.⁵⁵ [⁵⁵ *The Citizen* 1 June, 24 August 1988; *Business Day* 24 August 1988; *The Star* 24 August 1988]

State of Emergency

A number of organisations repeatedly called for the state of emergency to be lifted, to no avail.

The minister of law and order, Mr Adriaan Vlok, said in October 1987 that although the 16-month-old state of emergency had succeeded in cooling the revolutionary climate in South Africa, it would have to remain in force for the foreseeable future. He said that alternative structures—including people’s courts, protest education, street committees and para-police groups formed by young ‘comrades’—had been weakened by the emergency but not eliminated. Mr Vlok said that it would be irresponsible to lift the emergency if ‘we don’t accomplish our three main goals’—short-term stability in black townships, upgrading living conditions for blacks, and finding a political solution that would give blacks a role in governing the country. The previous state of emergency (from July 1985 to March 1986) had been lifted in the expectation that a return to normal conditions would encourage moderate black leaders to

negotiate peaceful change. But, Mr Vlok said, ‘people did not come forward and the unrest got worse. We cannot make the same mistake.’⁵⁶ [⁵⁶ *International Herald Tribune* 16 October 1987]

In December 1987 a former ANC leader, Mr Govan Mbeki, was served with a restriction order under the emergency regulations one month after his early release from 23 years’ imprisonment on Robben Island.

On 24 February 1988, in terms of a new emergency regulation, the government effectively banned 17 anti-apartheid groups. They included the UDF and the Azanian People’s Organisation. COSATU was prohibited from engaging in political as opposed to labour-relations activities.

Explaining these restrictions Mr Vlok said that there were organisations and people in South Africa who persisted in promoting a revolutionary climate. The enforcement of emergency regulations and the actions of security forces had kept violence in check to a certain extent, he said. However, ‘revolutionaries and activists, realising that armed confrontation and violent revolution cannot be successfully implemented in South Africa, created various other alternative strategies to reach their goals.’ These included fostering civil disobedience and revolt, creating revolutionary alternative structures, disrupting the economy, and waging campaigns often accompanied by violence and fear.⁵⁷ [⁵⁷ *The Star* 24 February 1988]

Speaking in Parliament shortly after the emergency was reimposed in June 1988, the state president, Mr P W Botha, said that the emergency measures of the past two years had contributed towards greater stability within the country and that even revolutionary groups had to concede openly that they had suffered severe setbacks. However, there was still a high underlying climate of revolution which could lead to an escalation of unrest if the emergency were to be lifted now. There was also adequate proof that revolutionaries were planning an intensified onslaught in the second half of 1988, which was to include hard intimidation and violence designed, among other things, to disrupt the country-wide municipal elections. ‘These forces fear the orderly development of democracy in South Africa,’ Mr Botha said. ‘Their thirst for political power entails an all-or-nothing approach.’ Mr Botha said that he had to warn all South Africans against a new process of subversion that was developing and that was more sophisticated and unorthodox than the onslaught the country had experienced so far.⁵⁸ [⁵⁸ *The Citizen* 21 June 1988]

Mr Vlok said that about 1000 organisations had been formed in South Africa under the leadership of the African National Congress/South African Communist Party alliance to mobilise the masses with the purpose of bringing about ‘people’s power’.⁵⁹ [⁵⁹ *Ibid* 10 June 1988]

Media and censorship

With the reimposition of the state of emergency on 11 June 1987, media restrictions were also reimposed. A new provision in the 1987 media regulations empowered the minister of home affairs to

suspend the publication, production or importation of a periodical or to appoint a censor to the periodical for a period of up to three months. Several periodicals received official warnings from the minister of home affairs that their contents had contravened the regulations, but only one, *The New Nation*, was suspended, from 22 March 1988 to 10 June 1988.

The media regulations were again reimposed on 10 June 1988.

The chairman of the Argus newspaper group, Mr Hal Miller, said that the press was under pressure from both sides. On the one hand restrictive legislation had diminished the flow of information 'to a trickle' in many areas of news coverage. On the other, some journalists exerted pressure on newspapers to tailor the news to suit their political purposes.⁶⁰ [⁶⁰ *Race Relations News* December 1987] A columnist on the *Sowetan*, Mr Joe Thloloe, said that 'arrogance and intolerance' had crept into anti-apartheid politics. He said that many journalists got 'flak' for even acknowledging the existence of some organisations. People who insisted on speaking up faced penalties ranging from the disruption of their meetings 'right up to a fiery "necklace" death'.⁶¹ [⁶¹ *Sowetan* 1 August 1987]

Chief Buthelezi's Inkatha movement took over the Zulu-language newspaper *Ilanga* in April 1987. This was said to be the first major newspaper owned and run by blacks.⁶² [⁶² *The Star* 29 April 1987]

Cry Freedom, a film about the late Steve Biko, was seized by police under emergency regulations on the day of its release in South Africa in July 1988.

Security

There was an apparent drop in the number of people detained during the period under review. A total of 694 were detained under security legislation (including the 'independent' homelands) during 1987, compared with 2 840 during 1986. The Detainees' Parents Support Committee estimated that 25 000 people were detained between 12 June 1986 and 11 June 1987 under the emergency regulations and that approximately 5 000 people were in detention on any one day. In September 1988 it was reported that the names of 18 911 people detained since the emergency was declared in June 1986 had been tabled in Parliament.⁶³ [⁶³ *Ibid* 3 September 1988] Some people believed the figure was closer to 30 000.⁶⁴ [⁶⁴ *City Press* 18 September 1988] The number in detention at the time of writing was put at between 1000 and 2 000, some of whom had been there for more than two years.

In mid-September three detainees escaped while being treated at Johannesburg Hospital and took refuge in the American consulate-general in the city. The government said their release had been 'on the cards' and that they would not be rearrested if they left the consulate. No policemen were reported in the vicinity. At the time of writing the three were still in the consulate, demanding an end to all detentions and the state of emergency. The government said they were 'obviously very disappointed that their thunder has been stolen'.⁶⁵ [⁶⁵ *The Star* 16 September 1988, *New Nation* 21 September 1988]

A study by National Medical and Dental Association doctors revealed that of a test group of 131 detainees, about 78% had allegedly been subjected to mental abuse through interrogation, threats or humiliation. MASA brought out a code for the handling of detainees, especially children.

During 1987 two people—among them the first woman—died in detention. In July 1988 Mr Alfred Makaleng, a trade union organiser and the northern Transvaal publicity secretary of the UDF, died of ‘natural causes’ while in detention.⁶⁶ [⁶⁶ *The Star* 26 July 1988]

The minister of justice, Mr Kobie Coetsee, revealed in March 1988 that 164 people were executed in South Africa during 1987 (excluding the ‘independent’ homelands). Six people (one of them a woman) sentenced to death for their part in the murder of the deputy mayor of Lekoa in September 1984 were granted an indefinite stay of execution in July 1988. The sentence was criticised on the grounds that the six had not committed the actual murder. Many local and international appeals for clemency were made. At the time of going to press, five judges of appeal had reserved judgement on an application from the six condemned people for leave to appeal against the trial court’s refusal to reopen their trial.⁶⁷ [⁶⁷ *Business Day* 3 August 1988]

A total of 133 trials under the Internal Security Act of 1982 were completed during 1987. While it was difficult to monitor the large numbers of unrest-related trials, there were an estimated 126 public violence trials in 1987.

According to the DPSC, a total of 36 persons faced charges of treason in four trials during 1987. Among the treason trials still in progress at the time of writing was one of 19 people accused of having conspired to further certain aims of the UDF, the ANC, and the SACP, among them the violent overthrow of the government. The trial, which had opened in Delmas (Transvaal) in January 1985, arose in part out of political disturbances at the time of rent increases in the Vaal Triangle in September the previous year. Three of the most prominent accused had remained in prison throughout the proceedings. Others were released on bail. The indictment also listed five counts of murder, among them the murder of four black town councillors.⁶⁸ [⁶⁸ *The Star* 23 August 1988]

South Africa remained seriously short of policemen,⁶⁹ [⁶⁹ *The Citizen* 27 August 1988] while prisons were overcrowded. Supplying figures for 1987, Mr Coetsee said that the daily average of prisoners was 103 200, nearly 20 000 more than the number that could be accommodated. Mr Coetsee said that South Africa had come closer to introducing community service as an option for keeping offenders out of jail and reducing the exceptionally large prison population.

The period under review saw the South African Defence Force receive its biggest intake in 25 years, but the number of those refusing to do military service also increased. In July 1988 Mr David Bruce was sentenced to six years’ imprisonment for refusing to do national service which, he claimed, ‘served to uphold the system of racial discrimination in South Africa’.

In August 1988 the End Conscription Campaign was prohibited under the emergency regulations from carrying out any activity or act.⁷⁰ [⁷⁰*Argus* 22 August 1988] The government claimed that it was influencing many people to refuse military service. The SADF said its real danger lay in demoralising conscripts and making them less effective soldiers. It said that South Africa was in a state of war and admitted conducting an 'authorised secret campaign' against the ECC.⁷¹ [⁷¹*The Star* 1 September 1988]

The chief of the SADF confirmed that between 5 000 and 8 000 soldiers were serving in the townships. In October 1988 the first military unit comprising Africans was due to be established in the western Cape. It would be recruited in the townships and also deployed there.⁷² [⁷²*Sowetan* 15 September 1988]

The government revealed that during military operations in 1987, 72 SADF soldiers had been killed. However, it was not prepared to reveal the number of people killed in the operational area during that period. Incursions into Angola continued.

Neighbouring states

It was reported that, excluding the South African military involvement in Angola, 146 people had been killed in nine raids admitted to by South Africa on neighbouring states since it began cross-border raids in 1981.⁷³ [⁷³*Sunday Times* (London) 3 April 1988]

Of the 261 cases of infiltration of insurgents into South Africa in the 18 months up to mid-1988, half came via Botswana, 13% via Swaziland, 9% via Lesotho, 5% via Zimbabwe, and 0,4% via Mozambique, the police said. The routes used by the remainder were not known.⁷⁴ [⁷⁴*The Citizen* 24 August 1988]

During June 1988 South African, Angolan and Cuban representatives met under American chairmanship in various places to discuss proposals for the withdrawal of foreign soldiers from Angola. Following an agreement reached in July, a ceasefire along the Angola/Namibia border began on 8 August 1988 and it was announced that South Africa would begin withdrawing her troops from Angola. The withdrawal was completed by the target date of 1 September 1988. But there was by then still no agreement as to when Cuban troops would leave Angola, and there were indeed reports of a Cuban build-up in mid-September. Talks were continuing. South Africa proposed 1 November 1988 as the date to begin implementing United Nations Security Council resolution 435 providing for Namibian independence and 1 June 1989 as the date for withdrawal of all Cuban troops and free and fair elections in Namibia.⁷⁵ [⁷⁵*The Star* 3 August 1988] The secretary general of the UN, Dr Javier Perez de Cuellar, arrived in South Africa to discuss the peace plan in the second half of September.⁷⁶ [⁷⁶*The Citizen* 27 September 1988]

The agreement, final details of which still had to be worked out at additional meetings, followed

speculation that the South African Air Force had lost air superiority over south-western Angola.⁷⁷ [⁷⁷ *Business Day* 6 July 1988]

The agreement also provided that the states accepted the responsibility not to allow their territory to be used for acts of war, aggression or violence against other states.⁷⁸ [⁷⁸ *Ibid* 21 July 1988]

An Angolan official was reported as saying after talks in New York that the principles adopted by South Africa, Angola and Cuba would not affect the position of ANC and South West African People's Organisation bases and camps. But South Africa named seven ANC bases in Angola and said that under the principles the ANC and SWAPO bases would have to go.⁷⁹ [⁷⁹ *The Citizen* 3 August 1988]

During their summit conference in Moscow at the end of May, the American president, Mr Ronald Reagan, and the general secretary of the Communist Party of the Soviet Union, Mr Mikhail Gorbachev, had set 29 September 1988 as the target date for a settlement of the Angolan/Namibian issue. This would be the 10th anniversary of the adoption of resolution 435.⁸⁰ [⁸⁰ *Ibid* 2 August 1988]

In April it was reported that the Nkomati accord between South Africa and Mozambique was likely to be reactivated following a meeting between Mr PW Botha and a representative of the president of Mozambique. The accord, signed in 1984, had provided, inter alia, for each signatory state to prevent its territory from being used for attacks against the other. Mozambique, however, alleged that the South African authorities were supporting the anti-Frelimo Renamo movement despite the provisions of the accord. South Africa, on the other hand, claimed that ANC guerrillas were coming into the country from Mozambique.⁸¹ [⁸¹ *Business Day* 27 April 1988]

Talks in Lisbon in June between South Africa, Portugal and Mozambique led to hopes that the Cahora Bassa hydro-electric dam would again be able to supply electricity to South Africa. However, successful implementation of the plan to resuscitate Cahora Bassa would necessitate guarding the power lines which run from the dam to South Africa from sabotage by Renamo rebels.⁸² [⁸² *Ibid* 27 June 1988]

The state president, Mr P W Botha, held talks with his Mozambican counterpart, Mr Joaquim Chissano, near the dam at Songo in September 1988. Thereafter he flew to Malawi for talks with Dr Kamuzu Banda, that country's president. Both President Chissano and President Banda invited President Botha to visit them again, and Mr Chissano accepted an invitation to visit South Africa.⁸³ [⁸³ *The Star* 14 September 1988]

In the same week South African security forces entered Lesotho at the request of that country's government to rescue nuns and other people who were being held hostage in a hijacked bus during a visit to Lesotho by the pope.⁸⁴ [⁸⁴ *The Citizen* 15 September 1988] Also in September, the South African foreign minister, Mr Pik Botha, held talks in Pretoria with his counterpart from Botswana, Dr G K T Chiepe, who was reported to have admitted at a press conference that the ANC was using her country as

an infiltration route to South Africa.⁸⁵ [⁸⁵ Ibid 17 September 1988] Botswana subsequently denied having admitted this.

Religious Organisations and politics

Various religious leaders, notably the Anglican Archbishop of Cape Town, the Most Rev Desmond Tutu, continued to call for sanctions against South Africa. His successor as bishop of Johannesburg, the Rt Rev Duncan Buchanan, pointed out that the Anglican Church had 'never made a unanimous statement against sanctions'.⁸⁶ [⁸⁶ *Sunday Times* 15 May 1988]

In the first half of 1988 there was renewed speculation in the media about a church/state confrontation. Following the imposition of restrictions on various organisations on 24 February, a well-known church figure, Dr Allan Boesak, said that it was the church's duty to step into the gap left by the bannings. At a meeting of various religious notables at the end of May the general secretary of the South African Council of Churches, Mr Frank Chikane, called for a programme of active civil disobedience, but said afterwards that 'we asked too much' of some of the churches present.⁸⁷ [⁸⁷ *The Citizen* 2 June 1988] In an address about a month later to another meeting convened by the SACC, the organisation's president, Dr Manas Buthelezi, warned against the total politicisation of the church.⁸⁸ [⁸⁸ *The Weekly Mail* 1-7 July 1988] At the meeting 26 church leaders called on all Christians in the country to boycott the municipal elections on 26 October. The leaders said that because they were prohibited by the emergency regulations from publishing their appeal, they intended to disseminate it through church newsletters and news agencies and by word of mouth in defiance of the law.⁸⁹ [⁸⁹ *Times* London 1 July 1988] This call was later repeated by Archbishop Tutu. At about this time Khotso House, headquarters of the South African Council of Churches, was severely damaged by a bomb explosion.⁹⁰ [⁹⁰ *The Weekly Mail* 2-8 September 1988] Church officials hinted that they thought pro-government people were responsible.

Pope John Paul II said during a visit to Zimbabwe in September that he opposed election boycotts.⁹¹ [⁹¹ *Sunday Times* 11 September 1988] The pope also rejected both apartheid and violence and spoke in favour of negotiation.⁹² [⁹² *Business Day* 12 September 1988]

The pope was due to bypass South Africa on his tour of the region but bad weather caused his aircraft to be diverted from Maseru, capital of Lesotho, to Jan Smuts Airport, Johannesburg. He was entertained to lunch there by Mr Pik Botha and then driven in Mr Botha's car to Maseru.⁹³ [⁹³ *The Star* 15 September 1988]

Labour relations

The trade union movement continued to grow: in 1987 there were 205 registered unions with a total membership of 1,9m and 85 unregistered unions with 240 000. This brought total union membership to

2,1m or about a quarter of the unionisable workforce. The Public Servants' Association decided in September 1988 to open its membership to all races.⁹⁴ [⁹⁴ *The Citizen* 14 September 1988] Provident funds run jointly by unions and various employers doubled in number to 40 between 1987 and 1988.⁹⁵ [⁹⁵ *The Weekly Mail* 16-22 September 1988]

Nineteen eighty-seven saw the highest number of strikes (1 148) in South African history, mining and the railways experiencing the biggest. However, the first eight months of 1988 saw much lower levels of strike activity than the comparative period in the previous year. A short-lived and limited strike in the metal industry in August was the biggest of the year by the end of the third quarter. At the time of writing a black chemical union had declared a dispute with 39 multinational companies over their refusal to negotiate the terms of disinvestment from South Africa.⁹⁶ [⁹⁶ *The Star* 14 September 1988]

Unionised black workers, who obtained wage increases averaging 18% in 1987, appeared to be the only ones who kept up with inflation.⁹⁷ [⁹⁷ *Financial Mail* 8 January 1988] The first half of 1988 indicated that wages in unionised companies were going up more slowly than in the previous year, however.⁹⁸ [⁹⁸ *Financial Mail* 22 July 1988]

Nineteen eighty-seven also saw unprecedented levels of violence in the labour field. In May 1987 the headquarters in Johannesburg of the largest union grouping, the Congress of South African Trade Unions, was virtually destroyed in a bomb explosion. COSATU's offices in the western Cape were seriously damaged by a bomb blast in August.

Railway carriages were set alight during the railway strike in April 1987. In August 1988 eight railway union members pleaded guilty to the murder of four railway employees who had not joined the strike. A union official admitted in court that non-strikers were taken to COSATU House and beaten.⁹⁹ [⁹⁹ *Business Day* 10 August 1988, *The Star* 10 August 1988] At the time of writing sentence had not yet been passed, but three bus drivers were sentenced to death in Durban for having hired a man to kill a driver who had continued to work during a strike in November 1986.¹⁰⁰ [¹⁰⁰ *Sowetan* 24 August 1988] At least 18 people were killed during the mine strike in August 1987, three of them in clashes involving mine security and 15 in clashes between strikers and non-strikers.¹⁰¹ [¹⁰¹ *Chamber of Mines Newsletter* November/December 1987]

In February 1988 the government restricted COSATU to trade union activities only.

Nineteen eighty-eight saw the country's biggest worker stayaway in its history when in June at least 1,6m workers stayed away from work in protest against the Labour Relations Amendment Bill. The bill was alleged by unions to be reversing gains made by the union movement since 1979. Discussions between employers and unions after the stayaway, and agreement by them on the undesirability of certain clauses, failed to convince the government to discontinue plans to implement the bill with effect from 1 September 1988.

In 1987 legislation repealing job reservation in the mining industry—the last statutory job reservation—was passed and regulations to control the entry of persons to the jobs in question were gazetted in July 1988. The following month an electrical engineer on a colliery became the first black person to obtain his certificate of competency under the new regulations. He had long since qualified as a senior engineer, but had been barred by the racial restriction from performing certain jobs reserved for whites.¹⁰² [¹⁰² *Business Day* 11 August 1988]

The mining industry said that the earlier removal of other discriminatory laws and work practices had enabled it to move more than 5 000 black workers into jobs previously reserved for whites. The remaining legal restriction had barred blacks from holding certificates of competency for key jobs such as blasting and had caused gold mines to suffer substantial production losses because of shortages of several hundred skilled workers holding such certificates.¹⁰³ [¹⁰³ *The Star* 21 June 1988]

The first black women to qualify as air hostesses on South African Airways were awarded their wings in March 1988.¹⁰⁴ [¹⁰⁴ *Business Day* 31 March 1988]

In February 1988 the Industrial Court ruled that racial discrimination in wages was an unfair labour practice and gave the offending company six months to eliminate it.¹⁰⁵ [¹⁰⁵ *Ibid* 29 February 1988]

Various companies offered shares to their workers, in some cases despite the opposition of black union officials. Among them was Anglo American, which reported in June 1988 that it had offered five free shares to 168 000 employees and that 64% had accepted. They received their first dividend, 162,5c a share, in mid-year.¹⁰⁶ [¹⁰⁶ *The Star* 18 August 1988] At least 120 companies were said to have share participation schemes for employees.

Urbanisation and housing

By the middle of 1988, 27% of rented houses in African townships had been sold to registered tenants since the government launched its great housing sale in 1983.¹⁰⁸ [¹⁰⁸ *The Weekly Mail* 12-18 August 1988]

However, the main focus of public attention was the failure of housing construction to keep pace with demand—the latter given impetus by rapid black urbanisation.

In December the administrator of the Transvaal, Mr Willem Cruywagen, said that between 1951 and 1980 the urban African population had risen from 5,2m to 10,6m. According to some estimates the figure at the end of the century was likely to be between 23m and 25m.

The deputy governor of the South African Reserve Bank, Professor Jan Lombard, said: ‘The trek to the cities is so great that it overshadows almost any other great social movement in recent times, including

the mass immigration into this country during the 1960s, the development of the gold mining industry in the Free State in the 1950s, or the development of the petro-chemical industry.’

Rapid urbanisation was attributed partly to natural population increase of the black people resident in the cities and partly to the abolition of the pass laws in 1986. One major consequence was a large increase in the number of black people living in informal housing in the metropolitan areas—where there was an acute shortage of formal housing.

According to one government estimate there were 1 310 813 African ‘squatters’ in South Africa (excluding the ten homelands). However, the Urban Foundation estimated that there could be as many as 7m informal settlers in South Africa’s urban areas. Its estimate would have included the homelands. Some of these people had housed themselves in shack settlements, others had built shacks in the backyards of formal houses in the black townships, while others lived in garages attached to formal houses in the townships. The foundation estimated the growth in shacks at 60% a year since 1985 and said that the figure in the central Witwatersrand could be as high as 95%.¹⁰⁹ [¹⁰⁹ Ibid 12-18 August 1988]

At the time of writing, Parliament was due to consider a Prevention of Illegal Squatting Amendment Bill. The bill made provision for the upgrading of informal settlements, but at the same time increased the penalties for illegal squatting.

The foundation estimated the national housing backlog at 1,8m Units, and said that the figure could reach 4,6m by the year 2000. It said that the shortage meant that 400 000 units a year would have to be provided by the end of the century to meet the national need.¹¹¹ [¹¹¹ Ibid 12-18 August 1988]

According to the National Building Research Institute 84% of urban black people could not afford housing without a subsidy.¹¹² [¹¹² *Business Day* 24 August 1988]

The chairman of the Witwatersrand Regional Services Council, Mr Gerrit Bornman, said that the magnitude of current and future infrastructural development needs, particularly in black townships, was ‘frightening’. Mr Bornman said in August 1988 that 16 RSCs were operating already, and that in 1989 the entire country would be covered by 22 more. When all had been established their total budgets would go up to about R6bn, almost equal to the four provincial budgets. Mr Bornman said that if the tremendous demand for infrastructural services was fully to be met, then RSC levies—which are paid by commerce and industry—would have to be raised. Rural areas presented a tremendous funding problem, he added.¹¹³ [¹¹³ Ibid 24 August 1988]

Rent boycotts continued into 1987 in 55 African townships countrywide, and as at 30 April 1987 some R267m in rent and service charges had not been paid, according to figures provided by the minister of constitutional development and planning, Mr Chris Heunis. An article in *The Weekly Mail* claimed that the boycott had cost the authorities some R720m, and that some 650 000 households were involved. Mr Heunis said in October 1987 that since 1984 (when the rent boycotts began) the government had had to

provide R100m in bridging finance to African local authorities as a result of the boycotts.

In September 1988, however, Mr Olaus van Zyl, Transvaal executive committee member in charge of local government, said that rent and service boycotts were a problem in very few black municipalities.¹¹⁴ [¹¹⁴ *The Star* 1 September 1988]

Transport

The government tabled a *White Paper On National Transport Policy* in January 1987. In terms of the white paper, most passenger transport responsibilities would devolve to the lowest level of government—usually regional services councils. The government also accepted a substantial degree of deregulation of the transport sector. The policy decisions contained in the white paper were to be implemented through legislation. During 1987 only one act was passed in this regard, establishing a transport advisory council.

During 1986/87 a total of R362m was paid out to bus companies in subsidies for the transport of black workers. In the same period the South African Transport Services was set to lose an estimated R957m through passenger losses (and R1,2bn the following financial year). The burgeoning taxi industry continued to make inroads into the passenger market, bus companies and SATS both attributing decreases in loads partly to it.

In August 1988 the government announced that state-owned SATS would be turned into a profit-making company under the chairmanship of a person drawn from the private sector. This was the first step towards the privatisation of SATS, whose staff were told, however, that the process could take ten years.¹¹⁵ [¹¹⁵ *Finance Week* 19-25 May 1988]

Increased public attention was paid to black minibus taxis during the period under review. According to estimates by the Competition Board, there were between 20 000 and 25 000 licensed taxi operators in South Africa and between 30 000 and 90 000 unlicensed black minibus taxis.¹¹⁶ [¹¹⁶ *Sunday Tribune* 22 May 1988] The black taxi industry was estimated to have a capital investment at replacement value of R2,5bn, which was the equivalent of two gold mines. It was also estimated to give direct and indirect employment to about 300 000 people, roughly equivalent to the workforce of ten gold mines.¹¹⁷ [¹¹⁷ *Business Day* 29 June 1988] According to official statistics the number of new licensed taxis, including minibus taxis, in South Africa had risen from nearly 7 000 in 1985/86 to nearly 40 000 in 1987/88.¹¹⁸ [¹¹⁸ *The Star* 23 July 1988] The Southern Africa Bus and Taxi Association, to which about 45 000 black taxi operators belong, launched an unsuccessful bid for control of the PUTCO bus company. In July 1988 it was announced that SABTA had offered to create a bus service in the municipality of Sandton, north of Johannesburg.¹¹⁹ [¹¹⁹ *Sunday Tribune* 11 September 1988]

SABTA was frequently cited as an example of the thriving informal sector of the economy.

According to some estimates, black taxis were collecting 2bn passenger fares a year—four or five times the traffic aboard SATS and 20 times the passenger-count on the traditional network of white-owned bus companies.¹²⁰ [¹²⁰ *Sowetan* 15 September 1988]

Supermarkets in Pietersburg (northern Transvaal) were reported to be competing with one another to provide taxi ranks near their premises to attract black customers.¹²¹ [¹²¹ *The Citizen* 12 May 1988]

Social Segregation

In September the committee for constitutional affairs of the President's Council recommended the repeal of the Reservation of Separate Amenities Act and the opening to all races of public amenities provided by government bodies. It also suggested that entrepreneurs should have the right to segregate or desegregate facilities as they thought appropriate. However, no legislation regarding amenities was passed during the period under review.

In May 1988 the mayor of Durban, Mr Henry Klotz, had his membership of the National Party suspended when he refused to endorse a statement by fellow party members on the council that the remaining white beaches should be preserved for whites. Mr Klotz had been involved in the opening of all but two of Durban's beaches to people of all races.¹²² [¹²² *Business Day* 6 May 1988, *The Star* 25 May 1988, *Beeld* 5 May 1988] Earlier in the month the Supreme Court declared that Port Elizabeth's beaches had never legally been closed to black people and would therefore have to be opened. However, the administrator of the Cape lodged an appeal against the decision of the court. Pending the appeal, beaches were once again closed.¹²³ [¹²³ *Sunday Times* 11 September 1988] In September 1988 it was announced that a long-distance swimming contest finishing at Bloubergstrand beach in Cape Town would be moved to another beach because Bloubergstrand banned blacks.¹²⁴ [¹²⁴ *Business Day* 8 June 1988, *The Star* 12 July 1988, 8 June 1988]

In June 1988 SATS officials burnt whites-only signs in Cape Town following the formal abolition of racial segregation on trains in the western Cape. A month later racially segregated carriages on suburban commuter trains in the Pretoria/Witwatersrand/ Vereeniging area were abolished. However, no date was announced for the abolition of apartheid on all mainline trains.¹²⁵ [¹²⁵ *Frontline* May 1988]

Officials of organisations abroad campaigning for the total exclusion of South Africa from international sport claimed in May 1988 that they had excluded South Africans from virtually all amateur sport at individual level. They were now beginning to make progress in excluding South Africans from participation as professionals as well, they claimed.¹²⁶ [¹²⁶ *Business Day* 4 May 1988]

Education

Of the R8,1bn budgeted for education (including the ‘independent’ homelands) during the 1987/88 financial year, 42% was allocated to African education, 12% to coloured education, 5% to Indian education and 41% to white education. In 1986 there were 8,2m pupils of all races attending schools in South Africa (including the ‘independent’ homelands), of whom 76% were African, 10% were coloured, 3% were Indian and 11% were white.

The National Manpower Commission reported that the annual increase in the number of African pupils had resulted in an enrolment explosion at all educational institutions. The growth in African pupil numbers meant that the demand for infrastructure, teacher training and educational upgrading was so extensive that special efforts would be necessary to achieve any success at all.¹²⁷ [¹²⁷ *The Star* 11 November 1987]

In October 1987 the minister of education and development aid, Dr Gerrit Viljoen, said that the government was committed to placing control of African education in the hands of an African minister. However, he warned that because of the high number of African pupils at schools in South Africa, including all the homelands, people should not be over-optimistic in calling for a single education department.

The minister of education and culture in the white House of Assembly, Mr Piet Clase, said at the Cape National Party congress in November 1987 that education was expensive because ‘we have to duplicate, triplicate, and even quadruplicate’ facilities. White delegates at the congress had complained about cutbacks in the spending on certain facilities for white schoolchildren, but Mr Clase said that whites had to be prepared to pay the costs of the policy of separate development.¹²⁸ [¹²⁸ *Natal Mercury* 9 May 1988, *The Star* and *Business Day* 20 April 1988] However, at the time of writing it was still not clear whether the government would go ahead with plans announced some years previously to levy tuition fees at white government schools in order to free spending resources for black education.

In April 1988 the Progressive Federal Party accused the government of having retreated from the formula it had devised to bring about parity in education. The PFP alleged that the government had taken a political decision not to drop spending on white education all the way to enable parity to be achieved.¹²⁹ [¹²⁹ *The Star* 20 April 1988]

The minister of national education, Mr F W de Klerk, said in Parliament in April 1988 that the government’s ten-year plan for greater parity in education had been stalled by the country’s weak economic growth performance. The plan—originally announced in 1986—had been based on an expected economic growth rate of 4,1 % a year. Since this had not materialised, he said, it was not possible to maintain the equalisation plan at the level expected. However, this did not mean that the plan would not materialise.¹³⁰ [¹³⁰ *City Press* 6 December 1987] The commitment to equal education had in fact been made by Mr P W Botha, then prime minister, in 1980 but Mr Botha had at the same time said that

the historical backlog could not be overcome overnight.¹³¹ [¹³¹ *The Citizen* 11 March 1988]

Attention was once again focused on the under-utilisation of white educational facilities and the shortage of facilities for Africans. The government said that the drop in the white population growth rate would mean the closure of some under-used schools and colleges of education, but that the facilities in question would be offered to other white departments before being offered to black departments. Empty places in white schools would not be filled with pupils from other groups because this was contrary to policy, Mr Clase said.¹³² [¹³² *The Citizen* 10 March 1988] In some cases, however, facilities were transferred to the department of education and training, which caters for African education outside the homelands.

During 1988, 9 327 black pupils attended white private schools. Several white government schools applied unsuccessfully to admit black pupils or to open their schools to pupils of all race groups. In April 1987 an African pupil from Kearsney College in Natal (a private school) was banned by Menlo Park High School in Pretoria from participating in an athletics competition there because of his race. In March 1988 Mr Clase announced that in future if a particular school objected to black pupils' participation in a sports event, the school, and not the black pupils, would have to withdraw.

Legislation to upgrade the farm school system for African children was passed by Parliament in March 1988. About a third of African children at school outside the homelands are accommodated in schools on white farms, although by no means all African children resident on white farms are accommodated in school.¹³⁴ [¹³⁴ *The Star* 12 July 1988]

There appear to have been fewer school boycotts in 1987 and 1988 than in previous years. However, in July 1988 there were renewed boycotts in Soweto, evidently partly in protest against the alleged detention of about 200 pupils.¹³⁵ [¹³⁵ *Business Day* 24 August 1988] The boycotts were, however, criticised by the National Council of Trade Unions and the Black Consciousness Movement of Azania in a joint statement issued after a meeting in Harare (Zimbabwe). The Soweto Students' Congress, which had called the boycott, said it had been embarrassed by the call for a return to school.¹³⁶ [¹³⁶ *Sowetan* 22 August 1988] However, the department of education and training said in August 1988 that there was no effective education in at least 54 Soweto high schools recently evaluated. The DET cited some of the reasons as lack of motivation and discipline among pupils, dilapidated conditions in schools and demotivation among teachers as a result of assaults.¹³⁷ [¹³⁷ Nicholas Eberstadt, *Poverty in South Africa*, in *Optima* vol 36 no I, March 1988, pp 20-33] Parents blamed pupils' lack of discipline but also cited detentions and the presence of security forces. There were reports that school inspectors were being violently attacked by pupils.¹³⁸ [¹³⁸ *The Citizen* 13 April 1988]

Health and Welfare

Acquired immune deficiency syndrome (AIDS), which claimed its first South African victim in 1982,

was declared a notifiable disease in 1987.

An article on poverty in South Africa published in *Optima* in March 1988 reported that there had been dramatic progress in health in Soweto and a big drop in the township's infant mortality rate. If figures by local health authorities were correct, the infant mortality rate in 1980 was lower in Soweto than in the Soviet Union. The people in Soweto 'would appear to be the healthiest population in all of black Africa', the article said. However, it went on to say, Soweto was an exception to the rule of African health in South Africa. The Ciskei's infant mortality rate would not readily distinguish the area from the host of sub-Saharan countries.¹³⁹ [¹³⁹ *Business Day* 23 December 1987] The coloured infantile mortality rate had dropped from 104 per 1 000 live births in 1974 to 40,4 in 1985, the article said, which was a 'major achievement in public health'. Much of the reason for the improvement, it said, was an increase in the availability and quality of health care and other government services for the coloured population during those years.

The department of health and population development said in its annual report for 1987, tabled in Parliament in April 1988, that surveys had revealed an alarming number of cases of malnutrition in South Africa.¹⁴⁰ [¹⁴⁰ *The Star* 22 August 1988] A few days before Christmas 1987 Operation Hunger said that it had been feeding 1,2m people daily and that floods in Natal and rising unemployment would increase the demands upon it.¹⁴¹ [¹⁴¹ *Business Day* 13 April 1988] In August 1988 the organisation said its self-help projects had enabled some people in rural areas to reach a 'minimum survival ledge', and that hunger had now become a more serious problem in urban than in rural areas. More and more breadwinners were losing their jobs, and the burgeoning squatter population in the cities was also seeking assistance—but cramped living conditions made self-help projects far more difficult there.¹⁴² [¹⁴² *The New Nation* 25-31 August 1988]

The South African National Tuberculosis Association warned in April 1988 that tuberculosis was rising to epidemic proportions in South Africa, especially in the western Cape. SANTA said that the disease killed at least ten people a day in South Africa, even though it could be prevented and cured.¹⁴³ [¹⁴³ *Business Day* 29 August 1988]

The minister of national health and population development, Dr Willie van Niekerk, said in July 1987 that 70 hospitals were to be designated own affairs hospitals for white people, 43 for coloured people, and eight for Indians. All other public hospitals were general affairs hospitals (ie would admit Africans), he said. Dr Van Niekerk said in July that there were 38 private hospitals registered as segregated. The owners decided on this themselves.

The chairman of the federal council of the Medical Association of South Africa, Dr Bernard Mandell, said in May that fragmentation of welfare services under the tricameral system would have a negative effect on health care and welfare. The major reason for MASA's opposition was the high cost of the unnecessary duplication of services (professional, technical and administrative), the unequal distribution of the workload of professionals, and inequalities of services.

Calculations by Mr James Selfe, a PFP researcher, indicated that at least R800m was wasted each year on running separate health services and that the figure could be close to R1bn. This calculation covered only the expenses entailed in providing separate facilities for each race, he said.

Doctors working at Baragwanath Hospital in Soweto protested about conditions there, particularly overcrowding, which meant that some patients had to sleep on the floor. At the same time, it was pointed out, the Johannesburg Hospital had numerous empty beds.¹⁴⁴ [¹⁴⁴ Ibid 6 September 1988]

Students at the medical school of the University of the Witwatersrand staged a protest march in August 1988 against 'hospital apartheid'. Among their grievances was that black medical students were not permitted to work in gynaecology and obstetrics wards at white teaching hospitals in Johannesburg, although they were allowed to work in other wards.

Provincial health officials said that hospitals were provided for different race groups according to area, and there was thus no need to desegregate beds. They said that more than eight disciplines in the Johannesburg hospital were colour-blind, and that the beds not in use were closed not for lack of patients but for lack of funds. The province was aware of the greater demand on beds by blacks, which was why, when it had to close beds, it did so in white hospitals. Most white patients were on medical aid or could afford private hospitals.¹⁴⁵ [¹⁴⁵ *The Weekly Mail* 2-8 September 1988]

Another problem in health services in South Africa was that three-quarters of doctors worked in urban areas, to the detriment of the rural population. In an effort to redress the balance, homeland governments provided scholarships to students to attend the Medical University of Southern Africa, north of Pretoria. Now in existence for more than a decade, Medunsa was reported to be producing half of South Africa's 140 black doctors a year.¹⁴⁶ [¹⁴⁶ *Business Day* 6 September 1988]

Social pensions increased by R20 a month as from 1 October 1987 for all races. Mr P J Badenhorst, the deputy minister of constitutional development and planning, said in August 1987 that the payment of African social pensions on a monthly basis would be phased in over the next three financial years. The campaign was launched because African pensioners were paid once every two months and had to queue for long periods, at times sleeping in the queues to avoid missing payments.

A report by the President's Council's social affairs committee on the implications of ageing, published in March 1988, recommended that racial parity in pensions be achieved as soon as possible.

The report of the joint committee on pension benefits (the Meiring report), which was published in February 1987, opened the way for a new social pension system. The report set out six principles as being appropriate for a local social pension system. These included: a reduction of the state's long-term liability to provide pension payouts; the encouragement of the private sector to contribute to pension funds; the making available of as many options as possible for each individual to choose which fund he or she wanted to use; the encouragement of individuals and employers to take responsibility for their

own pensions; and the provision of a minimum pension.

The chief director (welfare services) of the department of national health and population development, Dr Wallace Anderson, said in October 1987 that comments of private welfare agencies on the government's proposed national welfare policy had been studied and incorporated into his department's report to a cabinet sub-committee on social affairs. The situation was presently very complicated as there were two forms of policy operating, a centralised one for blacks and the own affairs departments for whites, coloured people and Indians, Dr Anderson said.

Homelands

The estimated expenditure of the ten homelands in 1987/88 was R7,65bn, a 28% increase on 1986/87.

By the beginning of 1987 the ten homelands' size was 16,8m hectares, almost 14% of South Africa's total surface area. Some 347 000ha remained to be purchased by the government for the consolidation of the homelands. Final border adjustments were announced for the Transkei in April, consolidation plans for KaNgwane were announced in June, and revised proposals for KwaZulu had been forwarded to the South African cabinet for its approval by November. The townships of Ekangala and Botshabelo were incorporated into KwaNdebele and QwaQwa respectively in December 1987. However, in August 1988 the incorporation of Botshabelo was set aside by the courts.¹⁴⁷ [¹⁴⁷ Ibid 4 August 1988] The government said that it would take the judgement on appeal.

While the Lebowa administration lost its appeal in September against the dismissal in 1986 of its application for an order to have a proclamation excising Moutse from Lebowa set aside, another appeal involving Moutse was successful. In March 1988 the Appellate Division of the Supreme Court found that the proclamation of 31 December 1985 incorporating Moutse into KwaNdebele was invalid. As a result, Moutse again fell under central government control and the government announced in June 1988 that the constitutional future of the area would be determined by a one-man commission of inquiry headed by Mr Justice F L H Rumpff..

Lebowa's chief minister, Dr Cedric Phatudi, launched a new political and cultural organisation called Thari ya Setshaba in April 1987. Dr Phatudi died in October and was succeeded by Mr M N Ramodike. The Lebowa legislative assembly passed a unanimous motion that Lebowa's refusal to take 'independence' was non-negotiable.

Members of QwaQwa's ruling party resolved at its national council meeting not to opt for 'independence'.

Violence flared again in KwaNdebele in the wake of its administration's decision in May 1987 to take 'independence' and to rescind its decision in August 1986 not to do so. The administration took action against various members of the Ndebele royal family, which is opposed to 'independence', and renewed

most of the special emergency regulations in force in the territory. After widespread popular opposition the plans of the KwaNdebele administration to opt for 'independence' were halted by the central government. Mr P W Botha stated that certain requirements had to be met before KwaNdebele could take 'independence', including that it be obtained in an orderly fashion and on the basis of the broad support of the KwaNdebele population and that the KwaNdebele administration demonstrate by some acceptable method that it had such support. It was the first time that the government had made 'independence' conditional. By July 1988 the territory had not met these conditions.

In May 1988 the Supreme Court ruled in favour of five KwaNdebele women who had brought an application for an order declaring the 1984 elections in KwaNdebele null and void on the grounds that women had been denied the vote. The government passed legislation to validate retroactively all actions of the KwaNdebele legislative assembly until another election could be held, extended the vote to women and compelled the homeland to hold an election as soon as possible after the act came into effect.

In elections in Bophuthatswana in October 1987, the Bophuthatswana Democratic Party won 66 of the 72 seats in the 108-member national assembly. The remaining six were won by the People's Progressive Party led by Mr Rocky Malebane-Metsing. The percentage poll among eligible voters was approximately 23%. On 10 February 1988 elements in the Bophuthatswana Defence Force staged a coup giving as their reasons alleged corruption in the territory and alleged rigging of the 1987 elections. The army announced that it was entrusting the administration of the homeland to the PPP and Mr Malebane-Metsing apparently swore himself in as president. The SADF, however, intervened on the same day, releasing the detained president, Chief Lucas Mangope, and others from custody and restoring his administration to power. Mr Malebane-Metsing fled the territory and in the following week more than 400 people were detained.

Gazankulu civil servants were informed in 1987 that they had to join Ximoko xa Rixaka, the political organisation formed and headed by the chief minister, Professor Hudson Ntsanwisi.

The KwaZulu/Natal region was affected by serious conflict and political violence in 1987/88 and in May and June 1987 the KwaZulu administration was given control over various police stations in KwaZulu formerly run by the South African Police after a request to this effect from KwaZulu's chief minister, Chief Mangosuthu Buthelezi. Representatives of the KwaZulu administration and of Inkatha continued to participate in the KwaZulu Natal Indaba. KwaZulu became the first homeland to participate in a joint executive authority with a white provincial administration.

Relations between the Ciskei and the Transkei deteriorated when certain Transkei Defence Force soldiers were involved in an attack on the home of the Ciskei's president, Chief Lennox Sebe, in February in what appeared to be a coup attempt. The two homelands and the central government signed a non-aggression pact in April. Major General Bantu Holomisa of the TDF led a coup which put Miss Stella Sigcau in power after the Transkei's prime minister, Chief George Matanzima, resigned following mounting allegations that he was involved in corruption. On 30 December, after allegations of

corruption against Miss Sigcau, the TDF took over the administration in a bloodless coup. Gen Holomisa declared martial law and banned all political activity. During 1987/88 two commissions of inquiry investigated the misuse of public funds in the Transkei involving an estimated R120m. Various senior members of the administration were implicated in their reports, in particular Chief George Matanzima and his brother. Chief Kaiser Matanzima (the former Transkei president).

Chief George Matanzima was extradited to the Transkei in September 1988 to face corruption charges.¹⁴⁸ [¹⁴⁸ Ibid 23 August 1988]

The Economy

A rather sluggish economic upswing accelerated in the fourth quarter of 1987 and into 1988, when steps were taken to curtail it to relieve pressure on the balance of payments. Real gross domestic product grew by 1% in 1986 and 2,5% in 1987. At one stage the authorities were predicting a 3% growth rate in 1988 but in the middle of the year this forecast was reduced to 2,5%.

According to the governor of the South African Reserve Bank, Dr Gerhard de Kock, the main driving force behind the 1987/88 upswing was a steep rise in consumer and investment spending. It lifted real gross domestic expenditure in the first half of 1988 to about 10% above its level in the first half of 1987. The increase in spending brought about a marked rise in imports and a sharp decline in the surplus on the current account of the balance of payments from R6,1bn at the end of 1987 to an annualised R960m in the second quarter of 1988. In May, hire purchase was made more expensive and a number of other steps taken to reduce consumer spending. In August import surcharges were increased in a further attempt to reduce spending on imports. The fuel price was raised by 15% at the same time. The minister of finance, Mr Barend du Plessis, said he hoped the measures announced in August would reduce South Africa's import bill by about R1,5bn in a year.

The Reserve Bank said that the volume of imports had started levelling off in the second quarter of 1988 and it was reported in August that the economy was growing more slowly. Real growth of 3,6% in the first quarter of the year had slowed to 1,5% in the second quarter.¹⁴⁹ [¹⁴⁹ Ibid 8 September 1988, *Sunday Times* 18 September 1988]

South Africa's inflation rate, which at the beginning of 1986 had been over 20%, a record high in 65 years, dropped to 12,4% in the twelve months to June 1988. This year-on-year rate remained unchanged at 12,4% in July.¹⁵⁰ [¹⁵⁰ *Business Day* 27 July 1988]

Payments for imports, foreign debt repayments and other capital outflows steadily depleted South Africa's gold and foreign exchange reserves, which had dropped to an uncomfortably low level of \$2,17bn in August 1988—35% down on the level in August 1987.¹⁵¹ [¹⁵¹ *Financial Times* (London) 9 June 1988]

South Africa was said to need a current account surplus of about R2bn for the year to meet its foreign debt commitments without running down reserves.¹⁵² [¹⁵² *Business Day* 29 August 1988] Other estimates put the figure at R3bn.¹⁵³ [¹⁵³ *The Citizen* 9 September 1988]

Mr Du Plessis said that the deteriorating position of the current account of the balance of payments would not normally have caused serious concern because an inflow of foreign capital would have made up the decline in the foreign reserves. But South Africa no longer had access to such capital. Indeed, in the first half of the year the country had to face not only a weak current account, but also a net capital outflow of R2,7bn. Mr Du Plessis said that because South Africa was being deprived of foreign investment, it was faced with the terrible restraint of a 2,5% growth rate, whereas the government's aim was to achieve a 4% to 5% growth rate as soon as possible.¹⁵⁴ [¹⁵⁴ *Business Day* 4, 5 August 1988]

Dr De Kock said: 'In the present international political climate the capital account remains the Achilles heel of South Africa's balance of payments.' The continued net outflow of capital placed a constraint upon the balance of payments. Dr De Kock pointed out that the balance of payments constraint was 'principally the result of the country's strained international relationships and not of domestic economic policies or developments'. Other balance of payments problems were related to domestic economic policies.

The leader of the Progressive Federal Party, Dr Zach de Beer, said in August that South Africa was 'enslaved' by the balance of payments.¹⁵⁵ [¹⁵⁵ *The Star* 25 August 1988]

Early in August 1988, government officials urged South African importers to make use of foreign trade credit facilities as far as possible to ease pressure on the balance of payments. They pointed out that trade credit was the only form of foreign finance available to South Africa.¹⁵⁶ [¹⁵⁶ *Financial Mail* 20 May 1988] At this very time a report by a Commonwealth study group published in Toronto noted that the refusal of banks to lend new money to South Africa had severely stunted its economic growth. The report said that South Africa was not yet stretched to its financial limits, but that its margin for manoeuvre was small. Eight Commonwealth ministers said that the maintenance and extension of financial sanctions would 'hobble' South Africa's economic growth. They singled out trade credits as one means of tightening financial sanctions.

Mr Du Plessis said towards the end of August that the government was pursuing an economic strategy whose essence was to restructure the economy to make it less dependent on imports. This entailed a concentration on import replacement industries, the development of infrastructure and low cost housing, a deregulation programme to promote self-employment, privatisation to raise capital, taking a fresh look at savings to generate capital, and restructuring the tax system.¹⁵⁷ [¹⁵⁷ *Business Day* 13 July 1988]

It was reported in mid-year that World Bank figures had shown that South Africa's economic growth performance in recent years had been among the worst in the world. It was also reported that the

economic recession of the mid-1980s was acknowledged to have been the most savage slump for South Africa since the Second World War.¹⁵⁸ [¹⁵⁸ *Sunday Star* 18 September 1988] A private sector economist said that the 1987/88 recovery had occurred despite South Africa's having suffered a net capital outflow of more than R20bn over the past four years. This was seen by some bankers in Europe as a latter-day economic miracle—although it had occurred from an extremely low base. By mid-year, however, the balance of payments constraint made further expenditure growth in the short term impossible. Indeed, he said, the adverse impact of sanctions and disinvestment had become evident far sooner and more brutally than most South Africans might have expected.¹⁵⁹ [¹⁵⁹ *Business International* 13 June 1988]

In mid-September Eskom announced that it was to close or mothball 13 of its power stations. Its expansion programmes had been based on an 8% annual growth rate in demand for electricity, but actual growth was now only 4%. Eskom said that sanctions had slowed down the economy and therefore the demand for energy. About 5 000 jobs could become redundant over the next three years as a result of the closedowns, but some of the people affected might be absorbed into other jobs.¹⁶⁰ [¹⁶⁰ *Business Day* 12 July 1988]

The newsletter *Business International* summarised South Africa's economic position in mid-1988 in the following terms: South Africa remains excluded from foreign long-term capital markets and it is locked into agreements to repay existing foreign debt. It is unable to finance current account deficits through the capital account. Domestic economic activity has therefore become subservient to the need to generate trade surpluses to service foreign debt, with the result that the continued exclusion of the country from foreign sources of long-term capital appears to be the chief factor dragging the economy down.¹⁶¹ [¹⁶¹ *Ibid* 16 October 1987]

The unemployment level in South Africa dropped to its lowest level in almost two years in March 1988, according to official statistics.¹⁶² [¹⁶² *Finance Week* 15 - 21 October 1987] Even so, unemployment remained a major problem. Some months previously the minister of manpower, Mr Pietie du Plessis, had said that up to six million South Africans could be unemployed by the year 2000,¹⁶³ [¹⁶³ *Ibid*] while other estimates had it that successful implementation of economic sanctions against South Africa could see unemployment reach nearly ten million by the end of the century.¹⁶⁴ [¹⁶⁴ *Business Day* 7 September 1988] The journal *Finance Week* commented that 'South Africa is long on the way to losing irreparably the battle against rising unemployment'.¹⁶⁵ [¹⁶⁵ *The Citizen* 9 February 1988] It was reported in June 1988 that the Institute for Futures Research at the University of Stellenbosch had forecast that South Africa would have a surplus of more than nine million unskilled and semi-skilled people by the year 2000, but would at the same time face a shortage of 200 000 skilled workers.

More and more public attention was paid to the informal sector of the economy. According to some estimates it had grown from the equivalent of 20% of GDP in the 1970s to more than 30%, and could even have been as high as 40%. The Development Bank of Southern Africa estimated that blacks earned a quarter of their personal income informally, and that one in every four working blacks worked in the underground economy. The deputy governor of the Reserve Bank, Professor Jan Lombard, said that in

the rest of the world underground economies had sprung up to avoid taxation; in South Africa the key was to escape the costs of complying with business restrictions and licensing laws.

An official of the Small Business Development Corporation said that in a country like South Africa, 'where blacks find so many things illegal and are wary of rules and regulations', it was naive to think the unmeasured economy was smaller than in other countries.¹⁶⁶ [¹⁶⁶ Ibid 27 March 1987]

A deputy minister of finance, Mr Kent Durr, said in February 1988 that the government was committed to using an increasing share of the national budget to meet the 'just claims' of less privileged groups. The overarching goal was parity in the social infrastructure of all groups, although this could not be achieved overnight. Mr Durr said that the health and welfare budget had risen from 12% to 18% of the national budget over the past ten years, while education spending had risen from 13% of the total budget to 19% in the same period. The largest growth had not been in defence.

Mr Durr said that the government 'does not share' the view that if the state merely kept the economy growing the proceeds would filter down to the less privileged.¹⁶⁷ [¹⁶⁷ Ibid 8 September 1988] In March the previous year Mr Durr had said that the government was firmly committed to the redistribution of income, not via social engineering but through social investment. 'We are fully aware of the pressing need not only to free the economy but also to temper or remove unjustifiable disparities in income and wealth.'¹⁶⁸ [¹⁶⁸ *Sunday Times* 7 February 1988]

The state president, Mr P W Botha, said in September 1988 that sanctions and boycotts would deprive South Africa of R9,5bn in today's terms earmarked for upliftment programmes. The government was committed not only to constitutional development but also to socio-economic upliftment to wipe out backlogs and inequalities in education, health, housing and welfare services in general. It was continuing with these programmes but they were being seriously curtailed 'by the campaign of economic war being waged against us'. Research had shown that sanctions and boycotts could cause the government to have R9,5bn less available for these programmes over the next five years, which meant that they would be delayed by ten to fifteen years, Mr Botha said.¹⁶⁹ [¹⁶⁹ *Business Day* 19 February 1988]

Mr Botha said in Parliament in February 1988 that the government would privatise a number of public corporations. The proceeds of privatisation would not be used to finance current government spending but would be allocated to the state's capital revenue fund, he said. The money would be used for the redemption of public debt, investment in infrastructure and services in developing areas, and the creation of capital funds for the development of small business and industry.¹⁷⁰ [¹⁷⁰ *The Star* 5 January 1988] Mr Du Plessis said that the government was serious about addressing the underdeveloped areas. The lack of infrastructure there meant that people had to put up with a lower standard of living than they would otherwise have enjoyed, or, alternatively, that they had an incentive to leave and head for the metropolitan areas.¹⁷¹ [¹⁷¹ *Business Day* 6 September 1988]

According to the Standard Bank Investment Corporation, the value of public assets that could be

privatised exceeded R80bn.¹⁷² [¹⁷² Ibid 7 September 1988]

In 1987 legislation was introduced to expedite the privatisation of sorghum breweries and distribution networks. It was reported in September 1988 that the sorghum beer industry, involving 22 breweries and 260 selling points, 230 of them in black residential areas, would soon be privatised. It was also reported that sorghum beer, a traditional drink for blacks, should be removed from white and placed in black control.¹⁷³ [¹⁷³ *Financial Mail* Supplement 16 September 1988] The licensing of shebeens continued during the period under review. By June 1988, 670 had been licensed, 501 of which were located in the Transvaal.

In addition to the privatisation of SATS, it was indicated that the department of posts and telecommunications could be privatised.

During 1987, 28 central business districts were declared open for trading by all races, bringing the total to 57. By 20 May 1988, 67 had been opened. In Johannesburg, many smaller service-related businesses run by Africans, among them hairdressers, driving schools and law firms moved from Soweto to the CBD.

AFRICAN REMOVALS

Statistics

The minister of constitutional development and planning, Mr Chris Heunis, said that while final decisions had not been taken on all African towns in the country, the government had definite plans to relocate the residents of seven towns representing at least 21 973 people. In his statement, given in reply to a question asked in Parliament, Mr Heunis said that none of these decisions was taken on political grounds. Six of the areas mentioned were in the Transvaal, namely Haasbult (Soekmekaar), Thusang (Roedtan), Tshikoto (Louis Trichardt), Oukasie (Brits), Weiler's Farm (near Vereeniging) and an unnamed African town at Duiwelskloof. The remaining community was McNaughtons, a part of Kabah (Uitenhage) in the Cape. Mr Heunis said that for more than two decades the government had intended to relocate the families resident in the African towns at Duiwelskloof, Louis Trichardt, Roedtan and Soekmekaar to the nearby homelands, and to retain the towns for the residence of single Africans only. Mr Heunis maintained that in most cases the relocation was being undertaken voluntarily by the residents.¹ [¹ *Hansard* (A) 4 q cols 216-219, 23 February]

Mr Heunis said that during 1986 a total of 64 180 African people had been resettled both in South Africa (excluding all of the homelands), and from South Africa to the homelands. Within South Africa (excluding the homelands), 61 228 people had been resettled. The resettlements had taken place from Kabah/Langa to KwaNobuhle, Oukasie to Lethlabile, Ennersdale to Soweto, and Dalmany to Avon-Innes.² [² Ibid cols 303-304] A total of 2 952 Africans had been moved from urban areas to the homelands and neighbouring states, all at their own request, Mr Heunis said. The affected people had been moved

from the Witwatersrand to Bophuthatswana, KwaNdebele, KaNgwane, KwaZulu, Lebowa, Lesotho, QwaQwa, Swaziland, the Transkei and Venda; from Kimberley, Delpoortshoop, Barkly West, Coligny, Potchefstroom, Ventersdorp, Klerksdorp, Ottosdal, Carltonville and Stilfontein to Bophuthatswana; and from Louis Trichardt to Venda.³ [³ Ibid cols 219-220]

In March the deputy chairman of the Conservative Party (CP), Dr Ferdie Hartzenberg, said that if the CP were to be given 15 years in power, it would succeed in settling between 60% and 75 % of the African population in the homelands. 'We have a strategy and we would use modern techniques,' Dr Hartzenberg told supporters at a meeting in Verwoerdburg (Pretoria). 'We would not allow a black man to live just anywhere in South Africa.'⁴ [⁴ *The Star* 31 March]

Regional Developments

Cape province

Residents of **Lawaaikamp** (George) had a year of uncertainty as the government vacillated in its decision whether or not to remove the community to the new settlement of Sandkraal. Lawaaikamp had been under the threat of removal since 1983, and a deadline of 31 December 1986 had been set for residents to move or face eviction (see 1986 *Survey* Part 2 p494). The December deadline passed without incident, but the George municipality set another deadline for mid-March and served eviction notices on many of the residents of the camp. However, on 13 March, three days before the scheduled eviction, the municipality withdrew the deadline after lawyers working for the George Civic Association (GCA) threatened it with Supreme Court action.⁵ [⁵ *The Weekly Mail* 13 February, *Eastern Province Herald* 14 February]

The government set another deadline for 30 September, by which time the residents were to have vacated Lawaaikamp or would face eviction. Shortly prior to the deadline, the state president, Mr P W Botha, wrote a letter to the GCA, in which he stated, 'In accordance with government policy, I have expressed myself against forced removals in the past, unless it is accompanied with the provision of better living conditions.' He said that Lawaaikamp had arisen without planning, and 'to plan the area now, with the retention of these [existing] structures, is not desirable and practical'. The GCA, in a reply to Mr Botha, said that Sandkraal did not offer improved living conditions, and that should Lawaaikamp be upgraded, it 'would remain better than Sandkraal in every respect'. The GCA asked Mr Botha to intervene on its behalf: 'We are terrified by this deadline, which is clearly in conflict with government policy. We appeal to you urgently to intervene and stop this removal.'⁶ [⁶ *The New Nation* 24 September]

The deadline passed, ignored by Lawaaikamp residents. On 28 September the local crèche was padlocked on instructions from the municipality. When questioned on the closure, the Cape Provincial Administration said that in future children would be bused to Sandkraal. However, the crèche workers continued to care for the children who used the crèche, and, following the intervention of the Black Sash

and a lawyer, the crèche was reopened in mid-October.⁷ [⁷ Ibid 22 October]

In February over 2 000 residents of the Potsdam (Ciskei) refugee community walked out of the Ciskei into white-designated South Africa, demanding that they be made South African citizens. The community had been removed in 1983, but maintained that as its members had lived in South Africa, they were entitled to South African citizenship. In Potsdam, the refugees had received what was described by the Grahamstown Rural Committee as brutal treatment at the hands of the Ciskei authorities. (See chapter on *The Homelands* for further details.)

Residents of three villages, **Balasi**, **Skobeni** and **Tyutyu**, near the Ciskei capital, Bisho, faced removal at the hands of Ciskei authorities to Braunschweig. The villages were being encroached upon by suburban developments on the outskirts of Bisho, and residents were told either to upgrade their residences to the same standard as the rest of Bisho or face removal. Upgrading was beyond the means of most residents. In March the Ciskei authorities announced that the South African government had given them R6m to fund the removal of the three villages which, it said, were being ‘swallowed [up] within the capital’. Representations were made by villagers to halt the removals, but at the end of the year a spokesman for the Ciskei authorities, Mr Headman Somthunzi, said that the future of the three villages was ‘still under negotiation’.⁸ [⁸ *South* 29 October]

In March the residents of the McNaughtons area of **Kabah** (Uitenhage) received an assurance from the town clerk of KwaNobuhle, Mr Barry Erasmus, that they would not be moved to KwaNobuhle until the township had been developed and adequate homes could be offered to those who ‘wanted to move’. Mr Erasmus was reacting to a statement by the minister of constitutional development and planning, Mr Chris Heunis, that the McNaughtons residents were to be resettled. Mr Heunis had said that 7 230 people living in the McNaughtons area were to be resettled so that the land vacated could be used for the extension of the local coloured township. In 1986 some 20 000 Africans had been moved from Kabah to KwaNobuhle (see 1986 *Survey* Part 2 p493).⁹ [⁹ *Hansard* (A) 4 q cols 216-220, 23 February; *Eastern Province Herald* 18 March]

In mid-March residents of **Walmer** township (Port Elizabeth) were angered by the official response to a fire which left 200 residents homeless, and accused the authorities of using the fire as an excuse to move the affected residents to **Motherwell**, 15km away. In December 1986 Walmer had been given a reprieve from a forced removal with which it had been threatened for 15 years. Following the fire, Ibhayi Town Council officials told the residents that they would be moved to ‘temporary accommodation’ at Motherwell. According to a spokeswoman for the Port Elizabeth Anti-Removals Committee (PARC), Ms Rosalie Kingwill, the residents had responded to the council’s announcement with anger, and had indicated that they would refuse to move. The council responded by saying that if they refused to move to Motherwell, they would have to ‘move into the bush’. In the interim the homeless residents moved into shelters set up by the Red Cross, Operation Hunger and the Urban Foundation.¹⁰ [¹⁰ *The New Nation* 19 March]

In other developments in the eastern Cape, residents of **Red Location** and **Tyoksville** (both near Port

Elizabeth) were threatened with removal to Motherwell. In October the Cape Provincial Administration (CPA) lifted the threat to Tyoksville, following a protracted legal battle with the PARC. The chief director of the CPA's Department of Community Services, Mr Dirk Matthee, said subsequently that there had been a misunderstanding over the removal issue, and that shack dwellers had been requested to move purely on a voluntary basis. A PARC spokeswoman, Ms Peggy Killeen, said that the PARC was pleased that the issue had been clarified, but was concerned about losses incurred by the 20 families which had moved voluntarily.¹¹ [¹¹ Ibid 22 October]

Natal

According to the minister of education and development aid, Dr Gerrit Viljoen, 7 404 African people had been resettled in Natal between 1 January 1982 and 28 August 1987. Three groups had been affected, namely a community from the **Upper Tugela** location, which had been moved to Bergville to make way for the Woodstock Dam; a group moved from **Inanda** to make way for the Inanda Dam; and a group of Pondo refugees who had been squatting on private land close to **Winklespruit**.¹² [¹² *Hansard* (A) 16 q cols 1145-1146, 6 October] Numerous squatter communities were also removed during 1987 (see chapter on *Urbanisation*).

The Association for Rural Advancement (AFRA) said in March that at least 1 200 people faced removal from their homes on white-owned farms in the **Hlobane, Richmond, Vryheid** and **Weenen** districts of Natal. AFRA said that the potential removals were made possible by the government's decision to invoke the Prevention of Illegal Squatting Act of 1951 to 'protect the ownership rights of white landowners'. AFRA said that farmworkers would most likely be affected when farms changed hands: 'New ownership often means increased capitalisation and mechanisation; and new owners feel less inclined to deal with the welfare and control of a large labour force. Relationships with families, which have often been built up over a number of generations, are disregarded.' According to AFRA, over 300 000 African farmworkers and labour tenants were evicted from white-owned farms in Natal between 1948 and 1982.¹³ [¹³ *The Weekly Mail* 27 March]

In September 80 residents claimed that they had been evicted from a farm in **Richmond** and that their homes, clothing, furniture and food had been destroyed. The residents claimed that they had lived on the farm, owned by Mr Olaf Aadnesgaard, all their lives. The owner's wife, Mrs Jean Aadnesgaard, said that none of those evicted had been employed on the farm, and that she and her husband had given the residents notice when they had acquired the farm in 1981. She said that after numerous requests for the residents to leave, the police had finally been called in to evict them. She said that the land was needed for farming.¹⁴ [¹⁴ *The Natal Witness* 25 September]

Transvaal

Central Transvaal

During 1987 the residences of approximately 4 600 Africans living in the Pretoria/Witwatersrand/Vereeniging (PWV) area were demolished. The residences—mainly shelters belonging to squatters—were demolished in Erasmia (Pretoria), KwaThema, Thokoza and Varkfontein (all east Rand), Grasmere, Kibler Park, Lenasia, Nancefield and Roodekrans (all near Johannesburg), Big Farm, Levine’s Farm, McDonald’s Farm, Mshenguville and Wilgespruit (all west Rand), Honeydew (near Johannesburg) and Weiler’s Farm (near Vereeniging) (see chapter on *Urbanisation*).

In January **Munsieville** (Krugersdorp) was granted a final reprieve from removal at a ceremony in Kagiso (Krugersdorp), at which a R16,5m contract to upgrade the township was signed. The township had faced removal after complaints from the residents of a nearby white neighborhood, Dan Pienaarville, who claimed that violence from Munsieville had spilled over into their area (see 1986 *Survey Part 2* p545).¹⁵ [¹⁵ *The Star* 21 January]

Eastern Transvaal

In March residents of **Machadodorp** claimed that they were being forcibly removed from the old township to the new one, named Emthonjeni, nearby. Residents said that policemen had demolished their mud huts in the old township, and had loaded their belongings on to trucks for transportation to Emthonjeni. They voiced fears that they would be unable to pay the R38 monthly increase over the R15 a month rent which they had paid in the old township. A spokesman for the Department of Constitutional Development and Planning denied, however, that the residents had been forcibly removed, and said that the government had begun negotiations with the community in 1974 regarding the removal. He said that the families had agreed to be moved, and had not been moved against their will. In April it was reported that the government had suggested that if residents were unable to pay rent in Emthonjeni, they would have to share their houses with other families and split the rent.¹⁶ [¹⁶ *The Star* 12 March; *Sowetan* 13, 16 March; *The New Nation* 9 April]

In June the minister of constitutional development and planning, Mr Chris Heunis, announced that the government intended buying the farm **Daggakraal** (Amersfoort) and redeveloping it as a regional African town. Houses would be bought from residents (who were Africans), and following redevelopment, would be sold on a freehold basis to Africans, with previous owners being given the option to purchase stands for a nominal price. The farm, which housed 45 000 people, had been purchased by the Native Farmers’ Association of South Africa in 1912. Residents of Daggakraal united to oppose the government’s plans, which were viewed with suspicion by many. Some residents said that they viewed the plan as a ‘back door’ method of forcing them to leave their land, as it was unlikely that they would be able to afford rents in Daggakraal once it had been redeveloped. Opposition to the plan eventually resulted in the convening of a commission of co-operation and development, held in Wakkerstroom in late August. The commission heard oral evidence from residents of the farm, and finally concluded in their favour. The chairman of the Daggakraal joint executive committee, Mr G D Twala, said that as a result of the commission’s investigations, the government promised to purchase

additional land to accommodate hundreds of people living as subtenants. He said that the government had been unaware that the residents possessed freehold titles when it had planned the redevelopment of Daggakraal.¹⁷ [¹⁷ *Sowetan* 27 July, 13, 31 August; *The Star* 13 August]

Northern Transvaal

As at the end of 1987 the residents of **Tshikota** (Louis Trichardt) faced a stalemate regarding their future. According to a report issued by the Transvaal Rural Action Committee (TRAC), Tshikota had been subjected to removals since 1982, at which time it had a population of 6 000. Although there had been little overt resistance to the removal, this was not a reflection of residents' willingness to leave, it said. Rather, it was the result of what TRAC called 'coercion' by the state. TRAC said that the Northern Transvaal Development Board had first approached illiterate and semi-literate residents, and had warned them that if they did not move voluntarily, they would not be eligible to obtain a government-built house in their new location, Vleifontein. In a letter to Mr Heunis, written by an ad-hoc committee based in Vleifontein, former Tshikota residents wrote that 'we only moved from Tshikota because we were told the location was to be broken down. People did not want to move but were forced to sign the agreement one by one at night, which we did under duress'. On 1 April 1986 Vleifontein was incorporated into Venda, against the wishes of the former Tshikota residents who had been moved there (see 1986 *Survey* Part 2 p497 and p635).¹⁸ [¹⁸ Transvaal Rural Action Committee (TRAC) *newsletter* no 14, February 1988]

Throughout 1986 members of the Tshikota community were in conflict with the authorities, who on occasion detained community leaders and used threats of coercion to execute their policy (see 1986 *Survey* Part 2 p497). During 1987 there was a long lull, with few developments, until November, when ten Tshikota families received notices instructing them to leave their houses. The notices were withdrawn, however, after the community's lawyer informed the authorities that they were not legal and that residents were under no obligation to move. At the time of writing, there had been no further developments.¹⁹ [¹⁹ *Ibid*]

Western Transvaal

During 1987 the former residents of **Mogopa** continued in their quest for a permanent home. In 1984 the residents had been removed from their ancestral land at Mogopa, which the government had deemed a 'black spot' (see 1984 *Survey* pp462–464). The former residents were originally moved to Pachsdraai, but refused to stay there as a former chief, Mr Jacob More, deposed by the Mogopa people in 1981 for corruption, had been given administrative power, including the right to allocate land. Mr More had assisted government officials in executing the 1984 removal. Within a month of the removal, the former residents had left Pachsdraai and had settled in Bethanie (Bophuthatswana), the home of the Mogopa people's paramount chief, Chief James Lerothodi Mamogale.²⁰ [²⁰ *Jodac News* Spring 1987; TRAC *newsletter* no 13, August; *Work in Progress* no 49, September]

In the wake of a decision taken by the Appellate Division of the Supreme Court in 1985, in favour of an appeal by the leader of the community, Mr Shadrack More, against a 1983 refusal by the Transvaal Provincial Division of the Supreme Court to halt the community's removal, the community made plans to return to Mogopa. The government, however, had expropriated the land during 1985 and warned the former residents that they would be guilty of trespassing were they to reoccupy the land (see 1985 *Survey* pp344–345).²¹ [²¹ Ibid]

Representatives of the Mogopa community subsequently met members of the Department of Development Aid in an attempt to reach agreement on conditions for the occupation of an alternative piece of land by the community. The two parties failed to reach an agreement. In the wake of this failure, the former residents began to plan a return to Mogopa. However, they were dissuaded from returning by various support groups who were working with them, which feared that such an unauthorised move would lead to violent confrontation with the state. An alternative was presented, in which the former residents would have moved to a farm (named Holgat) which had been bought by the Botshabelo Trust specifically to house the refugees from Mogopa and a smaller group of refugees who had been living under harsh conditions at Rooigrond (Mafikeng) since their removal from their ancestral lands in Machavie in 1971. The Mogopa and Machavie communities, comprising 360 families, were to have joined 21 farmworking families in sharing the farm.²² [²² Ibid]

Shortly before Holgat was to have been transferred to the trust, however, it was expropriated by the government. According to some observers, the expropriation was a response to complaints from local whites who did not want Africans to live on the farm. Following the expropriation, the three communities issued a joint statement in which they stated their belief that the expropriation was designed to 'defeat our plans for the future'. The minister of education and development aid, Dr Gerrit Viljoen, said, however, that the expropriation was related to government plans to extend a mission school on the farm into an agricultural college, and the fact that Holgat had not been earmarked for settlement by Africans.²³ [²³ Ibid]

The former residents of Mogopa once again made preparations to return to their ancestral lands. However, on 5 September 1987, one week before the community was due to return to Mogopa, the government offered to buy land wherever the community decided to settle, and agreed that such land would be held in freehold title by the community. In the meanwhile, the community would be housed in a squatter camp near Sun City (Bophuthatswana). Despite reticence on the part of some former residents, the government plan was accepted, many residents feeling that the government's power left them little alternative.²⁴ [²⁴ Ibid and *The Star* 30 November]

During 1987 the residents of **Oukasie** (Brits) continued to live in a state of uncertainty as to whether they would be allowed to stay on in the township. The community had been living under the threat of removal since December 1985, when the government announced that it intended moving Oukasie residents to Lethlabile, on the Bophuthatswana border 24km away. By July 1986 some 4 000 residents had been moved to Lethlabile (see 1985 *Survey* pp347–348 and 1986 *Survey* Part 2 pp498–499).

In January the Itumenaleng Primary School in Oukasie was closed and moved to Lethlabile. A spokesman for the Department of Education and Training (DET) said that the school had been 'transferred' because it was 'very run down'. Local activists accused the government of using the closure of the school as a weapon against remaining Oukasie residents. Only one primary school remained in the township, and residents complained that facilities in that school were dilapidated, and that the school had become even more overcrowded than it had already been as it attempted to accommodate pupils from the closed school. The DET responded by accusing residents of allowing pupils from outlying areas into the remaining school so as to create the impression of overcrowding.²⁵ [²⁵ *The Star* 16 January; *Sowetan* 19, 20 January]

In March Mr Heunis said that it would be to the advantage of Oukasie residents 'to force them to relocate'. In response to a question in Parliament, Mr Heunis said that the relocation of Oukasie residents was due to the 'poor health conditions prevailing in the town and because upgrading of Oukasie will prove more costly than relocating its residents'. Mr Heunis claimed that the voluntary relocation of Oukasie residents to Lethlabile had 'gained momentum', and that such voluntary relocations were 'taking place daily'.²⁶ [²⁶ *Hansard* (A) q cols 216-220, 23 February] This was disputed by groups involved with the Oukasie removal, including TRAC. According to TRAC, movement from the township had dwindled to a 'trickle', with only about two families leaving per month. 'The 10 000 Oukasie residents have made it clear that they do not intend to move voluntarily,' TRAC added. TRAC also disputed Mr Heunis's claim that relocation would be more economical than upgrading the township, and cited the estimates of professional consultants who said that the upgrading would cost in the vicinity of R3m. Although the cost of establishing Lethlabile was not disclosed by the government, TRAC said that the provision of water alone cost R9m. The Brits Action Committee (BAC), which represented the Oukasie community, also rejected Mr Heunis's claim that people were moving voluntarily. It blamed the government for the poor state of health facilities and said that the 'real reason' for the removal was to appease the conservative white voters living in Brits.²⁷ [²⁷ *Financial Mail* 20 March]

In late March 1988 Oukasie residents were jubilant in the wake of an announcement by Mr Heunis that the township would not face resettlement. The reprieve was welcomed by many supporters of the community, including Mrs Helen Suzman MP (PFP), who had long campaigned in Parliament against the removal. Mrs Suzman said that there had never been a valid reason for the relocation of the township, and that the plan to relocate had been motivated by 'the simple truth that whites wanted that land'.

However, a few days after the announcement Mr Heunis claimed that he had been misinterpreted, and that the community still faced relocation. Mr Heunis said that the misunderstanding had arisen from an answer he had given to a question in Parliament. When asked if the residents of Oukasie still faced forced removal, Mr Heunis had replied 'no'. He subsequently said that he had meant that the removal would be undertaken 'voluntarily'. As at the beginning of April 1988 the entire leadership of the BAC were either in detention under the emergency regulations, or in hiding.²⁸ [²⁸ *The Star* 29 March 1988, *Sowetan* 30 March 1988, *Business Day* 31 March 1988, *The Weekly Mail* 8 April 1988]

‘Squatters’

Evictions of ‘squatters’ are dealt with in the *Urbanisation* chapter.

POPULATION AND RACE CLASSIFICATION

According to the government’s Central Statistical Service (CSS), the estimated South African population (excluding the ‘independent’ homelands) at the end of June 1987 was as follows:¹ [¹ Central Statistical Service, statistical news release, *Population mid-year estimates*, P 0302, November]

Population (Excluding TBVC)*

Numbers

Proportion

African

20 132 000

69,4%

Asian

913 000

3,1%

Coloured

3 069 000

10,6%

White

4 911 000

16,9%

Total

29 025 000

100,0%

*

Transkei, Bophuthatswana, Venda, Ciskei

The estimated African population of the ten homelands in 1987 is given below. The figures were calculated from the 1985 census figures, using an average yearly growth rate of 2,8%.

Homeland populations

'Independent' homelands

Bophuthatswana

1 819 242

Ciskei

799 136

Transkei

3 081 770

Venda

481 750

Sub-total

6 181 898

Non-independent homelands

Gazankulu

524 384

KaNgwane

413 425

KwaNdebele

248 888

KwaZulu

3 950 671

Lebowa

1 937 235

QwaQwa

191 200

Sub-total

7 265 803

Total

13 447 701

The total South African population m

Total population

Numbers

Proportion

African

26 313 898*

74,7%

Asian

913 000

2,6%

Coloured

3 069 000

8,7%

White

4 911 000

14,0%

Total

35 206 898

100,0%

*

This figure includes a small proportion of coloured, Indian and white people who live on the TBVC areas. It is composed of the CSS June 1987 population figure for Africans (excluding TBVC) and the estimated TBVC figures.

Revised figures for the number of births in 1985 given by the minister of home affairs, Mr Stoffel Botha, were as follows:² [² *The Daily News* 24 February]

Births in 1985

African

749 920

Coloured

83 705

Indian

20 396

White

79 863

Total

933 884

According to the CSS, preliminary figures for 1986 births were as follows:

Births in 1986

Asian

19 559

Coloured

81 772

White

72 938

Figures for Africans were not available.

The chief executive of the Association of Chambers of Commerce of South Africa (ASSOCOM), Mr Raymond Parsons, said in February that research by the President's Council (PC) had shown that if existing demographic trends continued—especially among the African population—South Africa's high population growth would have a 'paralysing effect' on the economy's capacity for growth, job creation, and on raising standards of living. He said that the ideal was that a level of an average of two children per woman should be reached as soon as possible, but not later than during the second decade of the next century. The African population's fertility rate was currently five children per woman. Mr Parsons added that a South African population of some 80m by the year 2020 would offer the best balance between numbers and resou

According to the CSS, the growth rate of the various population groups between 1980 and 1986 was as follows: Africans—2,39%, Asians—1,98%, coloured people—2,45%, and whites—0,95%. The CSS said in April that since 1970 the total population had increased at an annual rate of 2,17%.⁴ [*Business Day* 13 April]

The Department of National Health and Population Development's annual report for 1986 noted that the South African population was increasing at an average rate of 2,3% per year. A breakdown by race for this figure was 2,8% for Africans; 1,76% for Asians; 1,8% for coloured people; and 1,55% for whites. If this growth rate continued, the report stated, the South African population (excluding the 'independent' homelands) would increase to about 47m by the year 2000 and 70m by the year 2020. It said that rapid population growth was one of the most urgent problems facing the country. The report noted that there was a clear link between rapid population growth and poverty, unemployment and poor socio-economic conditions. Thus, a balance should be struck between population growth, basic resources and 'economic and social capacities'. The report stated that population growth could be contained only by improving the quality of life of the fast-growing sectors of the population through social and economic development programmes and family planning. The government's population development programme (PDP) aimed to achieve this goal through:

- strengthening and extending the family planning programme;
- an information, education and communications programme to create an awareness of the problem of population growth in South Africa including the 'independent' and non-independent homelands;
- the involvement of every community in these areas in community development programmes to achieve PDP objectives; and
- the acceleration of social and economic development in the fields of education, manpower training, job creation, primary health care, provision of basic infrastructure, housing, orderly urbanisation, rural development and the improvement of the status of women.

The following quality of life indicators were accepted as PDP criteria: fertility figures, adolescent

pregnancies, the infant mortality figure, life expectancy, the economic dependence figure, personal per capita income, education, the number of children not currently attending school and classroom density. During 1986 co-operation was obtained from churches, women's groups, and educational and youth organisations in the implementation of the PDP.⁵ [⁵ Department of National Health and Population Development annual report 1986]

The director of the Bureau for Economic Research at the University of Stellenbosch, Professor Jan Sadie, maintained in February that South Africa's low white birth rate would have a negative effect on the quality of the country's human resources, thereby constraining economic growth. Professor Sadie predicted that it would become increasingly difficult to fill vacancies in the professional, executive and highly skilled areas. Emigration was compounding this problem, he said. He suggested that management initiate the necessary in-house training to improve the skills of African workers to take up these positions.⁶ [⁶ *Business Day* 27 February]

Professor Charles Simkins of the School of Economics at the University of Cape Town said in November that urbanisation and other social factors were slowing down the African birth rate. The growth of the African middle class, better education, rising expectations and the higher costs of raising children had all contributed to the lower birth rate, he said. Despite this positive development, the transition to low fertility in South Africa remained slow.⁷ [⁷ *Ibid* 4 November]

In April a CSS study revealed that 16 787 African children under one year of age had died in 1985 in South Africa, excluding the 'independent' homelands. A similar report on deaths of Asian, coloured and white children noted that a total of 4 476 infants had died in 1985.⁸ [⁸ *Cape Times* 12 May] Mr Botha gave the 1985 infant mortality rate per 1 000 for the various population groups as follows: Africans, 80; coloured people, 40,7; Indians, 16,1; and whites, 9,3.⁹ [⁹ *Hansard* (A) 3 q cols 189-190, 17 February]

The minister of national health and population development, Dr Willie van Niekerk, said in September that urban infant mortality rates in white-designated South Africa in 1985 were as follows: Africans, 39,6 per 1 000; coloured people, 29,3 per 1 000; Indians 12,7 per 1 000; and whites, 12,5 per 1 000. Dr Van Niekerk said that there had been no significant change in the infant mortality rates among urban Africans and whites during the previous five years.¹⁰ [¹⁰ *Cape Times* 10 September]

Senior officials from Pretoria and the 'independent' homelands held talks in March on the implementation and co-ordination of population development. The delegation discussed establishing a central data collection base, the training of development programme officials and the secondment of population development planners to the 'independent' homelands. The talks were a follow-up to a meeting in Cape Town earlier in the year between the ministers responsible for population development in 'South Africa' and the 'independent' homelands. At that meeting agreement was reached on the structures necessary for the co-ordination and implementation of population and community development programmes.¹¹ [¹¹ *The Citizen* 17 March] It was announced a few days after the March meeting

that an 'action plan' to facilitate this implementation had been agreed upon.¹² [¹² *The Star* 25 March]

Mr Botha said in August that a population census would be held in South Africa in 1991. Owing to financial considerations it had been postponed from 1990 to the later date, he said.¹³ [¹³ *The Citizen* 26 August]

A report compiled by the Human Sciences Research Council (HSRC) maintained that it was theoretically possible for the African population growth rate to drop more rapidly after the year 2015, provided the culture and lifestyle of Africans changed rapidly. It also claimed that an effective political accommodation of Africans was the key to a drop in this group's fertility rate. The report stated that it would take at least a generation before changing conditions would affect population growth.¹⁴ [¹⁴ *Ibid* 2 September]

Dr Van Niekerk said in October that the aged population in South Africa would increase from 1m to about 4m by the year 2020. He stated that it was the duty of every citizen to ensure that his/her elderly family members were properly cared for. While preparation programmes for retirement were offered sporadically, there was a need to offer them on a fixed, countrywide basis, he stated.¹⁵ [¹⁵ *Ibid* 7 October]

Population control

A study undertaken by Groote Schuur Hospital (Cape Town) revealed in April that more than 80% of white girls who attended the teenage clinic of the western Cape region of the Family Planning Association of South Africa (FPA) were sexually active.¹⁶ [¹⁶ *Ibid* 8 April] The study also showed that only 58% of girls who were sexually active under the age of 17 used contraception after three months of regular intercourse and 19% were unprotected after one year of regular sexual activity. According to one of the researchers, Mrs Erica Greathead, the figures relating to unprotected sexual intercourse were borne out by the extreme ignorance she had encountered at schools where she gave sex education classes. Furthermore, many family planning clinics would not prescribe contraception to teenagers under the age of 18 without parental consent, she said. However, few teenagers were prepared to consult their parents.¹⁷ [¹⁷ *Ibid* 24 April]

The chief executive of the FPA, Mrs Lou-Anne Freeman, said in December that family planning clinics were primarily concerned with the health and welfare of mothers and children, especially in rural areas. She said that one of her main objectives was to plan a public awareness campaign involving a family planning awareness week.¹⁸ [¹⁸ *The Star* 2 December]

According to the 1986 annual report of the Department of National Health and Population Development, 951 nurses and nursing assistants were trained in 1986 in family planning at ten training centres in white-designated South Africa. Personnel from the 'independent' and non-independent homelands were also offered courses at the training centres. Between 1 March 1985 and 30 April 1986, 32 699 women and 2

804 men from all population groups in white-designated South Africa were sterilised. Expenditure in 1985/86 on the PDP's family planning programme was R42,5m and was expected to rise to R58,4m in the 1986/87 financial year.¹⁹ [¹⁹ Department of National Health and Population Development annual report 1986] The programme identified four main target groups: the 11m people under the age of 15, the male population, the rural population and couples who had already attained their desired family size. In rural areas, where fertility was 'extremely high', the emphasis of the programme was on effective education and clinical services.²⁰ [²⁰ *The Citizen* 3 July]

The aims of the family planning programme were: the postponement of the first pregnancy until at least the age of 20 years, an increase in birth intervals to three years, prevention of unwanted children by contraception and prevention of high-risk pregnancies.²¹ [²¹ *The Star* 22 September]

Race classification

In April the minister of constitutional development and planning, Mr Chris Heunis, rejected a call by Dr Denis Worrall (his opponent in the general election in May—see chapter on *Government and Constitution*) for the abolition of the Population Registration Act of 1950, the legal foundation of South Africa's race classification system. Mr Heunis said that the repeal of such laws would lead to 'the collapse of the present constitutional system'. It would also make it 'impossible' to implement a new constitutional system since 'Parliament would have been eliminated'.²² [²² *Ibid* 24 April]

At the seventh synod of the Nederduitse Gereformeerde Kerk in Afrika in June a recommendation was made that the government amend the act so that births could be registered without reference to race. The recommendation followed a call by the South African Council of Churches for churches to open their own registers for the nonracial registration of births.²³ [²³ *Ibid* 19 June]

According to Mr Tiaan van der Merwe MP (Progressive Federal Party), applications by Woodstock (Cape Town) residents for race reclassification in terms of the act were on the decline. He said that this was probably because the Prohibition of Mixed Marriages Act of 1949 and certain sections of the Immorality Act of 1957 had been repealed in 1985 and because there was a lower success rate for such applications than before. There was also no real pressure now for people to reclassify, he said, especially from a social point of view.²⁴ [²⁴ *South* 15 October]

Reclassification figures for 1987 were not available at the time of writing.

'Mixed marriages'

The minister of home affairs, Mr Stoffel Botha, said in March that 673 marriages by whites to Africans, coloured people or Indians had taken place from the time of the repeal of the Prohibition of Mixed

Marriages Act (in June 1985) until 29 January of the period under review.²⁵ [²⁵ *The Citizen* 7 March] In June Mr Botha gave an updated figure of 834 'mixed marriages'.²⁶ [²⁶ *Cape Times* 17 June]

The minister of constitutional development and planning, Mr Chris Heunis, said in May that since 12 February one application from a 'mixed couple' in the Cape province to live in a white group area had been granted, but five other couples' applications had been refused. He said that in total six applications had been received from the Cape, two from Natal (both were still under consideration), and none from the Orange Free State or the Transvaal.²⁷ [²⁷ *The Natal Witness* 27 May]

Mr Heunis said in June that he did not know how many 'mixed couples' had been living in white group areas since the repeal of the act. Statistics were not kept in this form, he said.²⁸ [²⁸ *Cape Times* 16 June]

In June the western Transvaal synod of the Nederduitse Gereformeerde Kerk (NGK) refused to speak out against 'mixed marriages' despite appeals from several delegates who said that members of the church insisted they do so. The synod also rejected a motion which called 'mixed marriages' 'extremely undesirable'.²⁹ [²⁹ *The Citizen* 18 June]

The South African Law Commission recommended in July that people of different races who entered into customary marriages should be entitled to have their marriages regarded as legally valid. It said that since the prohibition on 'mixed marriages' had been removed, the question had arisen whether racially mixed customary marriages should be legally recognised. There was strong support for such a step from those giving evidence to the commission.³⁰ [³⁰ *Ibid* 28 July]

In a statement issued in September, 36 church ministers condemned the government's intention to prosecute 'mixed couples' living in certain areas in breach of the Group Areas Act of 1966. Such an action would strain even the most stable marriages, they said. They described the threats as intimidation and said that the government's intention was unchristian and evil.³¹ [³¹ *Post Natal* 23 September]

The western Cape synod of the NGK expressed concern in October at the disruption that the Group Areas Act was causing to 'mixed couples'. It called on the government to enact a law to protect the residential rights of 'mixed couples'.³² [³² *The Citizen* 19 October]

Immigration and emigration

According to the Central Statistical Service (CSS), between 1 January and 31 October South Africa experienced a net loss of 3 869 people, as compared to a loss of 5 852 for the same period in 1986.³³ [³³ *Business Day* 4 December]

Commenting on migration figures provided by the minister of home affairs, Mr Stoffel Botha (see 1986 *Survey* Part 1 p5), Mr Peter Soal MP (PFP) said in February that the net loss of 1 138 professional people in 1986 reflected a massive vote of no-confidence in the government's ability to achieve political security. 'These are not people who leave for economic reasons ... They leave because of the political insecurity of the government,' he argued.³⁴ [³⁴ *The Star* 20 February]

Professor Jan Sadie of the University of Stellenbosch said in February that for every ten professionals who emigrated 44 South Africans were left unemployed. This was because the presence of professionals was a precondition for the employment of lower-level workers. He said that the effect of skilled manpower leaving South Africa had not yet been felt in the economy but would be experienced once the economy moved upward at a reasonable growth rate.³⁵ [³⁵ *The Citizen* 3 February]

The executive chairman of the Urban Foundation, Mr Jan Steyn, said in May that the rise in the number of young emigrants was 'most alarming'. He said that many young people were now more uncertain about South Africa's future than at any time since the Sharpeville shooting in 1960. 'We are facing the loss of young people of idealism and commitment, the majority of whom, like the non-violent black leadership, subscribe to a democratic nonracial future for South Africa,' Mr Steyn added.³⁶ [³⁶ *Ibid* 20 May]

According to a Market Research Africa poll conducted in August, more than 160 000 white South African adults intended leaving the country within the next five years.³⁷ [³⁷ *The Natal Witness* 18 November]

Mr Botha said in September that the Department of Home Affairs held back the forms of prospective immigrants who refused to furnish particulars of their religion or who said they had no religion. Such information was compulsory for 'broad background', to see whether the applicant was a desirable immigrant, Mr Botha said. The information was obtained through a further form on religious convictions.³⁸ [³⁸ *The Natal Mercury* 16 September]

'Illegal' emigrants

It was reported in February that refugees from Mozambique were entering South Africa through the Kruger National Park at a rate of about 300 a month. The secretary of health in Gazankulu, Dr R Robert, said that relief committees were operating in several districts and refugees were being identified and registered by tribal authorities and health clinics.³⁹ [³⁹ *The Star* 9 February]

According to the Department of Home Affairs, about 50 000 provisional permits were issued to Mozambican refugees in Gazankulu and KaNgwane from 1 March 1986 to 31 January 1987. The permits, which entitled an 'illegal alien' to a six-month stay in a defined area and access to short-term assistance, applied only when Shangaan, Swazi and Zulu refugees had reached the safety of their respective tribal affiliates in Gazankulu, KaNgwane and KwaZulu. The secretary of the ministerial co-ordinating committee of the Nkomati accord, Vice Admiral R A Edwards, said that 'illegal aliens'

caught en route were repatriated. Provisional permits were renewable, he said. He also said that refugees were likely to be a long-term problem and that the influx of Mozambicans into South Africa was expected to increase. There were about 300 000 Mozambicans in South Africa in January 1987, comprising 80 000 legal workers, 70 000 refugees and 150 000 illegal workseekers.⁴⁰ [⁴⁰ Ibid 10 February]

The deputy minister of constitutional development and planning and of public works and land affairs, Mr Ben Wilkens, said in April that the government regretted the reasons why Mozambican refugees felt compelled to flee from their own country but 'we have clear evidence that not only is there an influx of Mozambicans, but also a constant illegal coming and going across the border which cannot be tolerated any longer'. He said that refugees would be repatriated if they were found outside the areas listed above and their temporary permits would be withdrawn if these were abused.⁴¹ [⁴¹ *Sowetan* 30 April]

A spokesman for the Department of Home Affairs said in July that South Africa was repatriating about 2 500 'illegal aliens' to neighbouring states every month. Some 8 691 of 12 305 'illegal aliens' repatriated from 1 January to 31 May 1987 had been sent back to Mozambique.⁴² [⁴² *Eastern Province Herald* 8 July]

The minister of law and order, Mr Adriaan Vlok, said in March that 19 966 people detained in 1986 as 'illegal' immigrants admitted that they were in 'South Africa' illegally. They came from Botswana, Germany, Lesotho, Malawi, Mozambique, Portugal, Swaziland, Turkey, Zambia and Zimbabwe, and the homelands of Bophuthatswana and the Transkei. Most had been held for one or two days, but one had been held for 240 days, seven for 168 days, and one for 152 days, Mr Vlok said.⁴³ [⁴³ *Cape Times* 10 March]

POLITICAL DEVELOPMENTS

During the period under review the government pursued a policy which stressed security, while continuing to institute a series of reforms that were criticised on its right as going too far and on its left as not going far enough. Details of these reforms are given in the various chapters. Additional details appear in the Institute's reform monitor, *Quarterly Countdown*, and in *Social and Economic Update*, which is also published quarterly. Although the National Party (NP) easily won the general election called by the state president, Mr P W Botha, for the (white) House of Assembly in May, the election led to a realignment in white parliamentary politics. The Conservative Party (CP) replaced the Progressive Federal Party (PFP) as the official opposition. This was the first time since the NP won power in 1948 that the official opposition lay to the political right of the ruling party (see chapter on *Government and Constitution*).

In February 1988 the government effectively banned 17 of the most prominent extra-parliamentary organisations campaigning against apartheid. The 17 included the Azanian People's Organisation (AZAPO) and the United Democratic Front (UDF) (see *Security* for details of the bannings). The Congress of South African Trade Unions (COSATU) was also restricted, but less severely than the 17 other organisations (see chapter on *Labour Relations*).

The minister of law and order, Mr Adriaan Vlok, said that the government wished only to curb activities which it regarded as endangering public safety. The chief of the security branch of the South African Police (SAP), General Johan van der Merwe, claimed that the banned organisations were part of the 'revolutionary onslaught' of the African National Congress (ANC) against the government. He quoted the president of the ANC, Mr Oliver Tambo, as having described many of the banned organisations as 'revolutionary allies' of the ANC. (The ANC subsequently claimed that many of the quotations of Mr Tambo used by General Van der Merwe were taken out of context.)¹ [¹ *The Citizen* 25, 29 February 1988]

The CP said that the restrictions were 'inadequate' and came 'too late', but many prominent people, both locally and internationally, condemned them. The archbishop of Cape Town, the Most Rev Desmond Tutu, said that many would view the bannings as a declaration of war by the government. Mrs Helen Suzman MP (PFP) said that 'heavy-handed methods of crushing opposition' would prove to be 'as ineffective and counter-productive as have all similar attempts by the government'. Representatives of the affected organisations also condemned the bannings. For example, the treasurer of the UDF, Mr Azhar Cachalia, said that they represented a declaration of war against peaceful forms of opposition, and that they would serve only to 'increase the frustration of our people and the tension in our country'.² [² *The Citizen*, *Sowetan*, *The Star* 25 February 1988; *Business Day* 26 February 1988]

The British prime minister, Mrs Margaret Thatcher, called the curbs 'deplorable' and a 'major setback'. The president of the United States, Mr Ronald Reagan, said that the South African government 'should be working towards a multiracial democracy and not oppressing political organisations'.³ [³ *The Star* 25 February 1988]

There was an overall decrease in the occurrence of political violence during 1987, although in some areas, particularly Natal, there was a dramatic increase (see below). The government used a variety of techniques to prevent and contain political unrest, culminating in the bannings of the 17 organisations in February 1988 (see above). These included the extension, on 11 June, of the national state of emergency, which had been proclaimed a year previously, on 12 June 1986 (see chapter on *Security*).

The leader of the Progressive Reform Party (PRP), Mr Pat Poovalingam, said that the decision to extend the emergency reflected the government's inability 'to rule without extraordinary draconian measures. This is because Mr Botha does not have the support of the majority of the people. The NP remains the friend of communism'. A UDF spokesman said that the renewal represented an admission by the government that it saw itself as being on a permanent war footing. The chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said that 'states of emergency can address some of the consequences of unrest but they cannot address the reason for unrest. They do not act as a remedy for unrest'.

The CP supported the renewal of the state of emergency, as did the Urban Councils Association of South Africa (UCASA), whose chairman, Mr Steve Kgame, told viewers of South African Broadcasting Corporation television news that the majority of township dwellers supported the emergency as it prevented a minority of radicals from dictating to a peace-loving majority.⁴ [⁴ *Sowetan* 12 June; *The Star* 11, 12

June; *The Citizen* 6 July]

Addressing an audience in Standerton (Transvaal) in January 1988, the deputy minister of law and order, Mr Roelf Meyer, said that a continuous state of emergency would be necessary to maintain stability in the country. He said that the government had ‘no guarantee that those people who two years ago tried to make South Africa ungovernable would not make a similar attempt’.⁵ [⁵ *Business Day* 22 January]

Prior to the February 1988 bannings, the government used both the emergency and conventional powers to control various organisations which it considered to be acting against the national interest. Particularly affected were educational bodies (see chapter on *Education*), media organisations (see chapter on *The Media*) and trade unions (see chapter on *Labour Relations*). It also indicated to the business community that it would not allow business involvement in politics to exceed certain strict parameters (see chapter on *Business*). Speaking in Parliament in June, the PFP spokeswoman on law and order, Mrs Helen Suzman, accused the government of subjecting the country to ‘executive despotism’. She said that the ‘thin red line’ between legitimate dissent and subversion had grown fainter.⁶ [⁶ *Hansard* (A) 3 cols 814-820, 4 June]

There were allegations that the government was using vigilante groups as surrogates to maintain ‘law and order’ in some areas in which it was unable to do so itself, and that on occasion vigilantes were brought in to execute policies with which the government did not wish to be openly associated (see *Vigilantes* below).⁷ [⁷ *The Weekly Mail* 12 June]

It was also claimed that the government was utilising the National Security Management System (NSMS) to help defuse and control unrest during 1987 (see chapter on *Security*). Mrs Suzman said that Joint Management Committees (JMCs)—part of the NSMS—took political decisions in secret, and that the money for their projects came ‘out of nowhere’. The most notable example of the success of the NSMS in defusing unrest was in Alexandra (Johannesburg), which enjoyed a relatively unrest-free year, as opposed to the violence seen in previous years (see chapter on *Security* and 1986 *Survey* Part 2 pp521–526).⁸ [⁸ *Business Day* 14 July; *Sash* vol 30 no 1, May 1987; *The Weekly Mail* 12 June]

Announcing the (white) general election at the opening of Parliament in January, the state president called for unity ‘against the spirit of revolution incited against us from abroad’.⁹ [⁹ *Hansard* (A) 1 cols 17-26, 18 May] Mr Vlok told an audience on the eve of the election that South Africa was in the midst of a ‘revolutionary storm’, and that ‘if we cannot beat the revolutionaries, we are going to lose the country’. He said that three steps needed to be taken to defeat the country’s enemies, namely, strengthening security measures, bringing good government to all (including Africans), and finding a constitutional solution acceptable to the majority of South Africans.¹⁰ [¹⁰ *The Citizen* 5 May] The minister of defence, Mr Magnus Malan, emphasised the futility of strong security arrangements if they were not backed up by political reform. Mr Malan said that if urban Africans were forced back to the homelands, ‘we will lose the revolutionary war’. He said that the ruling party was prepared to negotiate with and grant full

participant rights to Africans, particularly in urban areas.¹¹ [¹¹ *The Star* 25 March]

In the run-up to the election on 6 May the NP suffered a number of defections, as a number of prominent party members publicly repudiated the party's policies. These included the South African ambassador to Britain, Dr Denis Worrall (a former NP MP), and a number of academics at the University of Stellenbosch (see chapter on *Political Organisations*). The PFP was also affected by splits (see chapters on *Government and Constitution* and *Political Organisations*).¹² [¹² *Business Day* 4 August, *The Citizen* 21 January, *The Star* 8 October, *The Sunday Star* 22 February]

Dr Worrall joined other defectors from the NP in a loose alliance known as the Independent Movement. In October, however, Dr Worrall was abandoned by the other Independents as a new political grouping, the National Democratic Movement (NDM), was formed under the leadership of a former National Party MP, Mr Wynand Malan (see chapter on *Political Organisations*).

In addition to the widening political cleavages in the white community, some commentators pointed to a deepening split within the wider Afrikaans community. The chairman of the Afrikaner Nasionale Kultuurraad (a committee of the Federasie van Afrikaanse Kultuurvereniginge (FAK)), Mr H J Conradie, said that the idea of power-sharing had created 'unease and tension' in Afrikaans culture, politics and the church. Mr Conradie said that the success of Afrikanerdom since 1948 had been due to the unity of the Afrikaner nation. Part of that unity, however, had been based on an Afrikaner self-image of exclusivity and self sufficiency. He said that the disappearance in recent years of protective measures and laws had brought about a schism in Afrikanerdom, which was most obviously manifested in the results of the election.¹³ [¹³ *The Citizen* 16 July]

Other indicators of the growing schism could be seen in the split in the Dutch Reformed Church (see chapter on *Religious Organisations*), and the tension in the Afrikaans community over arrangements for the 150th anniversary of the Great Trek, a landmark event in Afrikaner history. The commemoration celebration arrangements provided a forum in which much bitterness was exchanged between two major Afrikaans camps, the FAK (supported by the NP) and the Afrikaner Volkswag (which included the CP among its supporters), which organised separate celebrations. The NP called on the Volkswag and its supporters to join it in making the celebrations a focus of Afrikaner unity. The leader of the CP, Dr Andries Treurnicht, responded by saying that he could not be expected to celebrate the Trek with people who were 'busy every day destroying everything the Volk [people] had built up'.¹⁴ [¹⁴ *Ibid* 18 July] The splits in the Afrikaans-speaking community were mirrored in the black community. Details of the divisions in black politics are contained in the chapter on *Political Organisations*; details of violent conflict in the black community are given below.

Political Violence

Political violence continued in 1987, but at levels considerably lower than in the years since 1984.

Deaths due to political violence decreased significantly, except in Natal/KwaZulu, where a bitter conflict between a number of political groups increased dramatically (see *The conflict in Natal* below).

According to the 1987 police report tabled in Parliament, cases of public violence dropped 75,8% to 1 973 cases in 1987, compared with 8 156 cases in 1986. The number of explosives cases dropped by 28,1% from 424 to 305 cases from 1986 to 1987.¹⁵ [¹⁵ *Sowetan* 10 May 1988]

The government was reluctant to provide information regarding political unrest. In October the minister of law and order, Mr Adriaan Vlok, refused to give Parliament unrest statistics, saying it was not in 'the public interest or the interest of the country'. Among the topics on which Mr Vlok refused to give information were incidents of public violence, malicious damage to property, arson, murder and assault; and information on violence in the Durban townships since 1983. Mr Vlok said that the publication and distribution of the requested information could 'further contribute to increasing the revolutionary climate'.¹⁶ [¹⁶ *Hansard* (A) 14 q col 941, 18 September; 16 q col 1209, 7 October]

Although the government acknowledged that political violence had decreased significantly, it nevertheless claimed that any relaxation of emergency regulations (see chapter on *Security*) would cause an increase in violence once again. In a memorandum on the national state of emergency, the Bureau for Information (BFI) said that there had been a 79% drop in unrest-related incidents from 1 May 1986 to 1 May 1987. The bureau claimed, however, that the underlying 'revolutionary climate' had not abated, and that 'radical organisations' were 'still doing everything in their power to politicise, mobilise and intimidate the masses'.¹⁷ [¹⁷ *The Star* 11 June]

The head of the security police, Lieutenant General Johan van der Merwe, said in November that although 1987 had been a relatively quiet year in terms of political violence, he thought that the 'revolutionary climate' was on the increase. Gen Van der Merwe said that although the police had successfully 'neutralised' the leadership of many organisations thought to be fomenting unrest, a second generation of leaders was beginning to assert itself. He said that the 'legal radical organisations'—particularly the United Democratic Front (UDF) and the Congress of South African Trade Unions (COSATU)—had become even more important than the illegal organisations in promoting a revolutionary climate.¹⁸ [¹⁸ *Diamond Fields Advertiser* 1 December]

Casualties

According to the South African Institute of Race Relations there were 661 deaths due to political violence during 1987. This represented a 49% decrease from the 1298 deaths recorded in 1986. Altogether 2 987 deaths were recorded between the outbreak of violence in September 1984 and the end of 1987. The majority (60,4%) of the deaths recorded in 1987 occurred in the conflict in the Natal Midlands (see *The conflict in Natal* below). The majority of deaths occurred towards the end of the year. Apart from Natal, the rest of the country saw an overall decrease in deaths due to political violence as

1987 progressed. Because of the difficulty encountered in gathering information on the deaths in Natal, most are recorded below in the ‘indeterminate’ category. Some of these deaths were probably the result of the conflict between Inkatha on the one hand and the UDF and/or the African National Congress (ANC) on the other, while others were due to security force action in that area. Due to the difficulty in gathering information, particularly in light of restrictions on the reporting of unrest by the media (see chapter on *The Media*), the information contained below should not be regarded as definitive.

A description of the practice of ‘necklacing’ was given in the 1986 *Survey* (pp515–516). The Bureau for Information said that 310 people had been murdered by ‘necklacing’ between 1 January 1986 and 4 April 1987.¹⁹ [¹⁹ *The Citizen* 11 June] According to evidence in court in October by the head of intelligence in the security police, Brigadier Herman Stadler, about 400 people had been ‘necklaced’ and another 200 burnt to death. He claimed that these killings were part of the ANC’s campaign of ‘terror intimidation’ to make the country ungovernable.²⁰ [²⁰ *The Star* 27 October]

A senior official of the Chamber of Mines of South Africa claimed that ‘necklacing’ had been used on 9 August at the Vaal Reefs gold mine near Orkney (western Transvaal) against two non-striking employees. The official claimed that the level of violence in the mining industry had increased dramatically since the advent of unionisation (see chapter on *Labour Relations*). In 1985 there had been 32 deaths, in 1986 there had been 38, and from December 1986 to February 1987 there had been 52.²¹ [²¹ *Chamber of Mines Newsletter* November/December 1987]

Deaths due to political violence: 1987 ²²

Number

Proportion of total

January

40

6,1%

February

22

3,3%

March

40

6,1%

April

40

6,1%

May

33

5,0%

June

36

5,4%

July

39

5,9%

August

35

5,0%

September

73

11,0%

October

93

14,1%

November

89

13,4%

December

121

18,3%

Total

661

100,0%

22 [22 South African Institute of Race Relations (SAIRR)]

Cause of death: 1987 ²³

Number

Proportion of total

Persons killed by security forces

35

5,3%

Security force members killed

37

5,6%

Alleged guerrillas killed

36

5,4%

Persons killed by landmines/Other explosives

11

1,7%

Black civilians killed by white civilians

3

0,5%

White civilians killed by black civilians

3

0,5%

Internecline conflict in black communities: Azanian People's Organisation/United Democratic Front (UDF)

6

0,9%

Inkatha/UDF/African National Congress

210

31,8%

Other

41

6,2%

Unexplained violence in black communities

32

4,8%

Perceived collaborators killed

1

0,1%

Burnt bodies found

15

2,3%

Accidents

5

0,7%

Indeterminate

226

34,2%

Total

661

100,0%

23 [²³ SAIRR]

Deaths per area per quarter: 1987 ²⁴

Jan-March

April-June

July-Sept

Oct-Dec

Total

Proportion of total

Pretoria

2

2

4

1

9

1,4%

Soweto and Johannesburg

13

24

8

5

50

7,6%

Alexandra

2

—

1

—

3

0,4%

East Rand

7

12

3

1

23

3,5%

West Rand

1

1

4

1

7

1,0%

Eastern Transvaal

5

2

3

1

11

1,7%

Northern Transvaal

—

1

3

—

4

0,6%

Western Transvaal

—

3

—

—

3

0,4%

Vaal Triangle

2

—

—

—

2

0,3%

Rest of Transvaal excluding Lebowa, KwaNdebele and Bophuthatswana

—

—

5

—

5

0,8%

Orange Free State

1

10

2

1

14

2,2%

Bloemfontein

—

1

—

2

3

0,4%

Eastern Cape

9

6

6

6

27

4,1%

Northern Cape

—

—

2

—

2

0,3%

Peninsula and Boland

12

1

3

14

30

4,5%

Natal Midlands

10

35

92

262

399

60,4%

Rest of Natal/KwaZulu

36

6

2

8

52

7,9%

Bophuthatswana

—

3

3

1

7

1,0%

Ciskei

1

—

5

—

6

0,9%

Area unknown

1

Political disturbances

Accounts of some of the more significant incidents of political violence are given below.

In early **January** there was fighting in KwaNobuhle (Uitenhage) involving 'comrades' and vigilantes. Witnesses reported seeing as many as 1 500 vigilantes marching through the township at 4am on a Sunday, allegedly in search of youths sympathetic to the United Democratic Front (UDF). A police spokesman denied that the marchers were vigilantes, and said that they were moderate parents attempting to root out 'troublemakers' (see *Other vigilantes* below).²⁵ [²⁵ *Eastern Province Herald* 8 January]

On 6 January fighting broke out between Soweto City Council police and squatters whose shacks were being demolished in Mofolo (Soweto). Residents said that the police had rounded up local youths before bulldozing the shacks. The Bureau for Information (BFI) said that a security force patrol had intervened and had told the council police to stop demolishing the shacks until alternative accommodation could be found.²⁶ [²⁶ *The Star* 7 January]

In **February** Alexandra (Johannesburg) was reported to be a 'battle zone' as a gang of alleged insurgents had a series of shootouts with the police (see *Insurgency* below).²⁷ [²⁷ *Business Day* 13 February]

On 21 **March** police used teargas and birdshot to disperse a crowd of approximately 1 000 people who had gathered in Clermont (Durban) to commemorate the anniversary of the Sharpeville shootings in 1960. Fifty people were arrested. Violence was reported from other Durban townships.²⁸ [²⁸ *The Star* 23 March]

In mid-**April** trains in Soweto were petrol-bombed in a series of attacks which were seen as being in support of striking employees of the South African Transport Services (SATS) (see chapters on *Labour Relations* and *Transport*). Twenty-six trains were damaged in two days. Significant delays were recorded, and armed guards were assigned to patrol all trains and stations.²⁹ [²⁹ *The Citizen*, Sowetan 14 April; *The Star* 15 April; *The Christian Science Monitor* 20 April]

On 22 April a two-day stayaway began in Soweto. The stayaway was called in an anonymous pamphlet which listed a variety of demands, including a halt to rent evictions, the resignation of town councillors and the withdrawal of security forces and vigilantes from the township. The pamphlet called on residents to behave in a 'dignified, disciplined and united' manner.³⁰ [³⁰ *The Star* 22 April] The acting publicity secretary of the UDF, Mr Murphy Morobe, called on the Soweto City Council and the town clerk, Mr

Nico Malan, to ‘recognise the legitimate peoples’ representatives’ and help to defuse the anger which rent evictions had generated. Mr Morobe said that ‘to suggest, as some newspapers did, that young militants were responsible for the stayaway is ridiculous and misleading. The people of Soweto, as in all other black townships, have genuine grievances’.³¹ [³¹ Ibid 24 April] On the first day of the stayaway police fired teargas at 1000 people who were demonstrating against rent evictions at the Soweto City Council offices. Youths barricaded the streets with burning cars and tyres. One person was shot dead by the police.³² [³² *The Weekly Mail* 24 April] Businesses in Johannesburg reported high levels of absenteeism—a Checkers store near Soweto reported 70% of its workforce absent, and the Anglo American Corporation of South Africa said that 50% of its employees had failed to report for work.³³ [³³ *The Citizen* 23 April] The transport system to and from Soweto ‘collapsed’; the Putco bus company, which usually ran 700 routes a day, withdrew its bus service from the township after a number of its vehicles were damaged. On the second day of the stayaway, Putco restored a limited service during rush hours.³⁴ [³⁴ *The Star* 23 April]

In two major incidents of unrest, also on 22 April, police shot dead six people in Johannesburg and Germiston (east Rand). Both incidents were connected to the strike by SATS workers, and the fact that 16 000 of them had been dismissed by SATS earlier in the day for failing to meet a deadline to return to work (see chapter on *Labour Relations*). In the first incident, police fired on a crowd of workers who were holding a meeting in a hall near Germiston Station. According to the police, the participants in the meeting became aggressive after failing to heed a warning to disperse, and the police were ‘forced to shoot’ after being attacked. Three union members were killed and four policemen injured. A lawyer representing the Congress of South African Trade Unions (COSATU) claimed, however, that no warning had been issued before the police had opened fire. He was unable to explain the injuries sustained by the police.

The second incident occurred a few hours later near Doornfontein Station (Johannesburg). A ‘large’ group of strikers, having received news of the Germiston shootings, reportedly marched from the COSATU headquarters to Doornfontein Station, with the intention of boarding a train for Germiston. According to the BFI a group again failed to disperse after a police warning. Tearsmoke was used in an attempt to disperse them. It was then that they turned on the police and attacked them with stones and knives’ and the police fired, the bureau said. Authorities prevented newspapers from publishing some eyewitness accounts of the incident. A photographer at the scene reported, however, that he saw about 50 men carrying axes and clubs march to the station from COSATU House—COSATU’s headquarters in Johannesburg—and that the police blocked their path. A police officer allegedly threw a teargas canister, and was thrown against a wall and stabbed by the marchers. The police opened fire, killing three people. At least two policemen were reported to have been severely injured. Later in the day police surrounded COSATU House and detained about 400 of its occupants, who had been prevented from leaving the premises. Many of the union members and people who were trapped in COSATU House alleged, in sworn affidavits which were placed before the Witwatersrand Local Division of the Supreme Court, that they had been severely assaulted by the police, that they had seen others being assaulted, and that the police had maliciously damaged offices and destroyed property, including expensive electronic equipment. The general secretary of COSATU, Mr Jay Naidoo, said in his affidavit that the actions of the police had led him to believe that those in command were either unwilling or unable to exercise the

necessary control over their men. The police denied all of the allegations and said that their men had acted lawfully.³⁵ [³⁵ *Cape Times*, *The Natal Mercury*, *The Natal Witness* 23 April; *The Star* 2 May]

On 29 April COSATU House was again surrounded by police, who searched it. They were seeking the murderers of four nonstriking SATS workers killed earlier in the week (see below). Eleven men were arrested in the operation.³⁶ [³⁶ *The Weekly Mail* 30 April]

In other violence in April, rioters stoned government buildings and the police in Taung district (Bophuthatswana).³⁷ [³⁷ *The Star* 2 April]

In late April and early **May** a series of demonstrations was held at various universities to protest against the violence associated with the SATS strike, and the white general election held on 6 May (see chapter on *Government and Constitution*). Police action at many of the demonstrations, which included the firing of teargas, the sjambokking of students, and the use of shotguns (at the University of Cape Town), was widely condemned by university authorities, particularly at the English-speaking universities. Four universities closed on election day in light of the election and the incidents surrounding it (see chapter on *Education*).³⁸ [³⁸ *The Weekly Mail* 30 April, *Business Day* 6 May]

Over 100 incidents of violence were reported from around the country on election day; two men were found burnt to death in unexplained circumstances. A stayaway, which was called for the day preceding election day and election day itself, was adhered to by approximately 43% of the workforce on the Witwatersrand, 99% in the eastern Cape, and 60% in Natal, according to the Labour Monitoring Group, a group of academics and labour specialists. Commentators noted that unlike the stayaway ten days previously, in which scores of workers were seen walking and hitch-hiking to work, the streets were practically devoid of commuters during the election stayaway.³⁹ [³⁹ *The Star* 5 May, *Sowetan* 6 May, *Business Day* 8 May]

The day after the election COSATU House was rendered useless by two powerful explosions (see *Attacks on anti-apartheid activists and organisations* below).

There was a wave of violence in KwaNdebele following the 6 May announcement of independence, which took effect retroactively. Schools were attacked in Klipplaatdrift and Kwaggafontein, and an arson attack on a government building in Bronkhorstspuit resulted in over R100 000's worth of damage (see chapter on *The Homelands*).⁴⁰ [⁴⁰ *Sowetan* 11, 12 May; *The Star* 11 May]

In early **June** the UDF, COSATU, the Azanian People's Organisation (AZAPO) and the National Confederation of Trade Unions (NACTU) called for action and protest to commemorate a series of anniversaries. These included the 12 June anniversary of the 1986 declaration of the state of emergency, the 16 June anniversary of the 1976 Soweto revolt, and the 26 June anniversary of the 1955 adoption of the Freedom Charter. None of the organisations called for a stayaway. The UDF and COSATU called

for 16 June to be proclaimed a paid holiday. Many businesses did in fact close on that day, and those which stayed open reported absenteeism rates ranging from 12%nd;40% in the Cape Peninsula, to 90% in Port Elizabeth and Durban, and 70%–90% in Johannesburg. Despite widely held fears that 16 June would be a day of violence, relatively few incidents were reported, most of these involving stone-throwing and petrol-bombing. Many political organisations called for protest to be disciplined and dignified, and the police gave their assurances that they would maintain a low profile if ‘peace and order’ prevailed in the townships.⁴¹ [⁴¹ *Business Day* 16 June; *Cape Times*, *Eastern Province Herald* 17 June; *Diamond Fields Advertiser* 18 June; *The Weekly Mail* 19 June]

On 20 **July** police arrested 600 students and teachers in Wynberg (western Cape) following a demonstration in support of a teacher who was facing a Department of Education and Culture hearing. The arrests occurred after what police described as a ‘home-made explosive device’ was thrown into a police vehicle. Two blasts occurred at a South African Defence Force (SADF) residence on the same day. It is not known if the events were related.⁴² [⁴² *Cape Times* 21 July]

On 21 July Jan Smuts Airport was the scene of tension when 40 members of a delegation of white South Africans returned from a meeting with the African National Congress (ANC) in Dakar (Senegal). A contingent of Afrikaner Weerstandsbeweging (AWB) members, including their leader, Mr Eugene TerreBlanche, heckled the returning delegates, and the police successfully encouraged the delegates to cancel a planned press conference. The minister of law and order, Mr Adriaan Vlok, said that the police feared a violent confrontation. A series of scuffles broke out between AWB members and people who had gone to the airport to welcome the delegates. Sixteen journalists who were covering the event were arrested, but later released (see *Political Developments* above and chapters on *Political Organisations* and *The Media*).⁴³ [⁴³ *The Citizen* 21 July]

On 19 **August** 4 000 Soweto City Council employees were fired on with teargas and birdshot by the police during a demonstration in Jabulani (Soweto). The demonstration was over pay issues and regulations regarding council drivers.⁴⁴ [⁴⁴ *The Star* 19 August]

In **September** incidents of violence were reported from Bonteheuwel and Diazville (both in the western Cape), and Daveyton (east Rand). Mr Patrick McKenzie MP (Labour Party) claimed in the House of Representatives that the ANC was using pupils to render Bonteheuwel ungovernable.⁴⁵ [⁴⁵ Hansard (R) 12 col 2904, 4 September]

Conflict flared in Mayfair (Johannesburg) on 15 **October** when a group of armed whites who were holding an illegal gathering in a park assaulted a number of black passersby. The gathering was held under the auspices of the Blanke Bevrydingsbeweging (BBB) to protest against the authorities’ failure to enforce the Group Areas Act of 1966 in the area. The demonstration was held despite police warnings that it constituted an ‘illegal gathering’, and a large contingent of riot police eventually used teargas to disperse the participants (see chapter on *The Group Areas Act*).⁴⁶ [⁴⁶ *Business Day* 16 October]

At the end of October a series of demonstrations was held at various universities to protest against new conditions which the universities would have to meet to qualify for state subsidies. Police maintained a strong presence at the demonstrations, particularly at the universities of Cape Town, Natal and the Witwatersrand. Students at the University of the Witwatersrand were teargassed by the police (see chapter on *Education*).⁴⁷ [⁴⁷ *Business Day*, *The Citizen* 29 October]

The conflict in Natal

During 1987 there was a steady escalation of conflict in Natal, particularly in the Natal Midlands around Pietermaritzburg. The violence was by and large the result of conflict between competing, mainly black, political organisations, but as the violence deepened during the latter half of 1987 and continued into 1988, it was alleged that various individuals and organisations were manipulating the conflict to further essentially private goals. Allegations of ‘warlordism’ were levelled at various participants in the conflict, and most parties at some point accused the security forces of acting in the interests of their political opponents. By the beginning of 1988 the conflict had attracted international attention, and had created what the mayor of Pietermaritzburg called a ‘state of war’ in the Pietermaritzburg townships.⁴⁸ [⁴⁸ *The Star* 3 February 1988]

Repeated allegations that Inkatha members used violence to force people to become members of their organisation were made. The chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, countered by saying that it arose from attempts by the ‘UDF/ANC/COSATU alliance to establish a foothold for itself in a region where Inkatha had grown in strength’.⁴⁹ [⁴⁹ *The Natal Mercury* 6 February 1988]

The director of the Pietermaritzburg Agency for Christian Social Awareness (PACSA), Mr Peter Kerchoff, claimed that at least 397 deaths occurred in political violence in the Natal Midlands during 1987. Of these, he claimed, at least 53 were Inkatha supporters and 119 supporters of the UDF/ COSATU camp. The remaining 225 fatalities could not be attributed to either faction. Some deaths were the result of security force action, but the exact number remains unknown.⁵⁰ [⁵⁰ Information obtained from Mr Peter Kerchoff, Pietermaritzburg Agency for Christian Social Awareness (PACSA)]

According to the SAP, 246 people died in the Natal unrest between the beginning of September 1987 and 10 January 1988. The SAP recorded 1 002 unrest-related incidents during the same period.⁵¹ [⁵¹ *Business Day* 14 January] The journal *Indicator South Africa* reported that there had been 402 political deaths in the Natal Midlands in 1987 and 126 between 1 January and 4 March 1988.⁵² [⁵² *Sunday Tribune* 10 April 1988]

Course of events

In January Inkatha and the UDF traded allegations in the wake of a massacre in the south coast town of

KwaMakhutha. In the incident 13 people, many of them members of a single family, were massacred in a house by a group of men using AK-47 rifles. Initial reports said that ‘terrorists’ were suspected of having perpetrated the attack, the implication being that the ANC had a hand in the killings. It was claimed, however, that Mr Victor Ntuli, who was not at the house at the time, was the most likely target of the attack and Inkatha-related elements were therefore suspected in the killings. He was a leading member of the KwaMakhutha Youth League, a UDF affiliate. In a statement on the massacre, Chief Buthelezi said that he had no doubt that it was related to the internecine strife in Natal. He said that the only way in which he could see an end to the strife would be if ‘the president of the external mission of the ANC, Mr Oliver Tambo, called off the vendetta which his organisation and the UDF are waging against me and Inkatha’. The chairman of the KwaMakhutha Youth League, Mr Mandla Mthethwa, accused Inkatha of direct involvement in the killings, and alleged that the KwaZulu Police had acted in concert with the killers. Chief Buthelezi said that these allegations were ‘wild and ridiculous’, and not worthy of a formal response.⁵³ [⁵³ *The Citizen*, *The Natal Witness*, *The New York Times* 22 January; *Cape Times* 24 January]

In a meeting with Mr Vlok in **March**, Chief Buthelezi asked for more powers for the KwaZulu legislature, in particular the control of KwaZulu police stations and the right to issue firearm licences. In his talks with Mr Vlok, Chief Buthelezi argued that the increased powers were needed to allow the ‘black community’ to protect itself legally against ‘the kind of brutality that is now inherent in intimidatory politics’. ‘We need to be put in a position where we can better defend that which so badly needs to be defended,’ he said. The UDF publicity secretary for Natal, Mr Lechesa Tsenoli, said that the region’s problems would not be solved by arming one section of the population. He also claimed that it was ‘no secret that the homelands themselves have been severe in their repression and intolerance towards legitimate opposition. The UDF, therefore, totally rejects this devious scheme, especially because we are committed to national unity which will not be served by this kind of plan’.⁵⁴ [⁵⁴ *The Weekly Mail* 13 March]

Later in the month Chief Buthelezi accused the UDF of being the internal wing of the ANC, and said that its aim was to render the country ungovernable by fomenting violence. He said that the UDF had been antagonistic towards Inkatha since its inception, and that Inkatha members had been attacked by UDF members since the early days of the UDF’s existence. He recalled that at the time he had ‘warned that, in the circumstances, Inkatha members should operate on the basis of “an eye for an eye and tooth for a tooth”’. A few days later, Mr Tsenoli accused Inkatha of having a ‘systematic plan’ to cripple the UDF in Natal townships. He said that evidence for this was provided by the number of UDF activists who had been killed in those townships. He also said that residents of various townships had expressed concern at the build-up of what appeared to be private armies associated with councillors in some townships. Of major concern was an alleged vigilante ‘army’, the ‘Amabutho’, which had been seen patrolling KwaMashu (Durban).⁵⁵ [⁵⁵ *Eastern Province Herald* 20 March, *The New Nation* 26 March]

The archbishop of Cape Town, the Most Rev Desmond Tutu, reported towards the end of March that Mr Tambo had asked him to mediate in the Natal conflict. Mr Tambo had reportedly asked Archbishop Tutu to convene a meeting of Inkatha and UDF leaders, not as representatives of their organisations, but as

Christians. Archbishop Tutu voiced scepticism of the plan, but agreed that it would be ‘worth trying’ (see below).⁵⁶ [⁵⁶ *The Weekly Mail* 27 March]

The secretary general of Inkatha, Dr Oscar Dhlomo, said in April that Inkatha would welcome an initiative from someone who genuinely wanted to see an end to the violence, but that the arbiter would have to be impartial.⁵⁷ [⁵⁷ *Financial Mail* 10 April]

In early **July** Chief Buthelezi disclosed that Inkatha and the UDF had been holding talks aimed at reducing tension between the two organisations. Addressing Inkatha’s annual general conference in Ulundi, the capital of KwaZulu, Chief Buthelezi said that he hoped the discussions would develop to the point where the national executives of both organisations would talk to each other. He appealed to black organisations to recognise that no single organisation would win the struggle for liberation in South Africa. The president of the UDF, Mr Archie Gumede, said that Inkatha propaganda which accused the UDF of illegal attacks and general misconduct did not help to create an atmosphere conducive to negotiation. He said that he was awaiting endorsement from UDF affiliates before talks could continue.⁵⁸ [⁵⁸ *Business Day, Cape Times* 6 July]

An ANC spokesman in Lusaka (Zambia) said in late July that the ANC would not speak to Chief Buthelezi because his hands were ‘just as bloody as those of the South African government’. The spokesman said that Chief Buthelezi was ‘part of the apartheid regime’, and that he had ‘physically threatened people in the democratic movement through his vigilantes’.⁵⁹ [⁵⁹ *The Star* 31 July]

In late **August** Chief Buthelezi claimed that ‘the Asian leadership of the UDF in Natal and white liberals of the radical left are fanning the flames of black-on-black violence’. Mr Gumede condemned this statement, arguing that the UDF was committed to the eradication of racial disharmony, and made no apologies for being a nonracial organisation.⁶⁰ [⁶⁰ *Post Natal* 2 September]

The violence in the Natal Midlands escalated considerably from **September**, and as the fighting worsened the pace at which ‘peace talks’ were convened quickened. In September Mr Gumede and Dr Dhlomo were reported to have discussed the conflict, particularly that in the Mpumalanga (Hammarisdale) area.⁶¹ [⁶¹ *The Natal Witness* 10 September] Mpumalanga had been the scene of serious fighting for over a year, numerous attacks being carried out on members of the local UDF affiliate by vigilantes who were alleged to have had strong Inkatha connections. An Inkatha leader and community councillor in the township, Mr Zakhele Nkehli, denied that vigilantes had been involved in the killings. He claimed that the vigilantes in the area were, like vigilantes elsewhere, ‘very responsible people’ committed to defeating criminals. ‘But a person who is against the South African government’s laws is not a criminal and would not be attacked by vigilantes. It is rogues and vagabonds who are to be blamed for the spate of killings in Mpumalanga,’ Mr Nkehli claimed.⁶² [⁶² *Ibid* 1 October]

Towards the end of the month fighting in the Edendale (Pietermaritzburg) area was very heavy, 13

deaths being recorded over a single weekend. Three policemen were arrested in connection with the incident. An Inkatha official, Mr V V Mvelase, claimed that the three were UDF members, and suggested that some elements in the SAP were sympathetic to the UDF cause. This was denied by an officer in the SAP, Brigadier J Kotze, who claimed that the three policemen had merely refused to join Inkatha.⁶³ [⁶³ Ibid]

At a Cape Town Press Club function in **October**, Dr Dhlomo repeated the allegation that the police were in collusion with the UDF. Dr Dhlomo, referring to the incident for which the three policemen had been arrested (and two subsequently charged), said that he doubted whether the policemen had acted in their individual capacities, and that he was of the opinion that they had been part of a conspiracy. He claimed that there was a pattern of police collusion with the UDF in the Pietermaritzburg area, and also in KwaMakhutha. Dr Dhlomo's allegations were rejected by an SAP spokesman, who did acknowledge, however, that the two policemen were facing charges which appeared to have involved the UDF.⁶⁴ [⁶⁴ *The Star* 31 October]

On 6 October Mr Gumede and the chairman of the Inkatha Youth Brigade, Mr Musa Zondi, signed an agreement in which each side pledged to stop killing its opponents, and agreed on a series of meetings to settle their differences. The agreement was a result of talks aimed at ending the violence in Mpumalanga. The two sides agreed to 'ferret out ways and means of stopping violence', and stressed their commitment to freedom of expression, association, assembly and movement. 'We believe our common enemy is apartheid,' the leaders of the two organisations said.⁶⁵ [⁶⁵ *The Weekly Mail* 9 October] The 'truce' lasted only one day, however, as UDF members who had fled the violence in Mpumalanga attempted to return to the township and were allegedly 'bounded out' by vigilantes who were claimed by some to be Inkatha members. There was also violence in Edendale in the wake of the truce.⁶⁶ [⁶⁶ *City Press* 11 October]

Two days after the failure of the truce, Chief Buthelezi alleged that some of the UDF's affiliates were perpetuating the strife in Natal. In particular he mentioned the Natal Indian Congress (NIC), which he said was composed of 'a brand of Indian who is poison to the black struggle for liberation'. He also attacked liberal academics, the National Union of South African Students (NUSAS), the Black Sash, and some members of the Progressive Federal Party (PFP). Chief Buthelezi claimed that these organisations were channelling money and expertise into one side of the conflict and hated Inkatha 'precisely because we get no marching orders from them and stand with pride in our blackness for one nonracial South Africa'.⁶⁷ [⁶⁷ *The Natal Mercury* 12 October]

In mid-October the UDF and COSATU issued a pamphlet condemning violence and calling on the 'community' to form defence units to ward off attackers. The pamphlet emphasised that innocent people were never to be harmed. Whether or not as a result of the pamphlet's message, by the end of the month it was reported that in many areas of the Natal Midlands 'defence units' (supposedly connected with the UDF) had created liberated zones', and that 'rebel' groups (allegedly with Inkatha links) were conducting 'guerrilla' raids on residents. The director of PACSA, Mr Peter Kerchoff, said that thousands

of families had been broken up by the fighting, and many people had been forced to leave their homes. In many cases people were said to be fleeing because they were unwilling to align themselves with either side in the conflict.⁶⁸ [⁶⁸ *The Natal Witness* 15 October; *South* 29 October] Many township residents also reported that a 'thug element' was taking advantage of the confusion created by the unrest, and that, among other things, it had prevented children from attending school. By late October the violence had reached a point which some observers claimed was 'out of control'. The mayor of Pietermaritzburg, Mr Mark Cornell, said that he felt 'desperately worried and helpless', and appealed to the provincial administration and the central government for help in controlling the unrest. In the wake of a meeting between Chief Buthelezi and Mr Vlok extra police reaction units were deployed in Edendale. Brigadier Leon Mellet, a spokesman for Mr Vlok, said that the extra units were deployed in an effort to 'restore law and order'. He also said that allegations of police collusion with the UDF would be taken seriously.⁶⁹ [⁶⁹ *The Natal Witness* 17 October; *The Natal Mercury* 29 October]

As violence continued to escalate in early **November** a police spokesman announced that the SADF and the SAP would form a joint security force to maintain law and order. The deployment of the SADF in the townships received a mixed reaction, some parties questioning its ability to act in a peace-keeping role.⁷⁰ [⁷⁰ *Cape Times* 6 November] Early in the month leaders of the various groups had separate meetings with a number of clerics, including Archbishop Tutu. Archbishop Tutu, who claimed that the talks had been organised by Jesus Christ, denied that they were intended to replace any existing peace initiatives, or that they suggested any solution. 'We are Just saying, as national church leaders, that we want to demonstrate our Christian concern,' he said. Chief Buthelezi said that the violence could not be alleviated by people who 'jet in and jet out'.⁷¹ [⁷¹ *The Natal Witness* 7 November, *The Sunday Star* 8 November]

A few days later both the UDF and Inkatha appeared to welcome an offer by Mr Govan Mbeki to mediate in the conflict. Mr Mbeki, a leading member of the ANC and the South African Communist Party (SACP), had been released from prison a few days earlier, having served 23 years of a life sentence. Dr Dhlomo, commenting on the offer, said that 'since Inkatha is seriously trying to end the violence, without co-operation from the UDF leadership, we welcome the involvement of Mr Mbeki as mediator in the current conflict in Pietermaritzburg. We have always felt that the imprisoned political leaders, once they are released, could play a vital role in bringing about unity among all black groupings across the political spectrum'.⁷² [⁷² *The Natal Witness* 9 November] Chief Buthelezi claimed that the ANC bore the sole responsibility for the killings in the Pietermaritzburg area. Denying that Inkatha 'warlords' were responsible for the violence, he argued that the ANC 'purposefully sets out to kill for political purposes' and that the violence was 'directed against the free enterprise system and the politics of negotiation'.⁷³ [⁷³ *The Star* 13 November]

At a business conference in Johannesburg, the general secretary of COSATU, Mr Jay Naidoo, claimed that violence against COSATU members in Natal was an attempt by Inkatha to eradicate the 'democratic alternative', which the burgeoning trade union movement and 'community organisations' offered. As such, the conflict was less 'black-on-black' violence than a battle for political supremacy. He accused Inkatha of attempting to crush all non-inkatha activity. Chief Buthelezi responded by alleging that the

violence in Natal had been ‘deliberately fomented’, and that broadcasts on Radio Freedom from ‘our brothers in the ANC called for collaborators to be killed and for the country to be made ungovernable’.⁷⁴ [74 *The Weekly Mail* 13 November]

The Inkatha Youth Brigade held a press conference at which it upheld its right to retaliation and ‘self-defence’. Speaking at the conference, Mr Zondi alleged that the UDF had not responded to a youth brigade proposal that a joint committee be formed to monitor violence. According to Mr Zondi, this failure on the part of the UDF ‘pointed a finger’ at who the aggressor in the conflict was. He claimed that the UDF had not responded because Mr Gumede had had ‘problems’ in getting his constituency to agree to such a committee. In light of the UDF’s ‘aggression’, Inkatha youth reserved the right to self-defence. A member of KwaZulu’s Legislative Assembly, Mr Velaphi Ndlovu, said at the conference that ‘as far as Inkatha is concerned, there is no difference between self-defence and retaliation’.⁷⁵ [75 *Ibid*]

A series of peace talks, which were to have begun under the auspices of the Pietermaritzburg Chamber of Commerce on 19 November, collapsed following the detention of two UDF negotiators. The two men, Messrs Martin Wittenberg and Skhumbuzo Ngwenya, who were joint secretaries of the Natal Midlands branch of the UDF, were detained under emergency regulations during a meeting at which they were trying to get a mandate from UDF members to proceed with the talks. The men were released, however, following a meeting between officials of the chamber, Inkatha, the UDF and the police. The men were told by the police that they could attend only meetings aimed at reducing the violence in Natal, and that those meetings had to be convened by the chamber. They were prohibited from holding meetings with the UDF or COSATU. Brigadier Mellet denied that the two had been detained because of their political affiliations, and said that the detentions were related to investigations into a number of crimes.⁷⁶ [76 *Business Day* 19 November, *The Weekly Mail* 20 November]

On 24 November the talks initiated by the Pietermaritzburg Chamber of Commerce started. They were chaired by two chamber officials, Messrs Paul van Uytrecht and Rob Pater, and were attended by officials of COSATU, Inkatha, the UDF and the United Workers’ Union of South Africa (UWUSA), a union linked to Inkatha.

In early **December** Chief Buthelezi told the Inkatha central committee that the UDF and COSATU were ‘not worthy’ of reconciliation. ‘We are talking about a life and death struggle. We are talking about all-or-nothing victories. We are talking about the final triumph of good over evil,’ he said.⁷⁷ [77 *The Weekly Mail* 11 December]

A joint statement calling for an end to the violence was made by the UDF and Inkatha in January 1988. According to an announcement issued through the office of the archbishop of Durban, the Most Rev Denis Hurley, the statement was drawn up in November the previous year and was immediately accepted by Chief Buthelezi, but the UDF had requested time to consider it.⁷⁸ [78 *City Press* 10 January 1988]

By the end of the year the conflict had not been stopped and it continued into 1988. However, the

Sunday Tribune reported in April 1988 that the political killings had dropped dramatically in the preceding two months. It quoted a police spokesman as saying that the violence had been at its worst in December and January but that in February and March there had been only a few minor incidents. The spokesman, Captain Pieter Kitching, was also quoted as having claimed that a major factor in the decline in the killings was ‘the deployment of more police in February—including special constables—and far more effective policing’.⁷⁹ [⁷⁹ *Sunday Tribune* 10 April 1988]

However, it was later reported that, as the violence in Pietermaritzburg subsided, conflict occurred in townships around Durban. *City Press* claimed that ‘bands of youths claiming to be members of the UDF were allegedly attacking homes belonging to Inkatha members’. Men alleged to be Inkatha supporters were said to have attempted to attack the homes of UDF members.⁸⁰ [⁸⁰ *City Press* 1 May 1988] The violence was reported to have spread to townships north, west and south of Durban.⁸¹ [⁸¹ *Sunday Tribune* 17 April 1988]

In a sequel to the violence in Pietermaritzburg, two former policemen were convicted in the Natal Provincial Division of the Supreme Court in April 1988 of 13 murders in September the previous year. The victims were all members of the Inkatha Youth Brigade who had been struck down one by one as they tried to escape from a blazing house which had been set alight. They were aged between 14 and 18 years. The murderers were jailed for nine and 12 years respectively after the judge had found extenuating circumstances in that they had staged a pre-emptive attack in fear of being attacked themselves. Mr Justice N S Page said that people were allowed to act in self-defence, but that the two men had grossly exceeded the limits. They had taken the youths by surprise and proceeded methodically to execute them without mercy.⁸² [⁸² *The Saturday Star* 16 April 1988]

Attacks on individuals

Attacks on policemen and soldiers

Policemen and soldiers, as in previous years, were singled out for attack by some opponents of the South African government. During the period under review, attacks on security force personnel were most prevalent in the Cape townships, particularly Guguletu.⁸³ [⁸³ *Cape Times* 11 March] Speaking at a passing-out parade for African policemen in Hammanskraal (Pretoria) in early July, the minister of law and order, Mr Adriaan Vlok, said that they had become ‘the main target in a very vicious and callous revolutionary onslaught’. He commended them for remaining loyal to the force despite the attempts of some to ostracise them from society.⁸⁴ [⁸⁴ *The Citizen* 3 July]

In early **January** a police constable was killed in Laaipek (western Cape) in an incident associated with the killing, a few days previously, of a coloured boy, Jonathan Slabbert, by a white man. The incident sparked off several days of violence in the village, which resulted in the fatal stoning of Constable Pieter van der Merwe.⁸⁵ [⁸⁵ *Ibid* 7 January] A policeman died when a grenade was thrown into the car in which he

and two colleagues were patrolling Guguletu (western Cape), and an off-duty policeman in that township died when he was shot dead by unknown assailants.⁸⁶ [⁸⁶ Ibid 14 January]

On 2 **February** Constable Solomon Kondio was stoned to death and burnt by a group of people in Guguletu. Constable Kondio had been warned to leave the police force a number of times, his family said, but stayed because he needed the money.⁸⁷ [⁸⁷ *Cape Times* 3 February, 11 March]

On 7 **March** three security force members were injured in an attack by snipers in Guguletu. Some 30 AK-47 rifle cartridges were found at the scene.⁸⁸ [⁸⁸ *Business Day* 11 March] In Clermont (Durban) a police constable was stabbed to death by four youths.⁸⁹ [⁸⁹ *The Natal Witness* 27 March]

In early **April** a policeman was shot dead in Umbumbulu (Natal) after being accosted by nine men, allegedly insurgents, carrying AK-47 rifles.⁹⁰ [⁹⁰ *The Daily News* 13 April] Three policemen on patrol in Nyanga East (western Cape) were injured when a grenade was thrown into their vehicle.⁹¹ [⁹¹ *Cape Times* 3 April]

Four KwaZulu policemen were injured when two hand grenades were thrown into their barracks in Osizweni (Newcastle) by alleged insurgents (see below).⁹² [⁹² *The Natal Witness* 1 May]

An off-duty policeman was stoned to death by 15 people on a farm near Heidelberg (east Rand) in **June**. Two people were subsequently arrested in connection with the murder.⁹³ [⁹³ *The Star* 13 June] Seven policemen, including five 'special constables' (see chapter on *Security*) were injured in a hand-grenade attack on a police patrol in KTC squatter camp (western Cape).⁹⁴ [⁹⁴ Ibid 23 June]

In **July** the Guguletu home of a police constable was attacked with a hand grenade.⁹⁵ [⁹⁵ *Sowetan* 23 July] A security force member was stoned to death in Sebokeng (Vereeniging), and a police roadblock in Guguletu was fired on from a moving car.⁹⁶ [⁹⁶ *Cape Times* 10 July] Policemen were also shot and wounded in KwaNobuhle (Uitenhage) and Grahamstown (eastern Cape).⁹⁷ [⁹⁷ *Eastern Province Herald* 22 July]

In mid-**September** the commander of KwaNdebele's National Guard Unit, Lieutenant Hannes Fourie, and his son, Constable Mark Fourie, were found dead in their car near Marble Hall (central Transvaal). They had been shot with an AK-47 rifle.⁹⁸ [⁹⁸ *The Star* 14 September]

A special constable and two teenage girls were killed when they were shot by a sniper in Khayelitsha (western Cape) in **November**.⁹⁹ [⁹⁹ *The Natal Witness* 9 November]

In early **December** two policemen were killed and four wounded in an attack on a police van in Soweto. The attackers pulled up alongside the van and sprayed it with AK-47 bullets. The attack came a few days

after an announcement by the African National Congress (ANC) that attacks on security forces by them would be increased.¹⁰⁰ [¹⁰⁰ *The Citizen* 14 December] Unknown people fired on a group of five special constables in Nyanga, killing one of them.¹⁰¹ [¹⁰¹ *Ibid* 17 December]

Attacks on members of legislatures and town councillors

In **January** the president of the Urban Councils Association of South Africa (UCASA), Mr Steve Kgame, sustained injuries in an attack by four gunmen. The following day, the deputy president of UCASA and mayor of Daveyton (east Rand), Mr Tom Boya, reported that he had been threatened by four men who had fired shots at his home. Mr Boya said that he had received a telephone call during which he was told that he would be killed.¹⁰² [¹⁰² *The Citizen, Sowetan, The Star* 12 January] The deputy mayor of Thokoza (Alberton), Mr Jacob Sekete, was stabbed by three masked men in what he said was a politically motivated attack.¹⁰³ [¹⁰³ *The Natal Witness* 22 January] Five people were hurt in an attack on the home of a Diepmeadow town councillor, Mrs Sinnah Senokoane. AK-47 rifles and a hand grenade were used in the attack, which was the seventh on the house in two years.¹⁰⁴ [¹⁰⁴ *The Star* 2 February]

In early **February** Mrs Marjorie Tshabalala, the wife of the former mayor of Soweto, Mr Ephraim Tshabalala, was accosted by a gang of eight men and robbed of R400. Mrs Tshabalala said that the men had called her husband a 'sell-out' because he had encouraged township residents to pay their rent at a time when there was a rent boycott (see *Rent boycotts* below and chapter on *housing*).¹⁰⁵ [¹⁰⁵ *Business Day* 3 February] The mayor of Soweto, Mr Nelson Botile, announced that new accommodation had been found for Soweto town councillors in a suburb, formerly zoned for whites, on the outskirts of the township. The councillors had been forced to move from Soweto following a number of attacks on them.¹⁰⁶ [¹⁰⁶ *Sowetan* 16 February]

The president of the Ciskei, Chief Lennox Sebe, escaped injury in an attack in mid-February. The attackers were allegedly Transkei military forces who were attempting to abduct Chief Sebe. It was claimed that the attackers, working under commands from their superiors, intended to hold Chief Sebe in order to extract a commitment from him regarding a merger of the Ciskei and the Transkei. The attack was thwarted by guards at Chief Sebe's home. One man, identified as a Transkei soldier, died in the incident (see chapter on *The Homelands*).¹⁰⁷ [¹⁰⁷ *The Citizen* 20 February]

The home of the mayor of Katlehong (east Rand), Mr Thami Siluma, was subjected to a petrol-bomb attack in early **April**. Mr Siluma said that he suspected members of the town council of hiring boys to carry out the attacks.¹⁰⁸ [¹⁰⁸ *The Star* 1 April]

The KwaNdebele minister of health, Prince Cornelius Mahlangu, was forced to leave his home in Weltevrede (KwaNdebele) in May following raids on it by men who claimed to be policemen. The raids came in the wake of an announcement that KwaNdebele would again seek 'independence' (see chapter

on *The Homelands*). Prince Mahlangu had long been an opponent of ‘independence’.¹⁰⁹ [¹⁰⁹ *Sowetan* 12 May]

In Guguletu in **June** the home of a community councillor, Mr Denys Lobi, was attacked with a hand grenade. Five people were injured in the blast, including Mr Lobi, his wife and daughter, and two special constables who had been assigned to guard the house.¹¹⁰ [¹¹⁰ *Diamond Fields Advertiser* 17 June]

The state president, Mr P W Botha, was attacked by a lecturer at the University of South Africa, Ms Sally Hutchings, in early **November**. Ms Hutchings pelted Mr Botha with tomatoes in protest against various restrictions with which the government was threatening the liberal English-speaking universities (see chapter on *Education*). Ms Hutchings, a British subject, was deported within 24 hours of the incident.¹¹¹ [¹¹¹ *The Sunday Star* 8 November]

Attacks on anti-apartheid activists and organisations

The uncle of the general secretary of the Azanian People’s Organisation (AZAPO), Mr George Wauchope, was killed in a shooting incident in Soweto in mid-January. The uncle, Mr Washington Linda Wauchope, was shot after being chased some distance by a group of youths who were allegedly members of an organisation which was a political rival of AZAPO (see *Conflict between groups* below).¹¹² [¹¹² *Sowetan* 15 January]

At the beginning of **February** the Soweto home of Mrs Albertina Sisulu was attacked by arsonists. Mrs Sisulu, co-president of the United Democratic Front (UDF) and wife of an imprisoned ANC leader, Mr Walter Sisulu, was unhurt.¹¹³ [¹¹³ *Ibid* 9 February]

There was controversy surrounding an alleged attack on the home of Mrs Winnie Mandela, a prominent activist and wife of one of the jailed ANC leaders, Mr Nelson Mandela, in early **March**. According to sources close to Mrs Mandela, her house in Soweto had been struck by several bullets during the night of 2 March. However, the police said that they had been called to the Mandela neighbourhood by a neighbour who had complained that residents of the house were disturbing the peace. The police claimed that upon arrival in the neighbourhood they were fired on by someone from inside Mrs Mandela’s house.¹¹⁴ [¹¹⁴ *The Star* 3 March]

During the night of 18 March there were three separate attacks on buildings housing opponents of the government. The Berea (Johannesburg) offices of a publishing house, Ravan Press, were petrol-bombed, causing R15 000’s worth of damage to merchandise. Witnesses said that three white men were responsible for the attack, which was the second suffered by Ravan in six days. In the first attack, R900 had been stolen and slogans (‘Communist pigs’) painted on the walls. In a separate incident, two white men allegedly smashed a number of large wall mirrors in Khotso House, the headquarters of a number of anti-apartheid organisations. In Huhudi (Vryburg, northern Cape) the old Roman Catholic church was

razed following a large explosion. The church had housed a number of organisations, including UDF affiliates and trade unions.¹¹⁵ [¹¹⁵ *The Star* 19 March, *The Weekly Mail* 10 March]

The Congress of South African Trade Unions (COSATU) claimed in May that it was the victim of ‘a co-ordinated attack to break the power of the labour movement’. COSATU members and facilities had been attacked on various occasions during the preceding months. The attacks included vigilante-type actions against COSATU members in Natal, and a series of bombings, mysterious fires and break-ins at a number of COSATU offices. The most serious attack occurred in early May, when COSATU’s Johannesburg headquarters were rendered useless by two powerful explosions. The explosions, which caused severe structural damage to the building, took place a few days after a major incident in which three COSATU members were shot dead by police outside the building. Eyewitnesses to the explosions claimed that they saw policemen in the building a few moments after the blasts, and that they observed a number of men jumping into a car and driving off at high speed immediately afterwards (see chapter on *Labour Relations*).¹¹⁶ [¹¹⁶ *The Natal Witness*, *The Weekly Mail* 8 May]

On 20 May the Brandfort (Orange Free State) home in which Mrs Mandela had lived during eight years of internal exile was extensively damaged in a fire which also damaged a mobile clinic in the yard. Mrs Mandela said that an informant had telephoned her in Soweto to tell her about the fire; the informant claimed that the police had just stood by and watched the fire. Mrs Mandela said she believed that the fire was an act of retaliation for a bomb blast which had occurred in Johannesburg the previous day (see *Insurgency* below).¹¹⁷ [¹¹⁷ *The Star* 21 May]

The cars of three Johannesburg activists were set alight on 14 June. Two of the activists, Mr H Gabriels and Mr Dirk Hartford, were officials of the National Union of Mineworkers (NUM) and COSATU respectively (see chapter on *Labour Relations*).¹¹⁸ [¹¹⁸ *Business Day* 15 June]

In early **July** a community leader in the Crossroads squatter camp (western Cape), Mr Prince Gobingce, the head of the Crossroads Residents’ Welfare Association and chairman of the Western Cape Squatters Residents’ Association, was shot and injured by a man alleged to be a community councillor. A man, alleged to have been an ANC insurgent, was mobbed, shot with his own pistol, and stoned to death in Soweto. The man, Mr John Mandla Radebe, was allegedly killed for the murder of another man a few days previously.¹¹⁹ [¹¹⁹ *Cape Times* 3 July, *The Star* 13 July]

Towards the end of July members of the group of Afrikaans academics who met the ANC in Dakar (Senegal) received threatening telephone calls, some of which purported to be from members of a right-wing activist group, ‘Scorpio’. The callers threatened the Dakar delegates with bodily harm, and called them traitors (see above).¹²⁰ [¹²⁰ *Ibid* 24 July] A few days later a co-director of the Institute for a Democratic Alternative in South Africa (IDASA), Mr Mxolise Mntonga, was found murdered in his car in the Ciskei. IDASA was one of the organisers of the Dakar conference. It was not known whether Mr Mntonga’s murder was related to the conference. In an interview on Radio Nigeria, an ANC representative claimed that Mr Mntonga had been an ANC operative, and that he had organised the

Dakar conference. A co-director of IDASA, Dr Frederik Van Zyl Slabbert, denied knowledge of any possible link between Mr Mntonga and the ANC. He said that the claim that Mr Mntonga had organised the conference was 'totally devoid of any truth whatsoever'. The ANC repudiated its earlier statement a few days later, and said that Mr Mntonga had been unknown to it until after his death. After Mr Mntonga's death, another IDASA official, Mr Steve Fourie, received a death threat from a man claiming to be Mr Mntonga's killer.¹²¹ [¹²¹ *Business Day* 27 July; *The Citizen* 30 July, 21 August; *The Star* 27 August]

On 26 July a bullet was fired through a window of the room in which a Dutch fugitive from the South African Police (SAP), Mr Klaas De Jonge, was staying, in the Dutch embassy in Pretoria. It was not known whether the shot was intended to hit Mr De Jonge, or whether he was in the room at the time. Mr De Jonge had taken refuge in the embassy a year previously. He was facing charges of smuggling arms into South Africa for the ANC (see 1985 *Survey* p446).¹²² [¹²² *The Star* 27 July]

There was a series of violent incidents in Lenasia (Johannesburg) in early **August**, linked to a byelection in the Lenasia Central constituency for the House of Delegates. The byelection was a subject of controversy in Lenasia, many politically active adults being opposed to participation in it. Members of the leading anti-participant pressure group, the Transvaal Indian Congress (TIC), reported that they had been threatened with violence, allegedly by supporters of the election. A member of the TIC, Mr Sayed Gani, was shot at outside a polling station during the election. Another TIC member, Mr Basheer Lorgat, claimed that he was abducted and threatened by election supporters. The editor of a local newspaper, *The Indicator*, Mr Ameen Akhalwaya, claimed that members of his staff had been threatened with violence following the publication of articles hostile to the tricameral Parliament and the byelection.¹²³ [¹²³ *Sowetan* 5 August]

Towards the end of August an east Rand student leader, Mr Caiphus Nyoka, was shot dead at his Daveyton (Benoni) home. Mr Nyoka had been the president of the Mabuya High School students' representative council (SRC), and was a member of the Transvaal Students' Congress. Mr Nyoka was killed during a 2.30am raid by police. Questioned in Parliament, Mr Vlok said that 'the police action took place after two persons who had limpet mines and hand grenades in their possession, were apprehended. During interrogation they intimated that the deceased had handed the devices to one of them'. Mr Vlok declined, however, to give details of the circumstances surrounding the shooting. Witnesses claimed that Mr Nyoka had been executed by the police. Three visiting students who were staying at his house said that after the police had arrived, they had forced the three of them to leave the room and lie down naked outside. They had heard two shots, and had then been taken to the local police station, where, they alleged, a white policeman had written the words '999 Lemba Street—Caiphus Nyoka executed—hands of death' on the station blackboard. The students' version was reinforced by the account given by Mr Nyoka's father, Mr Abednigo Moses Nyoka, who said that shortly after the police had arrived, he and his family had been confined to a room of the house. Two hours later, he said, a mortuary van had arrived and he had seen his son's naked body being carried to it on a stretcher. An autopsy performed for the family revealed that Mr Nyoka had been shot twelve times; there were no signs of bruises or lacerations. Allegations that pistols with silencers were used in the killing were denied by Mr Vlok.¹²⁴ [¹²⁴ *Beeld*, *Sowetan*, *The Star* 25 August; *The Weekly Mail* 28 August; *Business Day* 9, 18 September]

A building housing offices of a number of organisations, including the UDF and COSATU, was bombed in Salt River (Cape Town) on 11 **September**. A few days later offices of the UDF and the South African Allied Workers' Union (SAAWU) in East London were damaged in fires which, the organisations claimed, had been started by arsonists (see chapter on *Labour Relations*).¹²⁵ [¹²⁵ *South* 10 September]

In **October** a number of COSATU officials were attacked in separate incidents. The former northern Transvaal chairman of COSATU, Mr Jerry Thibedi, was reported missing shortly after a petrol-bomb attack on his home in Mabopane (near Pretoria). Mr Thibedi, whose family was injured in the attack, was believed by colleagues to have been detained by the police. Although both the SAP and the Bophuthatswana Police denied any knowledge of Mr Thibedi's whereabouts, he was subsequently released unharmed from detention by the Bophuthatswana Police. In another incident, COSATU's northern Natal secretary, Mr Thabo Oliphant, escaped injury after being shot at by unidentified gunmen in Empangeni (Natal). COSATU condemned the attacks on its members, and said that they were clearly aimed at forcing the federation to abandon its role in the extra-parliamentary political arena.¹²⁶ [¹²⁶ *Sowetan* 22, 27 October]

Members of the Paper, Printing, Wood and Allied Workers' Union were allegedly assaulted by police during a dispute over recognition of the union at a factory in Industria (Johannesburg). The police public relations department in Pretoria rejected the allegations 'with the contempt they deserve'.¹²⁷ [¹²⁷ *The Star* 26 October] Towards the end of the month the Kimberley (northern Cape) offices of the Detainees' Parents Support Committee (DPSC) and four COSATU affiliates were allegedly set alight by arsonists (see chapter on *Labour Relations*). Damage to the offices was described as 'extensive' by union officials, who said that prior to the fires the offices had been ransacked and valuable equipment destroyed. In a joint press statement, the DPSC and COSATU representatives said, 'We do not think, we know, that the sabotage on our offices is the work of pro-apartheid forces.'¹²⁸ [¹²⁸ *The Star* 27 October, *Diamond Fields Advertiser* 28 October]

In **November** COSATU issued a statement listing attacks on its members and property in the seven months since May. COSATU vowed to strengthen its 'Hands Off COSATU' campaign despite the 'orchestrated attack aimed at destroying our organisation' (see chapter on *Labour Relations*).¹²⁹ [¹²⁹ *Sowetan* 19 November]

The Atteridgeville (Pretoria) home of three prominent UDF-affiliated activists was destroyed by an explosion on 5 November. The house, occupied by Mr and Mrs Marcus Lekgoro, the parents of the activists, had been attacked twice previously.¹³⁰ [¹³⁰ *The Weekly Mail* 6 November] In Cape Town, a number of white activists escaped injury in a series of attacks in mid-November. The home of an End Conscription Campaign (ECC) member, Mr Jojo Shapiro, suffered extensive damage in one of the attacks. Mr Shapiro blamed 'white terrorists' for the attack. Another attack was directed at the home of Ms Josette Cole, who had recently written a book on the Crossroads squatter community.¹³¹ [¹³¹ *Cape Times* 20 November]

Other attacks

There were numerous reports of attacks on various individuals during 1987. Some of the attacks were obviously political in nature, others less clear. In view of the ambiguity surrounding many of the attacks, only particularly notable incidents are recounted below.

The Soweto home of a singer, Ms Abigail Kubheka, was petrol-bombed in early **January**. It was believed that the attack was in connection with her participation in the controversial Bureau for Information song in 1986 (see chapter on *The Media*). Ms Kubheka was slightly injured in the attack.¹³² [132 Ibid 9 January]

In early February the parents of some schoolchildren in Knigtersdorp (west Rand) laid charges with the police after the children were allegedly assaulted by African passengers on the bus in which they were travelling.¹³³ [133 *The Star* 18 February]

Two actors performing in an anti-war play were beaten up by unknown assailants in Johannesburg. The attackers, who used truncheons, allegedly referred to the play as they beat up the men. A few weeks later another two actors, performing in a different play, were attacked by unknown assailants in Hillbrow (Johannesburg). The assailants used teargas in the attack, and as in the previous case, referred to the play during the attack. It was not known whether the incidents were related.¹³⁴ [134 *The Sunday Star* 15 March]

On 29 **April** police found the bodies of four employees of the South African Transport Services (SATS) near the Kaserne Station in Johannesburg. Police claimed that the men, who had been 'necklaced', had been killed because of their non-participation in a strike against SATS by some of its employees (see *Political disturbances* above and chapter on *Labour Relations*). The police said that they had been led to the scene of the murders by a fifth man, who said that he had escaped from the van which had taken the victims to Kaserne. He told the police that the men had first been assaulted by fellow workers in COSATU House. Police subsequently raided COSATU House and arrested 11 men in connection with the murders.¹³⁵ [135 *The Citizen, Sowetan* 30 April] Eighteen members of the South African Railways and Harbours Workers' Union, including its Transvaal secretary appeared in court on murder and other charges in April 1988.¹³⁶ [136 *Sowetan* 12 April 1988] They pleaded not guilty.¹³⁷ [137 Ibid 28 April 1988]

Conflict between groups

Azanian People's Organisation (AZAPO) and the United Democratic Front (UDF)

As in previous years, relations between the Azanian People's Organisation (AZAPO) and the United Democratic Front (UDF) were strained, and on occasion the political rivalry between the two movements found violent expression. Local affiliates in particular areas, notably the eastern Cape, Alexandra and Soweto, engaged in sporadic skirmishes throughout 1987.

The most significant conflict occurred in the **eastern Cape** townships surrounding Port Elizabeth and Uitenhage. In late January a series of attacks on UDF-affiliated activists in Port Elizabeth's Red Location township almost precipitated a major conflict between supporters of the two organisations. The confrontation was averted when evidence emerged suggesting that AZAPO-related elements had not, in fact, been responsible for the attacks, as had previously been alleged by UDF members. The attacks were attributed to a vigilante group which had broken away from, and been repudiated by, AZAPO a few years previously (see *Vigilantes* below). Local leaders of both organisations nevertheless held meetings designed to defuse the tension between the groups. At the meetings, which were also attended by representatives of the Congress of South African Trade Unions (COSATU), AZAPO was absolved of responsibility for the attacks. In a statement released after the meetings the participants said that all AZAPO 'comrades' should be allowed to 'return to the homes they evacuated at the time of the clashes between AZAPO and the UDF' in 1986 (see 1986 *Survey* Part 2 pp539–541). The statement further declared that 'the meeting unanimously agreed that all three organisations present respect the principle of freedom of association as the foundation of democratic organisation, giving all people the freedom to subscribe to organisations of their own choice without any fears'.

Commenting on the conflict in the eastern Cape, the acting publicity secretary of the UDF, Mr Murphy Morobe, said that the UDF had 'always been as concerned and opposed to this conflict as anyone who is committed to national unity and liberation'. Blaming the attacks on 'vigilante groups and reactionary elements who have found common cause with apartheid in order to destroy the democratic movement', Mr Morobe called on 'all activists to exercise maximum political discipline and not engage in activities that can retard the progress of the struggle for liberation'.¹³⁸ [¹³⁸ *Eastern Province Herald* 20 January; *The Star* 23, 26 January; *Sowetan* 2 February]

With the return of children to school in early January long-simmering rivalry between AZAPO and the UDF in the **Johannesburg** region intensified. Historically, the conflict had been largely played out at high schools in the area, with the dominant faction in a particular school pledging the 'allegiance' of the school to either the UDF or AZAPO. Soon after classes resumed there were reports that various student groups had 'renamed' their schools by painting the names of either UDF or AZAPO leaders and heroes on the walls. During the first three months of the year under review at least five people were known to have died in school unrest related to the inter-organisational rivalry in Alexandra and Soweto. Members of the Azanian Students' Movement (AZASM), an AZAPO affiliate, claimed to have been attacked on a number of occasions in Soweto, leading the vice president of AZASM, Mr Thami Hlekiso, to suggest that AZASM members were facing a 'total onslaught by "some elements"' (an apparent reference to the UDF). In March the feud reached such proportions at Minerva High School in Alexandra that the principal decided to suspend classes for a few days. In June, Mr Nkosinathi Solomon Shabangu, a prominent member of the Soweto Students' Congress (SOSCO)—a UDF affiliate—was shot dead in front of his teachers at a Soweto school, allegedly by assassins with AZAPO connections.¹³⁹ [¹³⁹ *Sowetan* 9 January, 13 March, 9 June; *Sunday Times* 18 January]

In other violence associated with the AZAPO/UDF rivalry in the Johannesburg area, Mr Washington

Linda Wauchope, the uncle of the general secretary of AZAPO, Mr George Wauchope, was killed by a group of young men in Soweto in January. AZAPO affiliates immediately blamed SOSCO for the attack, in which a man was also injured. The UDF denied that its affiliate was responsible. The attack was not the first on Mr George Wauchope's family. His house had been attacked a number of times, as had that of his mother, and in December 1986 he had been granted an interdict in the Witwatersrand Local Division of the Supreme Court against four SOSCO members who, he claimed, were attempting to kill him. An AZAPO spokesman claimed that these four were among those responsible for Mr Washington Wauchope's death.¹⁴⁰ [¹⁴⁰ *The Citizen* 16 January, *Sunday Times* 18 January] In April a number of activists with AZAPO connections were attacked by what the press called members of 'rival organisations', usually a reference to the UDF. Among those attacked were another of Mr Wauchope's uncles, Mr Stanford Wauchope, and an associate of Ms Thenjiwe Leeuw, the secretary of AZASM. In May a cousin of Ms Leeuw's, Mr Sandile Leeuw, was hacked and burnt to death, allegedly by UDF members. She claimed that her cousin, who had no political affiliations, was a victim of 'an intimidation campaign against black consciousness adherents'.¹⁴¹ [¹⁴¹ *Sowetan* 14 April, *The Star* 7 May]

Violence related to the conflict between the UDF and groups associated with the black consciousness philosophy erupted in the **western Cape** during May. A member of Azanian National Youth Unity (AZANYU), which was not an AZAPO affiliate, was killed in Mbekweni (Paarl). This death was followed a few days later by that of a UDF member. Although the circumstances surrounding the deaths were unclear, they appeared to be related to tension between AZANYU and the UDF. A local newspaper which was widely seen as supporting the UDF, warned AZANYU, AZAPO and the UDF that the rivalry in Mbekweni was becoming 'ugly', and encouraged them to acknowledge and respect one another as they all had a right to exist. A few incidents of violence were reported later in the year, all apparently stemming from the April killings, but no further deaths were reported.¹⁴² [¹⁴² *South* 27 May, 1 October]

In September the president of AZAPO, Mr Nkosi Molala, called on both his organisation and the UDF to resolve their differences. Speaking at a service commemorating Mr Steve Biko, who died in police custody in 1977 (see 1977 *Survey* pp74–75), Mr Molala said that the political programmes of both organisations needed to be revised in order to meet the aspirations of a broad section of the population. He referred specifically to the Azanian People's Manifesto, AZAPO's guiding document, and the Freedom Charter, which was drawn up by the ANC and allied groups in 1955 and subsequently adopted by the UDF. Mr Molala also condemned violence within the black community and said that this benefited the 'enemy'.¹⁴³ [¹⁴³ *The Star* 14 September]

Inkatha Yenkululeko Yesizwe/United Democratic Front (UDF)/African National Congress (ANC)

The rivalry between the United Democratic Front (UDF) and the African National Congress (ANC) on the one hand, and Inkatha Yenkululeko Yesizwe on the other, increased in intensity during 1987. By February 1988 relations between the two factions had deteriorated to what some observers called a state of war. Because the inter-organisational rivalry comprised only one aspect of the conflict in Natal, details on it can be found in the section *The conflict in Natal* above.

Vigilantes

Vigilantes continued to operate, sometimes with relative impunity in the face of the law. At least two white organisations threatened to take the law into their own hands (see *White vigilantes* below), although the police warned against this. On more than one occasion security forces were accused of aiding and abetting vigilante groups.

White vigilantes

There was an increase in the establishment of ‘neighbourhood watches’ during 1987, although these groups had existed in some areas for many years. ‘Neighbourhood watches’ appeared to be favoured in areas which saw themselves as threatened by crime or unrest. Pietermaritzburg, which experienced major political violence (see *The conflict in Natal* above), was an area in which local watch groups were established. African workers—particularly domestic servants—reported being harassed by members of these groups. The South African Police (SAP) responded to complaints by warning neighbourhood watches that while they were appreciated in terms of their crime-preventive function, they should not function as vigilantes nor take the law into their own hands.¹⁴⁴ [¹⁴⁴ *The Natal Witness* 24 September]

White residents on the Witwatersrand were discouraged from forming vigilante-type groups by the SAP, particularly in the wake of a number of racial incidents in parks in Johannesburg’s Bezuidenhout Valley. In September, a neighbourhood watch member in Benoni (east Rand) provoked controversy after he allegedly assaulted an African public servant. Charges were laid against the watch member, who was expelled from the group.¹⁴⁵ [¹⁴⁵ *The Star* 5 September, 12 October]

The leader of the Afrikaner Weerstandsbeweging (AWB), Mr Eugene TerreBlanche, called on members of his organisation to join neighbourhood watches. Speaking in Pretoria in October, Mr TerreBlanche said that because AWB members were not allowed to join the Police Reserve, they had no choice other than to become part of the neighbourhood watch system. He said that the watches were imperative to ensure proper law enforcement in white areas, as the police were too busy preventing Africans from ‘getting stuck into each other’. ‘In God’s name, join the neighbourhood watches,’ Mr TerreBlanche told his supporters. ‘Prepare and steel yourselves—this government is unable to stem the revolution. We shall have to do it ourselves. History demands it of us.’¹⁴⁶ [¹⁴⁶ *The Citizen* 20 October]

In July Mr TerreBlanche threatened members of a group of Afrikaans academics and others on their return from a meeting with members of the African National Congress (ANC) in Dakar (Senegal). The returning delegates were met at Jan Smuts Airport near Johannesburg by approximately 400 AWB members, who forced the cancellation of a press conference by leaders of the Dakar contingent. The AWB members were also implicated in a series of violent altercations with supporters of the Dakar delegation. Mrs Helen Suzman MP (Progressive Federal Party) suggested that police failure to act

against the AWB represented a capitulation to the organisation, and was an indication of support for the AWB among some members of the SAP.¹⁴⁷ [¹⁴⁷ *Diamond Fields Advertiser* 30 July, *The Sunday Star* 2 August]

In October it was alleged that members of the civil guard unit of the AWB, the Brandwag, were receiving regular combat training at clandestine venues in the western Cape. According to an article in *City Press*, Brandwag members received training in a number of skills, including the handling of firearms, knife fighting and combat shooting.¹⁴⁸ [¹⁴⁸ *City Press* 11 October] Mr TerreBlanche told a crowd of his supporters that the ‘volk’ should arm itself in the name of God because ‘the war has begun’. Speaking at a gathering at Blood River (Natal), Mr TerreBlanche reiterated his commitment to the Afrikaner people and their land, and warned all potential enemies—including the state president, Mr P W Botha—that the AWB would prevail as it was fighting a ‘holy war’. He said that ‘we will kill people if they take our land from us’ (see chapter on *Political Organisations*).¹⁴⁹ [¹⁴⁹ *Business Day* 12 October]

Members of the Blanke Bevrydingsbeweging (BBB) threatened vigilante action in Mayfair and Homestead Park (Johannesburg) if the police failed to uphold the Group Areas Act of 1966 in those suburbs. Mayfair had become a racially mixed area during the 1980s, largely due to a lack of prosecution of blacks living there contrary to the act. The BBB said that should the police fail to prevent blacks from moving into the area, it saw no alternative to removing them itself. In October a number of BBB members were arrested following an illegal gathering in Mayfair called by the BBB to protest against the authorities’ failure to enforce the act. A number of black passersby were assaulted, and the gathering was eventually dispersed by policemen using teargas. (See also chapter on *Social Segregation*.)¹⁵⁰ [¹⁵⁰ *Ibid* 16 October]

In other incidents, attacks by whites on blacks were reported. These included a ‘rampage’ by armed white youths in Pretoria in February, which left at least five blacks seriously injured in its wake, and an attack by white youths on the west Rand in October, in which a black child was killed.¹⁵¹ [¹⁵¹ *The Star* 18 February, *The Citizen* 16 October]

Homeland vigilantes

Vigilante activity was reported from some of the homelands during 1987. The most significant incidence of vigilantism occurred in **Natal**, and was associated with the major inter-organisational conflict in that area. Details are contained elsewhere in this chapter (see *The conflict in Natal* above).

Sporadic incidents of vigilantism were reported from **KwaNdebele**, which until 1986 had an official vigilante group, the Mbokotho (see 1986 *Survey* Part 2 pp546–549). In February a political activist claimed that he had been abducted by four hooded men, who, he claimed, were white. He said that he had been interrogated and tortured for 72 hours before being ‘dumped’ on a road. In May the KwaNdebele administration announced that it was declaring ‘independence’ retroactive to December 1986 (see chapter on *The Homelands*). Critics voiced fears that the Mbokotho would be reactivated, and that a ‘bloodbath’ would ensue. These fears proved to be unfounded. Immediately following the

announcement, however, a number of violent incidents were reported. In September a number of Moutse district residents, including youths, were allegedly detained by vigilantes working in concert with the police. Residents feared that the detentions represented a new attempt by the authorities to force them to accept incorporation of the district into the homeland. Police neither denied nor confirmed the allegations (see chapter on *The Homelands*).¹⁵² [¹⁵² *The New Nation* 19 February; *Sowetan* 12 May, 8 September; *The Star* 28 May]

Other vigilantes

Apart from the vigilante activity associated with the conflict in Natal, most of the vigilante activity during the period under review occurred in the townships of the eastern Cape, particularly those near **Port Elizabeth** and **Uitenhage**. Some of the conflict appeared to be connected to rivalry between movements subscribing to the Freedom Charter and movements with a Black Consciousness (BC) orientation. Although the UDF and AZAPO had been involved in violent conflict (see above and 1986 *Survey* pp539–554) both AZAPO and the UDF denied reports that the vigilantes were AZAPO supporters. They were instead usually alleged to be associated with groups which had splintered off from, and been repudiated by, AZAPO. Allegations of police complicity with the vigilantes were rife.

In early January fighting was reported in KwaNobuhle (**Uitenhage**), allegedly involving vigilantes and ‘comrades’ (UDF activists). Some local observers accused the vigilantes of going on a ‘rampage’ in search of ‘comrades’.¹⁵³ [¹⁵³ Capital Radio 6 January] Mr Rory Riordan, the head of a Progressive Federal Party (PFP) monitoring group, Operation Real South Africa, claimed that UDF activists had borne the brunt of the attacks, which had allegedly been carried out by about 1000 supporters of AZANYU. AZANYU had been established by the Rev Mzwandile Ebenezer Maqina in 1985 as an alternative to AZAPO, which he accused of having diluted its political programme to the extent that it ‘might as well join the UDF’ (see 1986 *Survey* Part 2 pp539–541). Mr Maqina had been expelled from AZAPO in 1985 following a number of alleged attacks on UDF activists by AZANYU members. An AZANYU spokesman, Mr Carter Seleke, denied that Mr Maqina had ever been an AZANYU member, however, and dissociated the organisation from the violence in the area. ‘Any person who says he is a member of AZANYU and is involved in vigilante attacks is not one of us,’ Mr Seleke said.¹⁵⁴ [¹⁵⁴ *Sunday Tribune* 16 February 1986; *Sowetan* 28 January; *The New Nation* 26 March]

Mr Riordan contended that a hitherto unknown group, the African Persons Concerned Committee (APCC), had also participated in the attacks. The police, however, claimed that the fighting in KwaNobuhle had ‘nothing to do with the unrest whatsoever’. An SAP liaison officer for the eastern Cape, Major Eddie Everson, said that the reason that 1 500 people had marched through the township at four o’clock on a Sunday morning was that ‘the marchers wanted a return to normality and a return of the children to school’. He said that the group had marched ‘calmly’, and that they had searched for troublemakers. When they had found them the two groups had ‘thrashed it out’ and ‘the youngsters fled into neighbouring koppies’.¹⁵⁵ [¹⁵⁵ *Cape Times* 1 January] A spokesman for the APCC, Mr Joseph Maliwa, said that the group had ‘spontaneously’ formed the night before the march because its members were

tired of ‘intimidation’. A spokesman for the local UDF affiliate denied Mr Maliwa’s claim, and accused the APCC of being a ‘group of bandits being used by certain elements to quell authentic community leaders’.¹⁵⁶ [¹⁵⁶ *Eastern Province Herald* 8 January] In an editorial, the *Eastern Province Herald* questioned whether the events in KwaNobuhle were in fact an example of moderate revolt against radical elements—as suggested by the police—or whether they were a ‘result of the ongoing confrontation between the government and black extra-parliamentary opposition groups, with one of the sides wearing a new face, and the real moderates still bearing the brunt of being trapped between opposite and violent forces’.¹⁵⁷ [¹⁵⁷ *Ibid* 8 January]

Towards the end of January a vigilante group, allegedly from Uitenhage, went on a ‘rampage’ through Port Elizabeth which left at least two people dead. A number of trade union members claimed that they had been forced to join the vigilante group, which they described as wearing uniforms similar to those worn by special constables. The union members said that the vigilantes had expressed strong views against the UDF. They contended that the vigilantes were undeterred by the presence of police patrols, which allegedly left them unhindered. One of the unionists claimed that a UDF member who had been ‘flushed out’ by the vigilantes was handed over to the police and taken away in an armoured vehicle. Responding to the claim, Maj Everson said that the police were ‘used to allegations of police complicity’. He claimed that the police were unaware of the existence of any vigilante groups, and that if there had been any encounters between the police and such a group, ‘I would know about it’.¹⁵⁸ [¹⁵⁸ *The Weekly Mail* 23 January, *Sunday Tribune* 25 January]

The conflict between the UDF and the APCC—also known as Ama Afrika—simmered until June, when a fresh outbreak of violence was reported from KwaNobuhle. Two alleged vigilantes and a UDF official died in the fighting. Mr Riordan described the atmosphere in the township as ‘appalling’, and claimed that the vigilantes were conducting ‘search and destroy’ raids against anyone connected with the UDF. The police responded by saying that ‘to our knowledge it is not that extremely tense’. According to a local newspaper, many of the residents of the townships were ‘mystified’ by the feud between the UDF and the vigilantes. UDF spokesmen consistently denied instigating violence against Ama Afrika, and Mr Maliwa denied that Ama Afrika was politically inclined. When questioned on previous statements that he had made calling for the disbanding of both the UDF and AZAPO, Mr Maliwa said that his ‘committee’ had been formed by residents who wanted to crush criminals who intimidated people under the guise of being associated with the UDF.¹⁵⁹ [¹⁵⁹ *Eastern Province Herald* 30 June; 1, 16 July; *The Weekly Mail* 3 July]

Towards the end of 1987 violence flared up again. Five people, allegedly Ama Afrika members, were killed in a variety of incidents blamed by the group’s leaders on the UDF. However, UDF leaders claimed that deep divisions within the ranks of the group had been responsible for the deaths.

In September Mr Maqina acknowledged that he was the leader of Ama Afrika, but dissociated himself from a particular KwaNobuhle address—long suspected to be a vigilante headquarters—saying that it housed ‘hooligans’ who were totally unconnected with Ama Afrika. In mid-December he officially launched the Ama Afrika National Movement in Port Elizabeth. Shortly thereafter, members of the

group and members of the UDF resolved to meet to discuss ideological differences in an effort to end the violence.¹⁶⁰ [¹⁶⁰ *The New Nation* 19 November, *Eastern Province Herald* 17 December]

In early January activists in **Leandra** and **Tembisa** (both on the east Rand) claimed that a vigilante group known as the Smart Centre had declared ‘war’ on them. A number of activists were killed in the raids by the vigilantes. The police acknowledged that a number of people had died in unrest-related incidents, but denied that the incidents were in any way related to one another.¹⁶¹ [¹⁶¹ *The Star* 7 January]

In February residents of **Ratanda** (Heidelberg) accused the local council police of ‘iron-fisted rule’ following a series of incidents in which residents were attacked. The residents claimed that the council police often sjambokked people at will, had imposed an unofficial curfew and were collecting rent and service charges from a local hostel. Instead of taking rent defaulters to court, they allegedly beat them ‘savagely’. A police sergeant at Ratanda dismissed the residents’ claims as a ‘smear campaign against the local police’. The mayor of Ratanda denied all the allegations levelled at the local police force, and said that they were doing a ‘fantastic job’.¹⁶² [¹⁶² *The Star* 27 February, *The Weekly Mail* 27 March]

There were also reports of vigilante activity from **Tumahole** (Parys) and **Phomolong** (Harrismith). In Tumahole, residents alleged that vigilantes known as the A-Team and the Eagles patrolled the township in vehicles belonging to the municipal police. The vigilantes had allegedly vowed to ‘clean up’ Tumahole by acting against activists. In Phomolong, members of the local UDF affiliate reported being harassed by a vigilante group known as the Eagle Club in October. The police acknowledged that some incidents had taken place, and vowed to curb violence in the area.¹⁶³ [¹⁶³ *The New Nation* 14 May, *The Star* 16 October]

Insurgency

In **January** the military commander of Umkhonto we Sizwe (the military wing of the African National Congress (ANC)), Mr Joe Modise, indicated that white South African civilians would be considered specific targets of the ANC’s campaign of violence in the country. Mr Modise’s comments were reported a few days before a meeting in Washington between the president of the ANC, Mr Oliver Tambo, and the American Secretary of State, Mr George Schultz. They contradicted a statement made some days earlier by Mr Tambo at the ANC’s 75th anniversary celebrations, when he said that Umkhonto would not deliberately attack white civilians. Mr Tambo called on Umkhonto to ‘distinguish’ itself through ‘its devotion to the cause of liberation and peace and its refusal to act against civilians, both black and white’.

The minister of law and order, Mr Adriaan Vlok, said of Mr Modise’s statement that he thought that it reflected a possible rift among the leadership of the ANC, and that Mr Modise was ‘conveying a message to Mr Tambo as to where the real power in the ANC lies’.¹⁶⁴ [¹⁶⁴ *The Citizen* 12, 16 January]

In **February** the Pan-Africanist Congress (PAC) secretary for foreign affairs, Mr Ahmed Gora Ebrahim, said in Harare (Zimbabwe) that the armed wing of the PAC, the Azanian People's Liberation Army (AZAPLA), had been carrying out attacks inside the country, often using the highly portable Scorpion machine pistol (see below). Mr Ebrahim said that the PAC was committed to the principle that the armed struggle was the most important form of struggle in South Africa.¹⁶⁵ [¹⁶⁵ *The Star* 18 February]

During the campaign preceding the white general election in May 1987 (see chapter on *Government and Constitution*) the National Party emphasised its commitment to security. In **March** the minister of defence, Mr Magnus Malan, told white voters in Lydenburg that the defence force would destroy any ANC camps in neighbouring countries. 'I want to warn our neighbouring states again tonight. I want to tell them if there are any terrorists we will sniff them out. And we will give them a hiding as sure as two times two is four,' Mr Malan said.¹⁶⁶ [¹⁶⁶ *Business Day* 30 March]

In **April** the state president, Mr P W Botha, said that South Africa was determined to confront and eliminate the ANC. Speaking at the 75th anniversary celebrations of the South African Defence Force (SADF), Mr Botha claimed that the ANC was a 'front' being manipulated by countries with a communist ideology. 'If our enormous reserves and strategic minerals fall into communist hands, they will have the potential to cripple the industries and defence capabilities of the free world. And if international communism controls the seas around us, the Cape sea route in particular, they will be in a position to disrupt a good proportion of the free world's trade,' he said.¹⁶⁷ [¹⁶⁷ *The Citizen* 3 April]

During April the government repeatedly warned neighbouring countries that if they did not stop colluding with the ANC South Africa would be compelled to launch pre-emptive raids across its borders. The minister of foreign affairs, Mr Roelof Botha, convened an 'urgent' meeting of foreign diplomats on 9 April, at which he claimed that the ANC had a plan to disrupt the election, and that several groups of 'terrorists' were already attempting to enter the country from Botswana, Mozambique and Zimbabwe. The following day he told an election meeting in Natal that a heavily armed group of men had already assembled near Lusaka (Zambia), and that some of them had left to infiltrate the country. Although all of the countries mentioned denied Mr Botha's claims, they nevertheless took measures to defend themselves against what they believed to be imminent attack by South Africa. Some opposition groups were highly sceptical of the government's claims. The Progressive Federal Party (PFP) spokeswoman on law and order, Mrs Helen Suzman, accused the government of using the threat of cross-border raids to create an atmosphere of panic among white voters. A spokesman for the Azanian People's Organisation (AZAPO) accused the government of 'sabre rattling' to 'instil fear of the unknown in the minds of the white electorate. The Botha regime will then appear as the typical big brother coming to the protection of the frail electorate', AZAPO said.¹⁶⁸ [¹⁶⁸ *Sowetan* 10 April; *The Star* 9, 27 April] (South Africa did in fact subsequently stage cross-border raids against alleged ANC targets—see chapter on *Security*.)

Speaking in Parliament in June the state president ruled out the possibility of negotiations with the ANC. 'We will not talk to these people, we will fight them,' Mr Botha stated, 'for the simple reason that they

are a part and parcel of the terrorist threat in the world today.’¹⁶⁹ [¹⁶⁹ *Hansard* (A) 4 cols 1181-1183, 10 June]

In **July** the ANC reiterated its call for the armed struggle to be taken into white civilian areas. Speaking on Radio Freedom, an ANC spokesman said that ‘the white minority is the cause of all our sorrow and suffering. The time has arrived for an eye for an eye, a tooth for a tooth, a life for a life. History lies in the assault of the bastions of white power’. A spokesman for the police said that should any changes become apparent in the pattern of ANC attacks, necessary measures would be taken to ‘protect white suburbs’.¹⁷⁰ [¹⁷⁰ *Cape Times* 31 July]

In November Umkhonto we Sizwe said that the group would stage ‘sensational’ attacks in South Africa before the end of 1987. ‘This time we will be ruthless,’ the organisation was reported to have said. ‘We will have to take off the white gloves.’ The organisation said that Umkhonto would focus on contact with security forces, as opposed to bombings.¹⁷¹ [¹⁷¹ *The Star* 27 November]

Statistics

According to the Institute for Strategic Studies at the University of Pretoria there were 234 incidents of insurgency in 1987, four more than the 230 in 1986 (see 1986 *Survey* Part 2 p549). A breakdown of incidents by type is given below.¹⁷² [¹⁷² Institute of Strategic Studies, University of Pretoria]

<i>Insurgency incidents</i>	
	<i>1986</i>
	<i>1987</i>
<i>Number</i>	
Proportion of total	
<i>Number</i>	
Proportion of total	
Murder of police and state witnesses	
	7
	3,0%

9

3,8%

Attempted murder of police and state witnesses

56

24,3%

73

31,2%

Murder of civilians, including black councillors

19

8,3%

11

4,7%

Attempted murder of civilians, including black councillors

94

41,0%

87

37,1%

Murder/Attempted murder of SADF* personnel and commandos

7

3,0%

17

7,3%

Armed robbery or attempted armed robbery

1

0,4%

4

1,7%

Attacks on:

Police stations

5

2,2%

3

1,3%

Railways

3

1,3%

16

6,8%

Public and government buildings

8

3,5%

4

1,7%

Power installations

14

6,1%

1

0,4%

Telecommunications

—

—

2

0,9%

Fuel depots

5

2,2%

2

0,9%

Business premises

7

3,0%

2

0,9%

Private properties

1

0,4%

3

1,3%

Water pipelines

3

1,3%

—

—

Total

230

100%

234

100%

*

South African Defence Force

According to information given at court hearings involving the ANC, the number of incidents of insurgency dropped by more than 20% in the first three

Major incidents

Some of the major insurgency-related incidents which occurred during 1987 are recorded below.

At the beginning of **January** a bomb exploded at the Johannesburg offices of Sanlam, injuring three people.¹⁷⁴ [¹⁷⁴ Ibid 4 January] On 9 January two limpet mines exploded at an OK Bazaars store in Johannesburg, causing R1m worth of damage to merchandise. The mines were spotted by an employee five minutes before they exploded, and 6 000 people were safely evacuated. The OK Bazaars chain had been the target of a protracted strike which had been resolved shortly before the blasts, but it was not known whether the bombing was related to the strike.¹⁷⁵ [¹⁷⁵ Ibid 10 January]

One policeman was killed and two injured when a hand grenade was thrown into their car while they were patrolling Guguletu (western Cape) on 9 January. The attackers were not apprehended.¹⁷⁶ [¹⁷⁶ *The Star* 3 February] Two alleged ANC insurgents were shot dead by security forces in Soweto (Johannesburg) in late January. An arms cache was found at the scene of the shooting, a police source claimed.¹⁷⁷ [¹⁷⁷ *The Citizen* 24 January]

Limpet mines caused damage estimated at R350 000 to a shop in Matatiele (Transkei) in late **February**.¹⁷⁸ [¹⁷⁸ *The Natal Witness* 20 February]

A suspected ANC insurgent was shot dead by a police patrol in Guguletu on 3 **March** after he had allegedly fired on the patrol with an AK-47 rifle.¹⁷⁹ [¹⁷⁹ *The Daily News* 11 March] A few days later another alleged insurgent was killed in Faure (western Cape) after allegedly throwing a hand grenade at his captors. He was showing them an arms cache at the time.¹⁸⁰ [¹⁸⁰ *The Star* 16 March] On 11 March a suspected ANC operative was shot dead in a house in New Crossroads (western Cape) after allegedly struggling with four policemen. A number of weapons were found on the premises, the police claimed.¹⁸¹ [¹⁸¹ *The Citizen* 12 March] On 17 March police in Inanda (Natal) reported killing an ANC operative and a 'sympathiser' in a shootout at a house. In an apparently unrelated incident the same day, three explosions occurred on the railway line between Newcastle (Natal) and Johannesburg.¹⁸² [¹⁸² *The Daily News, The Star* 17 March] Four people were killed when their car detonated a landmine on a dirt road 300 metres from the Swaziland border near Barberton (eastern Transvaal) on 18 March.¹⁸³ [¹⁸³ *The Star* 20 March]

In early **April** a bomb exploded in a shop in the centre of Newcastle, causing extensive damage. It was the third such explosion in Newcastle in four months.¹⁸⁴ [¹⁸⁴ Ibid 4 April] On 8 April two suspected insurgents were killed in a shootout with a police officer near Ventersdorp (western Transvaal). The police officer also died in the incident.¹⁸⁵ [¹⁸⁵ *Sowetan* 9 April] A few days later a policeman was killed and another injured after being ambushed by nine alleged ANC insurgents in Umbumbulu (Natal).¹⁸⁶ [¹⁸⁶

Cape Times 13 April] On 21 April a hand grenade was thrown into two 36-man platoons of Soweto City Council trainee policemen at Tladi Municipal Police Training College in Soweto. One trainee was killed and 64 injured in the blast, for which the outlawed Pan-Africanist Congress (PAC) subsequently claimed responsibility.¹⁸⁷ [¹⁸⁷ *Business Day* 22 April]

Three suspected ANC operatives were killed in a shootout with police in Umlazi (Durban). The police, acting on a tip-off, raided the house in which the alleged insurgents were staying. Four policemen were injured in the raid, one critically.¹⁸⁸ [¹⁸⁸ *The Star* 24 April] Four people were injured in three separate hand-grenade attacks in the Cape Peninsula on the same day (23 April).¹⁸⁹ [¹⁸⁹ *Cape Times* 24 April] At the end of the month the barracks of the Osizweni (KwaZulu) Police Station were attacked by insurgents, leaving four policemen injured. The attackers reportedly used hand grenades and AK-47 rifles.¹⁹⁰ [¹⁹⁰ *The Citizen* 1 May]

Four policemen were killed and at least 15 people injured in a car-bomb explosion outside the Johannesburg magistrate's court, on 20 **May**. The policemen had been lured from the court by a smaller, decoy bomb which exploded a few moments prior to the main blast, which police described as 'extremely heavy'. Police said that the larger blast had been set off by a remote-control device, which was discovered nearby. According to a police spokesman, this was the first known case of such a technique being used in South Africa. The police subsequently named Mr Johannes Mnisi as the main suspect in the bombing. Mr Mnisi, allegedly a member of a special operations division of Umkhonto we Sizwe, the ANC's armed wing, was also thought to have planned the 1983 car-bomb in a street outside South African Air Force headquarters in Pretoria, also on 20 May, in which 19 people were killed (see 1983 *Survey* pp569–570).¹⁹¹ [¹⁹¹ *Business Day*, *The Star* 21 May; *The Citizen* 21, 29 May; *The Natal Witness* 23, 29 May, *The Sunday Star* 24 May]

The ANC initially claimed to know nothing of the blasts and said that it would not issue a formal statement as 'they had nothing to do with us'. A week later, however, ANC headquarters in Lusaka (Zambia) issued a statement claiming responsibility for the bombs, as well as for other attacks in which, it claimed, a total of 22 security force members had died. Police sources denied the latter claim.¹⁹² [¹⁹² *The Citizen* 21, 29 May]

On 4 May police reported three separate landmine blasts in the northern, eastern and western Transvaal. One man was killed and at least ten injured. The blasts occurred two days before the white general election (see *Political Developments* above and chapter on *Government and Constitution*). The head of the South African Trade Mission in Harare (Zimbabwe) handed a note of protest to Zimbabwean officials a few days later, in which it was alleged that Zimbabwe was involved in the landmine attacks.¹⁹³ [¹⁹³ *The Star* 7 May] The following day two mini-limpet mines exploded outside the Johannesburg Civic Centre in Braamfontein causing minimal damage.¹⁹⁴ [¹⁹⁴ *Ibid* 5 May]

A bomb caused R200 000's worth of damage to a ticket office at the Roodepoort (west Rand) railway

station on 10 May. The bombing was thought to have been related to a labour dispute between South African Transport Services (SATS) and some of their employees (see *Political disturbances* above and chapter on *Labour Relations*).¹⁹⁵ [¹⁹⁵ *The Citizen* 11 May] A few days later a policeman was injured in a limpet mine explosion at the Newcastle Station.¹⁹⁶ [¹⁹⁶ *The Star* 18 May] Towards the end of May, a cleaner at the Carlton Centre in Johannesburg noticed a limpet mine and dumped it in a dustbin before it exploded. No one was injured.¹⁹⁷ [¹⁹⁷ *Ibid* 30 May]

An alleged insurgent was shot dead by police at an illegal gambling den in Mamelodi (Pretoria) on 10 May.¹⁹⁸ [¹⁹⁸ *Ibid* 11 May]

In early **June** the police reported that they had arrested a suspected ANC operative and a number of alleged collaborators in connection with a series of incidents which had occurred in Natal in previous months. These included the Newcastle blasts and the attack on the police barracks in Osizweni (see above).¹⁹⁹ [¹⁹⁹ *Sowetan* 10 June] Police in Cape Town reported that they suspected the presence of a new ANC 'cell' following a series of attacks in the area. These included a hand-grenade attack on a police patrol in the KTC squatter camp, which left two policemen and five special constables injured.²⁰⁰ [²⁰⁰ *Cape Times* 23 June, *The Citizen* 24 June]

On 11 June police killed an alleged insurgent following a shootout at a house in Soweto. Two policemen were injured in the incident, in which police eventually used an armoured vehicle to destroy the shack occupied by the deceased.²⁰¹ [²⁰¹ *Business Day*, *The Star* 12 June] Towards the end of the month police claimed to have 'smashed' a network of insurgents operating in Soweto. Two alleged insurgents and a number of suspected collaborators were arrested, and a 'large quantity' of arms was seized. A police spokesman said that the arrests followed intensive investigations stemming from the 11 June shooting incident.²⁰² [²⁰² *The Citizen* 25 June]

Four men were injured when a limpet mine exploded at a central Johannesburg hotel on 8 **July**.²⁰³ [²⁰³ *Business Day* 9 July] A suspected ANC insurgent and his sister were killed in a confrontation with police in Motherwell (Port Elizabeth). After shots were exchanged the police used an armoured vehicle to destroy the shack in which the deceased had been residing. Various reports had it that the deceased were, in fact, crushed to death.²⁰⁴ [²⁰⁴ *The Natal Witness* 8 July, *The Weekly Mail* 10 July]

In early July, a suspected ANC operative, Mr Ashley Kriel, was killed. According to police sources, Mr Kriel was already in police custody when a 'skirmish' developed, which resulted in his being fatally shot with his own weapon. Eyewitnesses claimed, however, that Mr Kriel was wearing handcuffs at the time of the shooting, and said that they doubted the police account. A pathologist who performed a private post-mortem at the request of Mr Kriel's family said that Mr Kriel had died of a bullet fired at point-blank range into the small of his back.²⁰⁵ [²⁰⁵ *Cape Times* 11 July, *Sowetan* 27 July, *The Weekly Mail* 17 July]

Two policemen and an alleged insurgent were killed in a shootout in Mdantsane (Ciskei). The incident was reported in considerable detail in the South African press, because the Ciskei was not covered by emergency regulations prohibiting the reporting of security force action.²⁰⁶ [²⁰⁶ *The Weekly Mail* 17 July]

On 20 July a limpet mine exploded outside a defence force residence in Cape Town. The mine was in a car loaded with gas cylinders. Police investigating the blast found and detonated another mine nearby. Another mine was found in Cape Town a few hours later, and detonated by police.²⁰⁷ [²⁰⁷ *Cape Times* 21 July, *The Star* 20, 21 July] The following day a limpet mine exploded in a lavatory at the D F Malan Airport in Cape Town, causing extensive damage. A second, larger, bomb was found in the same lavatory soon after the explosion, and detonated by the police. In the wake of the bombing it was announced that security procedures at airports across the country would be reinforced.²⁰⁸ [²⁰⁸ *The Star* 22 July, *The Citizen* 23 July]

A bomb, described by experts as the most powerful ever used by insurgents in South Africa, left 68 people injured in central Johannesburg on 30 July. It was placed outside the South African Defence Force's Witwatersrand Command headquarters, and it damaged the building and a number of nearby restaurants and a cinema complex. Police said that Mr Mnisi (see above) was the chief suspect in their investigations into the blast. The blast occurred shortly after a group of Afrikaners had met representatives of the ANC in Dakar (Senegal). The minister of defence, Mr Magnus Malan, said that 'those who talk to terrorists and condone [terrorism] owe South Africa an answer'. He referred to some of the organisations which had participated in the Dakar conference, including the PFP (which had not been officially represented but three of whose MPs were present). The leader of the PFP, Mr Colin Eglin, said that Mr Malan's attempt to link the PFP with the bomb was 'gutter politics at its worst'.²⁰⁹ [²⁰⁹ *Business Day*, *The Citizen*, *Sowetan*, *The Star* 31 July; *Sunday Times* 2 August]

Police shot and killed three men after a car chase through Johannesburg on 4 **August**. Police suspected that the men were members of a group of alleged insurgents, the Scorpion Gang, so named for their use of the Scorpion machine pistol. The group had been operating in and around Alexandra (Johannesburg) for a number of months. Ten days later the PAC identified the dead men as operatives of its armed wing, AZAPLA.²¹⁰ [²¹⁰ *Business Day* 5 August, *Sowetan* 19 August]

A suspected insurgent was killed by police at a roadblock in Sandton (Johannesburg) on 2 **September**, after allegedly throwing a hand grenade at the roadblock.²¹¹ [²¹¹ *The Star* 3 September] Also in September, the police reported a series of successes in their battle against insurgency. Six alleged insurgents were killed by security forces in a number of incidents, mainly near the border with Zimbabwe. Another four were arrested, allegedly while trying to infiltrate the country. Police arrested two alleged insurgents near the Botswana border on 18 September. One of the two men was said by police to be Mr Gordon Webster, a fugitive who was facing several charges relating to acts of insurgency. Mr Webster had been rescued from police custody in Edendale Hospital (Pietermaritzburg) by two of his associates in 1986 (see 1986 *Survey* Part 2 p531). He was subsequently charged with murder and terrorism. Commenting on the security force successes, Mr Vlok said that they resulted largely from information forwarded to

the police by the public. He contended that the security forces were effectively ‘bloodying the nose’ of the ANC, and that they turned the assignments of insurgents into ‘suicide missions’.²¹² [²¹² *The Citizen* 17, 24 September; *The Natal Witness* 29 September] At the end of the month a bomb exploded outside a crowded sports arena in Johannesburg. No injuries were reported.²¹³ [²¹³ *The Citizen* 29 September]

On 1 **October** a bomb severely damaged the offices of the National People’s Party (NPP) in Lenasia (near Johannesburg). The explosion came a few hours before the offices were to be officially opened.²¹⁴ [²¹⁴ *The Star* 2 October]

At least 33 people were detained on terrorism charges in the Cape Town area in early October in connection with a series of incidents, including the bombing of a defence force residence and the bomb which exploded at D F Malan Airport (see above). Police sources said that among those detained were four regional commanders of the ANC, members of the ANC intelligence unit and special operations group, and couriers. One of those detained was Ms Jenny Schreiner, a white academic. A few days later the police said that they had exposed the activities of an ANC group operating in the Johannesburg/Pretoria area, and arrested its members. The commissioner of police, General Hennie de Witt, said that those arrested included 12 ‘trained terrorists’ and two ‘fledgling’ terrorists. He said that they had been trained at the Pango camp in Angola.²¹⁵ [²¹⁵ *The Star* 7 October, *The Citizen* 10 October]

Five people were injured in a bomb blast in Empangeni (Natal) in mid-October. A landmine explosion delayed a service held in commemoration of the late president of Mozambique, Mr Samora Machel, at Mbuzini (eastern Transvaal).²¹⁶ [²¹⁶ *Sowetan* 15 October, *The Star* 19 October]

Attacks outside the country

In **January** a Dutch anti-apartheid group calling itself ‘Revolutionary Anti-Racist Action’ (RARA) attacked a Makro supermarket in Nuth (the Netherlands). The supermarket, the fourth in the chain to be attacked, was owned by a Dutch energy and trading multinational, SHV, which owned five Makro stores in South Africa. RARA said that the store had been attacked because SHV ‘trades with and invests in South Africa, and knowingly supports the appalling practices of the white racist regime there’. A director of SHV, Mr Paul Fentener Van Vlissingen, said that the company had lost R154m in attacks since 1985. The company said that unless Dutch police provided more protection from protesters to its Dutch operations, it would withdraw from South Africa. The company eventually did suspend its operations in South Africa.²¹⁷ [²¹⁷ *The Citizen* 13 January]

A car belonging to the South African diplomatic corps was set alight in The Hague, the day after the arrival there of South Africa’s envoy to the Netherlands. The ambassador, Mr Frank Quint, was South Africa’s first coloured envoy. He had been criticised by the African National Congress (ANC) for accepting the appointment.²¹⁸ [²¹⁸ *Ibid* 14 January]

The South African embassy in Paris was damaged in an attack by demonstrators in **March**. The demonstration was called by the Young Communists of France to protest against the prison sentence handed down to a French national, Mr Pierre-Andre Albertini, in the Ciskei. Mr Albertini had refused to testify against five people charged with terrorism in the Ciskei. In the wake of the attack, which caused R165 000 in damage, the South African minister of foreign affairs, Mr Roelof Botha, called on the French government to increase security arrangements at the embassy. The French government subsequently apologised and promised to pay for the repairs. (See also chapter on *Security*.)²¹⁹ [²¹⁹ *The Citizen* 23 March, *Sunday Times* 22 March]

The South African ambassador to Canada, Mr Glenn Babb, was attacked by demonstrators as he entered a lift in Saskatoon (Canada). The attackers were prevented from harming Mr Babb by his security officers and members of the Royal Canadian Mounted Police.²²⁰ [²²⁰ *The Daily News* 17 March]

In **May** police in London intervened in a clash between members of the ANC and a group called South African Victims Against Terrorism (SAVAT). According to SAVAT, it was holding a peaceful protest outside ANC offices when ANC officials stormed out and attacked them. ANC comment on the attack was unavailable.²²¹ [²²¹ *The Citizen* 22 May]

A petrol station belonging to Royal Dutch Shell was burnt down by anti-apartheid activists near Amsterdam in **June**. The attack was apparently in protest against the company's involvement in South Africa.²²² [²²² *Ibid* 20 June]

In **August** a Shell station in Oslo (Norway) was petrol-bombed by a group calling itself Young Bashful Heroes.²²³ [²²³ *Business Day* 27 August]

In Antwerp (Belgium) in **September** three men in paramilitary uniforms were arrested for possession of illegal weapons at a demonstration to protest against a meeting celebrating the 75th anniversary of the ANC. Police kept the opposing groups apart.²²⁴ [²²⁴ *The Citizen* 28 September]

At the end of September a man was killed in Lusaka (Zambia) when a bomb exploded inside a railway wagon carrying mail from South Africa. It was not known who was responsible for the attack.²²⁵ [²²⁵ *Diamond Fields Advertiser* 1 October]

A group known as Revolutionary Cells claimed responsibility for blowing up 15 delivery trucks outside a supermarket chain warehouse in Wesel (West Germany) at the beginning of **November**. The attackers left graffiti saying, 'Remove South African goods from your store shelves—solidarity with blacks in South Africa'.²²⁶ [²²⁶ *Business Day* 2 November]

Details of attacks across South Africa's borders by the South African Defence Force are contained in the

Security chapter.

Consumer action

Boycotts by consumers were a far less conspicuous feature of 1987 than of any other year since 1984. When boycotts did occur, they were usually associated with strikes. However, there was an extensive rent boycott (see below).

In early January a boycott of white businesses which began in mid-1986 in Uitenhage (eastern Cape) was lifted indefinitely.²²⁷ [²²⁷ *Eastern Province Herald* 6 January]

In early February Inkatha transported hundreds of its supporters to an OK Bazaars store in Ladysmith (Natal). The action was designed to counter the effects of a boycott of the store which had been called in sympathy with employees of the chain who were out on strike. The president of Inkatha, Chief Mangosuthu Buthelezi, said that Inkatha's action was taken in solidarity with OK workers whose right not to strike had been taken over by 'thugs who do not consult the people, and use terror tactics to intimidate the public' into supporting the boycott. The union which represented the striking workers, the Commercial, Catering and Allied Workers' Union (CCAWUSA), condemned Inkatha as being a supporter of 'capitalist exploiters against the working class—even on a basic wage issue'.²²⁸ [²²⁸ *The Weekly Mail* 20 February]

Rent boycotts

A series of rent boycotts began in the Orange Free State, the Pretoria/Witwatersrand/Vereeniging (PWV) area and the eastern Transvaal in 1984 (see 1984 *Survey* pp67, 71–72; 1985 *Survey* pp560–561; 1986 *Survey* Part 1 pp372–374). At the core of the refusal to pay rent were three demands, namely, that all township councillors resign and councils be dissolved, the state of emergency be lifted, and all detainees be released.²²⁹ [²²⁹ *The Sunday Star* 22 March] By 1987 the boycotts had spread to 55 townships across the country. The government attempted to break the boycott by using a variety of approaches. These included initiatives designed to woo residents into abandoning the boycott by, for example, offering them home ownership (see chapter on *Housing*). Other approaches included the cutting of services to homes occupied by boycotters, and raids—often late at night—either to evict or serve notice on errant residents. Residents developed a number of counter-strategies to thwart these government efforts, however. On a number of occasions the confrontations between authorities and residents became violent. An account of some of the main incidents is given below. (Other information on rent boycotts can be found in the chapter on *Housing*.)

The house of a Soweto resident was burnt down by attackers in early **March**. The attack was believed to have been in retaliation for the fact that residents had paid their electricity bill in contravention of the 'spirit of the rent boycott'. A number of street committee members were detained shortly after the

incident.²³⁰ [²³⁰ *The Star* 23 March]

Rent evictions continued in Soweto during early **April**. Early in the month the Witwatersrand Local Division of the Supreme Court upheld the right of the Soweto City Council to evict rent defaulters under the Housing Act of 1966.²³¹ [²³¹ *The Weekly Mail* 10 April] On 22 April about 1 000 people marched on the Soweto City Council offices, where they were refused a meeting with the town clerk, Mr Nico Malan, and given five minutes to disperse. Five minutes later the police fired teargas into the crowd. At least one person died in violence associated with the protests. The Putco bus company reported that over 70 of its vehicles were damaged in violence associated with the stayaway.²³² [²³² *The Star* 23 April]

In **June** the government made a proposal, contained in the Promotion of Local Government Affairs Amendment Bill, aimed at ending the rent boycott. The proposal was designed to give local authorities the power to force employers to deduct residents' debts from their salaries. This proposal was criticised by black political organisations and the Association of Chambers of Commerce of South Africa (ASSOCOM). ASSOCOM said that it would 'vigorously oppose' the government's plan, which, it said, would create further problems in South Africa's already tense industrial relations environment. At the time of writing the bill had not been enacted.²³³ [²³³ *Eastern Province Herald, The Star* 10 June]

The South African Council of Churches (SACC) endorsed the rent boycott in **July** and pledged its active support for all those using civil disobedience as a strategy to promote change. It said that 'the voteless people have only one power—the power to withdraw co-operation'. It said that it saw civil disobedience as a last resort before violence.²³⁴ [²³⁴ *Business Day* 3 July] Council police evicted three families in Soweto on 2 July; the families forced entry into their homes and re-occupied them later in the day.²³⁵ [²³⁵ *The Star* 3 July]

The Soweto City Council claimed in early **August** that its initiatives in dealing with rent boycotters had had the effect of persuading boycotters to resume rent payments. The mayor of Soweto, Mr Nelson Botile, said that there had been 'remarkable progress' since the council's programme of evictions had been instituted. 'People do not want to end up on the pavement with their children and are, therefore, prepared to pay to ensure that their families have roofs over their heads,' Mr Botile said. In mid-August, however, Mr Botile announced that there would be a moratorium on rent evictions in Soweto. The announcement was designed to promote the government's planned sale of houses in the township (see chapter on *Housing*). However, towards the end of the month Mr Malan said that evictions would resume.²³⁶ [²³⁶ *Business Day* 11, 28 August]

In the last three months of 1987 council police resumed evictions. Witnesses claimed that evictions were often carried out by men in balaclavas. According to the police the masks were used to protect the policemen involved from victimisation.²³⁷ [²³⁷ *The New Nation* 24 September]

TRANSPORT

Policy

White Paper on National Transport Policy

The government's *White Paper on National Transport Policy* was tabled in Parliament on 30 January. In it the government responded to the investigation and recommendations of the national transport policy study (NTPS) (see 1984 *Survey* pp408–410, 1985 *Survey* p218 and 1986 *Survey* Part 1 pp187–191) with whose recommendations it was, on the whole, in agreement, and aspects of the commission of inquiry into bus passenger transportation in the Republic of South Africa (the Welgemoed commission) (see 1983 *Survey* pp286–288 and 1984 *Survey* pp411 and 431–432).

Proposals regarding South African Transport Services (SATS) and the permit system

The government accepted the NTPS recommendation that various preconditions be met before transport policy could be brought in line with trends in general government policy. These were mainly demands put forward by the South African Transport Services (SATS), and included:

- that SATS eliminate internal cross subsidisation (SATS carries passengers and mining and agricultural freight at well below cost and subsidises these losses from profits on its harbour, pipeline and high-rated freight services, for which it has charged well above cost in many cases, giving rise to private sector criticism and severe conflict with road freight hauliers who were prevented, through the permit system and the South African Railways Police, from competing with or undercutting SATS);
- that it be relieved of the statutory burden of providing uneconomic socio-economic services;
- that it be allowed to introduce cost-related rail freight rates;
- that it be allowed to refuse traffic; and
- that private road hauliers be made to pay more towards road provision and maintenance, in the same way as SATS pays for the rail infrastructure. The government said that increases in licence fees and fuel levies for all road users would be designed to raise R253m annually (the existing shortfall in road financing—see *Finance* below).¹ [¹ *White Paper on National Transport Policy* submitted to Parliament by the minister of transport affairs, WPN-86, pp3-4, 10-19]

Recommendations on freight transport policy

The government accepted the NTPS principles for a new freight transport policy, namely that

government regulation of the freight market through SATS and the permit system should be removed and that economic decisions should be left to the market to resolve, in order that effective competition might operate. Instead, this market should be regulated by requirements of safety and quality. The government said that the permit system in freight transport should be abolished as soon as a road freight quality system (RFQS) had been established. (This would involve designing a system of quality standards for freight traffic, enforcement measures and legislation.) The white paper stated that the abolition of the permit system for road freight traffic would save the country R60m annually. The government agreed with the NTPS that SATS should be subsidised directly for the burden of providing uneconomic passenger and freight services (rather than through cross subsidisation). The government accepted the need for subsidies in certain cases and acknowledged its responsibility to provide them, but said that these would in future be paid in an open and direct way out of general revenue.

The government accepted the NTPS implementation programme for the new freight policy involving the introduction of a National Road Traffic Act (containing the RFQS) and abolishing the Road Transportation Act of 1977 (insofar as it affected freight). The administration of the RFQS would be funded from the National Road Fund.² [Ibid pp10-19]

Recommendations on passenger transport policy

General principles

The government accepted all the principles proposed by the NTPS for a new passenger transport policy. These were that:

- the 'lowest level of government possible (the regional services councils; or, in their absence or regarding intraprovincial travel, the provincial administrator; or the Department of Transport if interprovincial or international transport was involved) take all decisions about passenger transport;
- the lowest level of government be responsible for subsidy payments and that these be made in a direct and visible manner;
- all road passenger transport operators be required to acquire an 'operating authority' from the lowest level of government possible;
- the national level of government enforce safety standards; and
- the goal of phasing out the subsidisation of passenger services in the long term, as proposed also by the Welgemoed commission, be endorsed.

While it accepted the principle of phasing out passenger subsidies, the government said that it 'cannot see that this will happen in the near future'. It pointed to 'good reasons' for promoting the use of public

transport through subsidies. Devolution to lower levels of government accorded with the Welgemoed commission's proposals about regional transportation bodies, the white paper commented. ³ [³ Ibid pp20-21]

Responsibilities of regional services councils (RSCs)

In terms of the white paper, the 'lowest level of government' would have to make passenger transport policy decisions. It would issue 'operating authorities' to all road passenger transport operators if various technical requirements were met. Economic restrictions should play no role in issuing, renewing or cancelling 'operating authorities' for taxis. Cancellation of 'operating authorities' by RSCs would be possible only once the operator had been convicted of a prescribed serious traffic offence and 'operating authorities' should be renewed on a regular basis unless there were technical obstacles. The lowest level of government' would also be required to formulate a regional transport policy (conforming to minimum national guidelines), and incorporating the requirements of this policy in contracts with operators requiring subsidies.

The white paper said that where bus services were deemed to require a subsidy, the lowest level of government would place contracts out to tender, thereby establishing a de facto quota for these services. While there would be a lack of competition on the road, this was necessary to ensure the reliable provision of passenger services; there would be competition for the contract, and the contract itself would place a responsibility on the operator to provide a satisfactory level of service.

The government accepted the recommendation that in the interim the bus subsidy system be converted into fixed-period contracts between those holding permits currently and the Department of Transport. The government said that RSCs, where established, should negotiate with the operators and Department of Transport to take over these interim contracts, or else call for tenders for the provision of services at the end of the term of the interim contracts.

The government accepted the NTPS recommendation that when RSCs were established they should negotiate with SATS and the Department of Transport about taking over interim agreements (between SATS and the department) concerning provision of services and levels of compensation and assume the responsibility of subsidies.

In terms of the white paper, each RSC would be responsible for financing transport services in its area. The subsidisation of commuters unable to afford the economic fare would be continued for the foreseeable future. The NTPS recommended that the amount of subsidisation should be dependent on 'the fare levels that will be politically acceptable'. The white paper, however, said that the amount of subsidisation should rather be dependent upon 'the difference between the economic fare and the socio-economic fare, the latter which will be established by the lowest level of government in its area'. The government accepted the NTPS's recommendation that continued subsidisation of public transport at local authority level would be desirable to promote the use of public transport and that public transport be co-ordinated on a regional level.

The government also accepted a recommendation that as RSCs would be unable to cope with the payment of subsidies they would need assistance from a higher level of government. The white paper said that the details of this arrangement would have to be worked out between the departments of transport, constitutional development and planning, and finance. It would be desirable, the government said, if the RSCs could take responsibility for the provision and control of public transport facilities for passengers in their own areas and if treasury funds could be used to subsidise the initial costs, then the subsequent costs could be partly or wholly recovered from the transport operator as a 'rent'. The government agreed with the Welgemoed commission's recommendation that 'employers should also be encouraged to pay their employees enough to enable them to bear their own transport costs'.⁴ [4 Ibid pp23-27]

Responsibilities of the central government

In the white paper the government agreed that it would take over various responsibilities in passenger transport. These were to develop a 'road passenger quality system' (RPQS), including an enforcement programme contained in a new Road Traffic Act (see 1986 *Survey* Part 1 p191 for the details of this proposed act). The government agreed with the NTPS that it should assist RSCs by drawing up guidelines on norms and standards for subsidising bus services but only after a pilot study of different subsidy allocation methods had been conducted in selected areas. It would also develop national guidelines to assist RSCs in formulating their own passenger transport policies.

Government views on various Welgemoed commission proposals

The government stated its views on the Welgemoed commission's recommendations on bus passenger transport. It agreed in principle, inter alia, that tariff increases should be done on as wide a basis as possible more than once a year and the reasons for the increases spelled out, the passenger and not the undertaking should be subsidised, the economic fare and the ability of the passenger to pay should be the basis on which subsidies should be determined, uniform subsidy calculations should not be used countrywide, commuters within homelands should be subsidised from their own budgets, and the tariffs and subsidy division of the Department of Transport should continually examine better ticketing systems and techniques for possible implementation.⁵ [5 Ibid pp27-28]

The white paper stated that many of the Welgemoed commission's recommendations on tariff determination and subsidy payments would become redundant with the introduction of a tender system.

Regarding the Welgemoed commission's final report (on future transport policy, taxis, security and the desirability of a national bus corporation), the government agreed with its recommendations on energy supply that it should classify the public bus transportation industry as a strategic industry and do everything in its power to stimulate and expand it, and ensure that from an energy point of view it would always be operational and that the state should make funds available to promote bus usage. The government agreed with all of the commission's recommendations for stimulating bus transport through

urban planning and providing facilities.⁶ [6 *Final Report of the Commission of Inquiry into Bus Passenger Transportation in the Republic of South Africa*, RP 50/1983, pp40- 41; WPN-86, op cit, p28] The government accepted a recommendation that five broad classes of buses should, as far as practicable, be standardised. These included the minibus.⁷ [7 RP 50/1983, op cit, p42; WPN-86, op cit, p29] The government accepted the commission's recommendations, in its section on 'the necessity of the security of the bus industry in the interests of South Africa', that bus companies should be encouraged to take steps to protect their property, that they should be compelled to maintain certain minimum standards to eliminate friction and frustration and that legislation should be passed to enable the state to authorise any bus operator to render services where an existing operator was unable or not prepared to do so.⁸ [8 RP 50/1983, op cit, p46; WPN-86, op cit, p29] Finally the white paper stated the government's agreement with the commission's recommendation that the state's involvement in respect of the direct ownership of bus companies should be eliminated as far as possible and the state be involved only in the regulation and co-ordination of public bus transportation. It also agreed that it was not desirable to establish a national bus transport corporation, whether state-controlled or privately-owned.⁹ [9 RP 50/1983, op cit, p47; WPN-86, op cit, p30]

Government views on taxis

The government agreed with the NTPS that 15-passenger vehicles be allowed to operate as taxis, and said that local road transportation boards would be instructed to issue permits to such vehicles on merit provided that they adhered to roadworthiness and road safety requirements.

Taxis should be granted 'operating authorities' by RSCs if they met various technical requirements (such as roadworthiness, possession of drivers' licences and proof of adequate insurance cover for passengers), the white paper said. The government rejected the NTPS proposal that RSCs begin refusing applications for 'operating authorities' from taxis once a requisite number had been reached because of limitations in road space and taxi-rank facilities. The government said that it was intended that 'operating authorities' should be renewed on a regular basis and that 'restrictions of an economic nature should not play any role in the issuing, renewal or cancellation of an "operating authority" for taxis'. The Department of Transport, through co-operation with local government, should formulate guidelines for relevant areas concerning the provision of ranks.¹⁰ [10 WPN-86, op cit, p25 and p32]

The government, in its white paper, did not deal with the section of the Welgemoed commission's final report dealing with taxis (R32 to R45). (The commission had, inter alia, recommended that taxis be allowed to operate only as four-passenger vehicles, while any vehicle carrying more passengers be treated by the authorities in the same way as buses. It was interpreted at the time as having proposed a major assault on the minibus taxi industry.)

Other matters

The white paper requested the Department of Transport to investigate and develop guidelines to assist RSCs in planning and co-ordinating transport services, determining a formula for price adjustments and

fare integration, and determining the 'affordable fare' and the 'minimum threshold values'.¹¹ [¹¹ Ibid p32]

Legislation

The government planned to prepare legislation to implement the new passenger transport policy. It would be contained as a chapter of a new transport act and be implemented in stages by proclamation. The first amendment would be to allow for the introduction of fixed-period contracts between the department and operators needing subsidies. Regarding unsubsidised permit holders, 'competition will be allowed in this market and services and prices will be determined by free market forces. Strict quality control (through the RPQS) will however be introduced and enforced'.¹² [¹² Ibid p33]

The government planned a National Road Traffic Act to unify provincial traffic ordinances and to implement and enforce a RPQS to protect public safety.

Administrative matters

The government accepted the NTPS proposals for establishing a transport advisory council, a transport tribunal and a national roads board (see 1986 *Survey* Part 1 pp190–191, 1985 *Survey* p218 and below for details about these proposed bodies). The white paper rejected the suggestion of liaison units between the Department of Transport and SATS and other relevant transport authorities to discuss transport infrastructure provision. It said that the existing liaison bodies should rather be strengthened.¹³ [¹³ Ibid Pp41-42] It agreed to abolish the National Transport Commission (NTC), the local road transportation boards (LRTBs), the Civil Aviation Advisory Committee, the National Marine Advisory Council and the South African Shipping Board.¹⁴ [¹⁴ Ibid p46]

The white paper set out details of new transport functions which various bodies would be assuming. Those assigned to the provincial administrations included the channelling of passenger transport subsidy applications (from RSCs, local authorities or the provincial administrator) through the provincial budget in Parliament. Subsidies would be paid 'primarily out of levies raised by the RSC, but also, on application, through the relevant provincial administrator, by the central government'.¹⁵ [¹⁵ Ibid pp44-45]

Transport co-ordination

The NTPS found that in 'South Africa' (excluding the 'independent' homelands), there were at least 15 major pieces of transport legislation. Legislation had increased fourfold when the four 'independent' homelands had passed similar legislation. Furthermore, Botswana, Lesotho and Swaziland, with their own legislation, were economically interdependent with South Africa. The large number of administrative areas, boundaries and jurisdictions and non-uniformity of transport legislation hampered 'international' transport, the NTPS found. It made various recommendations for encouraging co-ordination between the different areas of jurisdiction and different countries, which the government

accepted.¹⁶ [¹⁶ Ibid pp48-49]

Implementation of the new transport policy

The NTPS proposed an implementation programme for the new transport policy which the government accepted and said should be carefully scheduled so that the preconditions to the introduction of certain measures were met before the new measures were implemented. Transition from the status quo should take place in an orderly way with a minimum of disruption to the economy and without undue advantage being given to any one party during the transitional stage, it said.

The implementation was to involve:

- establishing a transport advisory council since this would deal with problems and would bring ‘other population groups into the transport policy-making process at the earliest possible opportunity’;
- establishing a transport tribunal, which would be the government’s implementation agent for the new policy;
- implementing the policy of 15-passenger kombitaxis;
- developing an integrated legislative package to establish a national roads board, phase out the NTC and LRTBs and transfer their residual functions to other bodies, unify all four provincial ordinances into one Road Traffic Act, make possible the implementation of the RFQS and RPQS, terminate the existing permit system, and give SATS the freedom to decide on services and tariffs;
- removing financial inequities between different transport modes; and
- furthering transport co-operation in southern Africa.

The legislative programme was to provide for the implementation of a new transport policy and to consolidate all transport legislation into only four acts: the Road Traffic Act, the South African Transport Services Act, the National Roads Act and the Transport Act. (The Transport Act would contain various chapters, which would create the advisory council, the tribunal and the roads board; set out the new passenger transport regulation framework; and amend, inter alia, the Road Transportation Act of 1977, the Urban Transport Act of 1977, the Black Transport Services Act of 1957 and the Transport Services for Coloured Persons and Indians Act of 1974.)¹⁷ [¹⁷ Ibid pp50-53]

Reaction to the white paper

The minister of transport affairs, Mr Eli Louw, said on 6 February that a great deal of uncertainty appeared to exist in the road transportation industry concerning the change from the existing system of control to a deregulated system. The white paper, however, had spelled out only the broad principles, and the details would be worked out in legislation.¹⁸ [¹⁸ *The Citizen* 7 February]

On 12 February Mr Louw said that in accordance with government policy on privatisation SATS had decided not to expand its existing road transport services any further. 'We will apply for no further road transport licences,' he said. SATS would be doing business under the same conditions as the private sector in a deregulated transport market. Mr Louw said that SATS had welcomed the white paper tabled on 30 January. 'A deregulated transport market will offer market forces greater flexibility to function optimally ... Transport services will have more freedom to follow market trends and to accommodate the requirements thereof.'¹⁹ [¹⁹ *Hansard* (A) 2 cols 706-707, 12 February]

Mr Louw also said that the former executive chairman of Gencor, Dr Wim de Villiers, had been appointed in 1985 to inquire, together with SATS's management, into SATS's financial and organisational aspects (see 1985 *Survey* pp219–220 and 1986 *Survey* Part 1 p192). The report had been completed towards the end of 1986 and the recommendations were receiving his attention. He would not reveal details but said that 'the report contains a comprehensive future strategy for SATS in a deregulated transport market', and that it coincided in many respects with the NTPS report.²⁰ [²⁰ *Ibid* col 702]

The Progressive Federal Party's transport spokesman, Mr John Malcomess, welcomed the white paper and said that its recommended deregulation would save the country millions of rands.²¹ [²¹ *The Star* 3 February]

Dr P J Welgemoed, who chaired the Welgemoed commission, said that he was 'somewhat concerned about the white paper' as he felt that the 'strategic function' of transport should also be taken into consideration. 'Transport is extremely important to the welfare and survival of this country, as we have recently seen where there have been boycotts, stone throwing and the burning of buses and taxis.' He hoped that when the white paper was discussed at cabinet level, 'more attention will be given to the strategic function than is being done in the white paper at present'. He said that annual income of RSCs—estimated at R800m—'is just enough to finance the commuter services. I certainly hope that that money will not be used for that purpose, since the RSCs will be doomed before they have started'. To recover the costs from tariffs, third-class commuter tariffs, for example, would have to increase by around 200%. 'I do not think we can do this,' he said.²² [²² *Hansard* (A) 2 cols 723-724, 12 February]

On 6 February the Association of Chambers of Commerce of South Africa (ASSOCOM) said that it was 'very pleased' with the white paper. Entry into the market would be 'much easier', more opportunities would be created, and this would lead to greater competition. Distortions would be eliminated and market forces would 'be allowed to play a more prominent role' while public safety would 'be enhanced'. It was 'an excellent example of how private and public sector organisations can reach

consensus and should be regarded as an example of how investigations in other departments and commissions of inquiry should be executed'.²³ [²³ *The Citizen* 7 February]

The National Association of Private Transport Operators (NAFTO), representing private transport operators (operators carrying their own goods), said that Mr Louw had taken a positive step towards the creation of a 'market-driven' transport system. It fully supported the principle of a new freight transport policy with the market determining transport decisions, the elimination of cross subsidisation, the protection of public safety and 'professionalising' operator quality. Huge cost savings would flow to transport users if the permit system was scrapped immediately. However, deregulation had not been fully addressed, NAPTO said, as the proposed road quality system would constitute more regulation. While it agreed that road users should contribute their fair share to road provision, NAPTO said that the white paper had not outlined the 'necessary' role of the state in providing and maintaining roads.²⁴ [²⁴ *Ibid* 5 February] NAPTO's chief executive, Mr Andre Jacobs, said that it could take ten years to provide the needed infrastructure to enforce the proposed RFQS, and the precondition concerning private sector contributions to the provision and maintenance of roads caused 'grave concern'. It appeared that private hauliers would be required to 'balance' the roads account each year, he said.²⁵ [²⁵ *The Star* 9 February]

The Public Carriers Association (PCA), representing more than 70% of major public road hauliers, said that the haulier industry was 'extremely upset' with the main thrust of the white paper and it withdrew all co-operation with the NTPS study group and plans to implement the new policy. The white paper was laudable only insofar as the government had accepted the principle of less government involvement in transport and fair competition. However, plans to change existing regulations contained nothing of significance, the PCA said. It was reportedly most dissatisfied with the issue of ongoing involvement of SATS and the government in road transportation.²⁶ [²⁶ *Business Day* 4 February] SATS's cross subsidisation was to be 'phased out' rather than abolished and industry sources believed that this would take at least a decade. The PCA's chief executive, Mr Ian Moss, said that the industry did not want anything less than immediate action.²⁷ [²⁷ *Financial Mail* 6 February] In July he said that the need for action was 'growing more urgent', and he asked the government to speed up deregulation and privatisation of the transport industry.²⁸ [²⁸ *Business Day* 3 July]

Mr James Ngcoya, the president of the Southern Africa Bus and Taxi Association (SABTA), representing 45 000 legal kombitaxi operators, said after the tabling of the white paper that 'the government has betrayed the black taxi industry. As a result, the taximan no longer has any faith in the government ... The government simply cannot be trusted'. While the government had accepted SABTA's views on pirate taxis—that they be legalised—SABTA's other ideas had been 'summarily rejected'. He claimed that the aim of the government was 'still to nullify the taxi industry. It is determined to see it fragmented'.²⁹ [²⁹ *City Press* 8 February]

SABTA's national adviser, Mr James Chapman, said that the implementation of the white paper would enable white bus companies to 'hijack' the taxi market because while this market was to be deregulated,

there would be no simultaneous deregulation of the monopolised white bus companies, who would be afforded even greater protection. He said that the government had ignored the recommendations of the NTPS (on which SABTA had served) and had accepted the ‘all-white Competition Board’s recommendations instead’ (see *Competition Board Report on Taxis* below).³⁰ [³⁰ *Business Day* 7 March] He said that white business had used market regulation to build financial strength by excluding others from the market. ‘Now when the black businessman uses the same regulations to build up his own financial foundation, the government says “let us deregulate”. We do not want this deregulation. It is nonsense and just continuation of apartheid in a new guise.’³¹ [³¹ *Eastern Province Herald* 28 February]

In May the directorate of road transport in the Department of Transport appointed a working group to study the deregulation of the taxi industry. It was to further investigate the white paper’s recommendations.³² [³² *Pretoria News* 13 May]

In August SABTA again expressed opposition to government proposals to deregulate the kombitaxi industry and proposed that:

- the permit system remain in force in the transition period;
- no new applications for permits be accepted during the transition period;
- it be made compulsory for all applicants for permits to be members of a national association recognised by the Department of Transport, not necessarily SABTA, but that SABTA be recognised as a spokesman for the industry;
- ‘pirate’ taxi operators be legalised;
- ‘white capitalists’ be prevented from obtaining permits and providing taxi services to black residential areas;
- stricter law enforcement be introduced, including ‘regular sweeps for non-permit holders’;
- taxi associations agree with government on a programme of self-regulation in matters such as safety and insurance; and
- taxi associations receive government and private sector funds for affirmative action programmes.³³ [³³ *The Star* August]

Referring to government plans to deregulate the taxi industry, Mr Ngcoya told the director general of transport affairs, Mr Ronnie Meyer, in October, ‘We are not opposed to the pirate taxi industry entering the legal taxi market. But we cannot allow the ranks to be flooded with new people overnight. There

would be chaos.³⁴ [³⁴ *Financial Mail* 30 October]

Legislation and other developments

On 2 February the government published a draft Transport Advisory Council Bill.³⁵ [³⁵ *Business Day* February] The Transport Advisory Council Act was passed in August and was to come into effect on a date fixed by the state president by gazetted proclamation. The act made provision for a transport advisory council of 40 members to be appointed by the minister of transport affairs. Its chairman and vice chairman were not to be in the employ of the state or SATS. Its members would represent various government departments (six), the provincial administrations (four), local government bodies (four, one to be nominated by the Urban Councils Association of South Africa, one by the United Municipal Executive of South Africa and two by the National Ad Hoc Committee of the Association of Coloured and Indian Consultative Local Affairs and Management Committees), SATS (two), the National Road Safety Council (one), and the private sector (21, nominated by private sector bodies from various stipulated sectors of the economy and transport industry). Regarding the appointment of the private sector representatives the act stipulated that 'due regard shall be given to the interests of all population groups'. MPs were to be ineligible for nomination. Seven council members (including the chairman and vice chairman) were to serve on a management committee which would execute the council's decisions and functions.

The council's duties and functions were to advise the minister on current and future transport policy; arrange for transport research or investigations to be undertaken; confer with transport industry associations; receive representations, recommendations and grievances from any associations and evaluate them; and consider transport matters referred to it by the minister and report to the minister at his request on any such matters. The council would have at its service employees of the Department of Transport designated by the director general of transport affairs. The council was to submit an annual report. The act said that any references to the National Marine Advisory Committee, the Civil Aviation Advisory Committee and the South African Shipping Board in any laws should be construed as references to the Transport Advisory Council. The act amended the Merchant Shipping Act of 1951 and the Aviation Act of 1962 and repealed the South African Shipping Board Act of 1976.³⁶ [³⁶ *Government Gazette* no 10925, 23 September]

The deputy minister of transport affairs, Mr Myburgh Streicher, said in June that the bill was a 'first and very important step' with regard to the work of the NTPS. The council would play a major role in the organisational structure that would accommodate recent developments under the new constitutional dispensation and would provide for ongoing developments in the freight and passenger transport policy areas. The council, he added, was the first step in trying to deregulate and privatise transport. It was also designed to accommodate private sector participation and to facilitate consultation between the public and private sectors. He said that the council was dominated by the private sector since the public sector had 42,5% and the private sector 57,5% of the representation on it. A wide range of interests would be represented, such as agriculture, mining, aviation, commerce and industry, road transportation, the

shipping industry, employees and motorists.³⁷ [³⁷ *Hansard* (A) 6 cols 2365-2368, 26 June]

In September Mr Louw said that the deregulation of the transport industry would take at least three years to implement fully. All necessary legislation would be tabled in Parliament during 1988.³⁸ [³⁸ *Business Day* 16 September]

The *Financial Mail* referred in July to 'open war' between private sector public carriers and SATS since the beginning of the year. The 'war' had involved questioning the validity of each other's permits and testing them in costly Supreme Court actions. Debates in court centred on the wording of permits. (Some operators, for example, were carrying 25 tons of lavatory paper in terms of a 'household effects permit' or Coca-Cola when the permit specified 'coke' [for furnaces].)³⁹ [³⁹ *Financial Mail* 3 July]

A deputy general manager of SATS, Mr Giel Holz, said in April that the permit system would not be abolished for at least the next two years.⁴⁰ [⁴⁰ *Sunday Times* 2 April] Mr Louw said in September that immediate abolition of the road transport permit system would lead to a serious disruption of the road transport industry. The permit system had to remain temporarily in operation until it could be replaced in an orderly and controlled manner by the proposed RFQS.⁴¹ [⁴¹ *The Star* 6 September]

SATS raised rail tariffs for uneconomic freight services in July and October in accordance with its policy of gradually eliminating cross subsidisation. In July and October respectively, rail tariffs for transporting maize and mine timber rose by 14% and 11%, coal exports tariffs by 14% and 3% and ores and minerals by 14% and 11%.⁴² [⁴² *Business Day* 10 December] In October representatives of the coal, maize and timber industries said that the tariff increases were excessive and were seriously harming their businesses. Industry representatives had discussions with the government on the issue and the cabinet appointed a three-person ministerial committee to probe SATS's tariffs for coal exports.⁴³ [⁴³ *Ibid* 26 October]

In September Mr Louw announced that 300km permit-free areas around certain major cities and towns would replace the existing 40km zones from 1 December. Private carriers' vehicles were required to have a valid certificate of fitness and all vehicles wishing to use the non-permit areas were required to get a certificate of registration for exemption from their local road transportation board. This was a clear indication that the implementation of a new freight policy was already under way, Mr Louw said.⁴⁴ [⁴⁴ *The Star* 6 September; *Business Day* 26 September, 30 November]

Addressing a conference of the Passenger Transport Association (PTA) in March, Mr Streicher said that to provide bus operators with some stability, the Department of Transport was co-operating with the bus industry to draw up a 'model contract' to serve as a basis for fixed-time contracts for public passenger services subsidised by the state. The taxi industry, he added, would 'gradually' be deregulated.⁴⁵ [⁴⁵ *The Citizen* 8 March] He also said that it was conceivable that, with changing travel patterns likely to emerge as a result of the government's urbanisation strategy and commuters' greater disposable income, phasing

out of subsidies would become feasible eventually.⁴⁶ [⁴⁶ *Business Day* 8 March]

Addressing the annual meeting of the South African Bus Operators' Association (SABOA) in June, Mr Streicher said that increasing state subsidisation of commuters could not continue indefinitely, but a solution was not easy to find. A reduction in subsidies could be considered only within the parameters of workers' income potential and other social and political factors. Another solution was to reduce commuting distances. Mr Streicher said that if all commuters were resettled within 30km of their workplace, subsidies could be reduced by up to 10% and, if resettled within 20km of their workplace, they could be reduced by up to 23%. It was essential, however, that any change in transport subsidies should not upset the economy.⁴⁷ [⁴⁷ *The Star* 3 June] Mr Streicher said that the comfort and safety of the travelling workforce were important factors in promoting the stability necessary for political order. 'Instigators of violence' realised that the trip to work was a 'sensitive area for attack', and radical elements had deliberately created a bad image for bus transport, he claimed. Since 1982 the bus transport industry had lost 7,5% of its passengers each year to taxis. The acceptance of Africans as permanent urban residents would affect policy making in regard to commuter traffic. With increasing urbanisation, subsidisation of commuter services could not be borne indefinitely by the state, he said.⁴⁸ [⁴⁸ *The Citizen* 3 June]

Putco's chairman, Mr D P S van Huyssteen, said in September that Putco was negotiating with the Department of Transport to provide certain specified services on a contractual basis. He said that when implemented, these contracts would remove the uncertainty surrounding Putco's servicing of routes that had become unprofitable due to a continuing decrease in passenger volumes.⁴⁹ [⁴⁹ Putco, 1987 annual report]

The chairman of the Central Witwatersrand RSC, Mr Gerrit Bornman, said in November that public transport in the central Witwatersrand was likely to be increasingly subsidised and eventually taken over by the RSC. He foresaw the subsidy from his RSC increasing to a maximum of 25% of RSC income by the fifth year and the bulk of public transport in the region being taken over by the tenth year.⁵⁰ [⁵⁰ *Sunday Times* 8 November]

Competition Board report on taxis

At the same time as a draft of the *White Paper on National Transport Policy* was submitted to the cabinet, the Competition Board was conducting an investigation into the licensing and issuing of permits to taxis, at the cabinet's request. As a result of the board's report, the government's recommendations on taxis were substantially altered in the final white paper tabled in Parliament on 30 January.

The board concluded that the entry restrictions imposed by the Road Transportation Act of 1977 on the taxi industry were 'highly restrictive' and were inconsistent with the government's objectives of furthering private initiative, competition and deregulation. The board commented that it was 'easy to exaggerate' the potential disadvantages of deregulation and referred to 'the sombre picture of chaos and

decay painted by some groups with a vested interest in the current system of comprehensive regulation and subsidisation’.

The board found that the system of protected, subsidised bus transport was inefficient, expensive and unpopular. Consumers, it said, had to pay the price of ‘unreliability, crime, overcrowding, long waiting times, overloading and lack of choice’. The existing system, while it did bring about order in certain respects, did so at the expense of consumer choice and a more effective transport system based on effective competition. Subsidies could at best make only an ‘expensive contribution’ to solving a country’s transport problems, the board’s report found.

It found that the recommendations in the draft white paper, which provided for minima as well as maxima in taxi numbers and for the involvement of the transport tribunal and the regional services councils, could lead to severe restrictions. Furthermore, as with the present system, the new system would not prevent the entry of illegal taxis. If the demand was there, the report contended, ‘entry would take place regardless of restrictive over-regulation’. There was no doubt that the arrangement for taxis as proposed in the draft white paper lends itself to excessive regulation involving the risk of futility, because it will not make “illegal” taxis disappear’.

The board recommended that:

- ‘operating authorities’ for public passenger operators should be available on application to any operator who complied with roadworthiness, driver competence and road safety requirements;
- any withdrawal of the ‘operating authority’ be on the grounds of technical offences;
- fifteen-passenger vehicles be permitted to operate as taxis; and
- there should be no limitations of an economic nature restricting entry into the taxi industry and this would have the advantage of promoting formal entry which would facilitate law enforcement.

The Competition Board said that it was ‘senseless’ to make the availability of taxi-rank and parking facilities criteria for the availability of permits. This system had failed to restrict entry.

The board recommended that in the licensing of taxis, restrictions of an economic nature should play no role.

An addendum to the board’s report on 12 February, soon after the government tabled the white paper, stated that on the strength of the board’s views, the government had not accepted various recommendations of the NTPS on taxis (see above). ‘As a result,’ the board said, ‘the standpoint of the Competition Board regarding the deregulation of licensing in respect of taxis has been fully incorporated in national transport policy, and entry to the taxi industry will no longer be subject to economic

restrictions'.⁵¹ [⁵¹ Competition Board, *Deregulation: Memorandum DI, The Licensing of Taxis*]

Finance

Transport costs of both bus and train passengers are subsidised by, inter alia, the treasury; the South African Transport Services (SATS) and municipal transport departments, through their policies of cross subsidisation; and employers, through compulsory contributions. Coloured, Indian and white scholars' fares are subsidised by the own affairs departments of education and culture of the three chambers in Parliament.

Bus passenger transport

During 1986/87 a total of R362,1m was paid out to bus companies in subsidies in terms of the Black Transport Services Act of 1957 and the Transport Services for Coloured Persons and Indians Act of 1972. The largest single disbursement was to Putco, which received R121,5m. The amount of R362,1m was made up of R53,4m (15%) in employers' contributions and R308,7m (85%) in funds from the treasury. In the 30-year period from 1957, when the Black Transport Services Act was passed, to 31 March 1987, employers had contributed approximately R356m towards the costs of transporting African employees.⁵² [⁵² Report of the Department of Transport and of the National Transport Commission for the period 1 April 1986 to 31 March 1987, RP120/1987]

The Department of Transport budgeted a total of R785,6m for the 1987/88 financial year (compared with R751,4m in 1986/87) of which R320m was allocated to subsidising African, coloured and Indian bus transport, a 25% increase over the R256m budgeted in 1986/87.⁵³ [⁵³ Republic of South Africa, Estimate of the Expenditure to be Defrayed from the State Revenue Account During the Financial Year Ending 31 March 1988, second and Final print, RP 2&4-1987] The deputy minister of transport affairs, Mr Myburgh Streicher, said that the increase in bus subsidies from R256m to R320m had 'a great deal to do with the bus boycotts and the unrest we have had'.⁵⁴ [⁵⁴ *Hansard* (A) 10 col 4233, 20 August] The Department of Development Aid budgeted R3,6m as a grant-in-aid to the South African Development Trust for subsidising the fares of commuters within the homelands.⁵⁵ [⁵⁵ RP 2&4-1987, op cit]

The Department of Transport budgeted R32m in its additional appropriation bill (for 1986/87) in February 1987 to subsidise Bophuthatswana's bus service for commuters travelling to 'South Africa' in 1986/87. (Bophuthatswana took over Putco's share of the subsidy after some Putco routes were handed to Bophuthatswana Transport Holdings—see 1986 *Survey* Part 1 pp 197–198.) It also budgeted R30m extra to make up for a shortfall in anticipated revenue from employer levies. (Less was collected because of unemployment, changing collection agents from development boards to provincial administrations and failure by employers to register.)⁵⁶ [⁵⁶ *Hansard* (A) 3 cols 1228-1230, 20 February]

Once employers began paying regional services council (RSC) levies as RSCs were established from July onwards, their contributions in terms of the Black Transport Services Act were abolished. *Business Day* reported in April that ‘organised commerce is incensed by a Department of Transport suggestion that employers should increase wages and salaries’ upon the abolition of the transport services levies to enable their workers to pay their own transport costs. The Cape Town Chamber of Commerce said that shifting the responsibility for subsidisation from the government to employers would drive up remuneration costs without corresponding productivity increases and would be highly inflationary.⁵⁷ [⁵⁷ *Business Day* 16 April] The director of the chamber, Mr Alan Leighton, said, ‘To suggest that the responsibility for the cost of transport subsidisation be shifted to employers ... would mean that government would be reneging on its prior commitment to relieve the business community of this burden.’ Furthermore, implementation of the suggestion would increase revenue collected through RSC payroll levies (because wages would increase), resulting in employers being taxed more heavily than before.⁵⁸ [⁵⁸ *Ibid*]

In terms of a notice in Venda’s gazette in December 1986, the Department of Transport in Venda imposed a monthly levy of R3 on employers for each of their employees, from January 1987. Employers were told that their workers would be refused public transport unless they paid the levies by 6 July.⁵⁹ [⁵⁹ *The Citizen* 7 July] The regulation also reduced the transport subsidy enjoyed by non-government workers. In June the Venda administration withdrew its subsidy to civil servants in certain posts but retained subsidies for certain categories of civil service workers, such as artisans and labourers.⁶⁰ [⁶⁰ *The Star* 6 July]

The coloured, Indian and white departments of education and culture subsidise the cost of transport of pupils attending schools administered by them. During 1986 state transport was provided to 14 330 Indian pupils attending schools administered by the Department of Education and Culture in the House of Delegates.⁶¹ [⁶¹ *Hansard* (D) 4 q col 23, 11 June] The department paid out R2,7m to the bus operators contracted for this purpose in 1986/87.⁶² [⁶² *Hansard* (D) 13 cols 229-232, 7 September] In that year the transport of coloured and Indian pupils was subsidised by a total of more than R4m.⁶³ [⁶³ *Sowetan* December] The provincial education departments budgeted R42,7m for white pupil transport in 1987/88, broken down as follows:

Budgeted white pupil transport subsidies in 1987/88

Total

Per Capita

R

R

Cape

6 000 000

25,70

Natal

6 300 000

61,19

Orange Free State

2 050 000

27,13

Transvaal

28 363 100

53,81

In November Putco announced that from 1 January 1988 it would no longer subsidise the 20m annual journeys by African schoolchildren. Putco said that it was the only company still providing special concessions for African pupils—who are not subsidised by the government (unlike pupils of other races)—and this cost the company R12m to R15m annually. Putco said that because of its losses over the previous three years it was busy identifying and eliminating unprofitable operations. Adult patronage had dropped, 136 of its 400 routes were unprofitable, and it could no longer afford to subsidise pupils. Pupils would pay between 30% and 90% more as a result, depending on distance.⁶⁴ [⁶⁴ *The Star* 7 November] The subsidies, Putco added, should be the responsibility of the Department of Education and Training.⁶⁵ [⁶⁵ *The Citizen* 5 November, *The Star* 4 November] Putco appealed to government departments with an interest in scholar transport to formulate a meaningful policy for all races ‘so that any perception of unequal treatment can be eliminated’. Putco’s public relations executive, Mr Pat Rogers, said that Putco believed that an obligation existed to provide low-cost mass transport for scholars and workers, but that it ‘properly belongs with government and that it can best be discharged through private enterprise by the subsidy system’. In response to Putco’s decision to abandon its pupil subsidies, various black organisations accused it of being insensitive and said that Putco would be colluding with the government to deny many pupils the right to education.⁶⁶ [⁶⁶ Various press reports, *Sowetan* 9 November]

A few days later the chief liaison officer of the Department of Education and Training, Mr Job Schoeman, said that the Department of Transport had been negotiating for some time with various education departments with a view to subsidising scholars' fares and that negotiations were still in progress (see chapter on *Education*)

Rail passenger transport

The following table shows the total passenger losses of the South African Transport Services (SATS) and the recovery of these losses by cross subsidisation within SATS and compensation from the government:⁶⁸ [Information provided by South African Transport Services (SATS), 12 February 1988; *The Citizen* 25 February 1988]

SATS losses and recovery

1985/86

1986/87*

1987/88*

Rm

Rm

Rm

Total passenger losses

891

957

1 200

Cross subsidy

333

206

568

Government compensation

558

751

632

*

Estimated

Approximately a third of the R891m lost in 1985/86 was accounted for by losses on third-class commuter services.⁶⁹ [⁶⁹ *Hansard* (A) 4 q cols 435-436, 23 February] The R891m was broken down as follows:⁷⁰ [⁷⁰ *Ibid*]

*SATS 1985/86 losses**

Commuter losses

Mainline losses

Rm

Rm

First class

246

35

Second class

**

110

Third class

300

161

Total

546

306

*

A further R39m was lost on catering services.

**

There are no second-class commuter journeys.

Despite an anticipated deficit of approximately R100m (see 1986 *Survey* Part 1 p 194), SATS had a surplus of R202m in 1986/87. (During 1985/86 SATS had had a deficit of R364m.) SATS's actual revenue in 1986/87 was R8,445bn and expenditure R8,243bn. The revenue increase of 14% over 1985/86 resulted from tariff increases for goods and coal, harbour revenue increasing by 7%, pipelines revenue by 5%, and airways revenue by 11%. Expenditure increased by 6% over 1985/86.⁷¹ [⁷¹ SATS 1986/87 annual report] Intercity and commuter passenger journeys decreased in 1986/87 by 32% and 6% respectively over 1985/86.⁷² [⁷² *Hansard* (A) 3 col 853, 2-5 June] The minister of transport affairs, Mr Eli Louw, said that the decline resulted from 'the economic position and freer competition in the passenger transport market'.⁷³ [⁷³ *Ibid*] Total goods tonnage declined by less than 1%. The number of passengers using SATS's road transport declined by almost 12% and goods tonnage by 6%.⁷⁴ [⁷⁴ SATS 1986/87 annual report]

Mr Louw said in June that without tariff adjustments, SATS would have an estimated R570m deficit in 1987/88. SATS tariffs would increase by an average of 10% from 1 July (tariffs had last been increased on 1 January 1986). The loss on passenger services remained 'unacceptably high', Mr Louw said, and so two rail passenger fare increases would be introduced in 1987/88 (Mr Louw believed that this was more acceptable than a large increase once a year). Commuter fares were to be increased by 10% from 1 July. (They were increased by a further 10% on 1 October). Intercity fares were increased by an average of 15% on 1 July.⁷⁵ [⁷⁵ *Hansard* (A) 3 col 859, 5 June] Fares for road passenger services were increased by 5%

from November.⁷⁶ [⁷⁶ *Sowetan* 5 September] SATS budgeted for a deficit of R40m in 1987/88. It said that despite the two increases rail passengers were covering only 30% of the cost of their transport—70% of the economic fare was subsidised.⁷⁷ [⁷⁷ *Cape Times* 25 September] During the first two months of the 1987/88 financial year SATS lost R120m, R41m more than anticipated.⁷⁸ [⁷⁸ *Business Day* 1 July] (This period coincided with the three-month strike by up to 22 000 SATS workers. See *Disturbances* below and chapter on *Labour Relations*.)

The Department of Transport allocated a sum of R150m to SATS in 1987/88, compared with R300m in 1986/87, for operating losses on its rail passenger services; an interest subsidy of R26m; and R121m as a grant (compared to R48,5m in 1986/87). (There was no interest subsidy in 1986/87—see 1986 *Survey* Part 1 p 194.)⁷⁹ [⁷⁹ RP 2&4-1987, op cit]

SATS planned to spend R200m on making itself more competitive in a deregulated market. The national transport policy study (NTPS) had estimated that SATS would lose 1,5% of its traffic to private enterprise. SATS's commercial chief director, Mr Koos Meyer, said in February that SATS had embarked on a marketing drive and its approach was becoming 'more businesslike, client-oriented and professional ... SATS is becoming a more competitive market force'. SATS was preparing to raise rates for uneconomic freight.⁸⁰ [⁸⁰ *Business Day* 2 February] The Durban Chamber of Commerce said that there was 'no doubt that once freed from the burden of cross subsidisation, SATS will become a formidable competitor in the movement of goods'.⁸¹ [⁸¹ *Cape Times* 12 February]

The auditor general's 1985/86 report on SATS's accounts, tabled in Parliament, revealed that SATS had accumulated foreign exchange losses of R3,9bn on loans by 31 March 1986, allegedly because of inadequate forward cover on foreign loans. The R3,9bn was made up of R2,7bn in unrealised losses on loans and R1,2bn in accumulated deficits arising from forward cover contracts.⁸² [⁸² Report of the Auditor General on the Accounts of the South African Transport Services for the Financial Year 1985/86, RP45/1987] In 1985/86 SATS paid out R353m in foreign exchange losses, and R186m in 1984/85.⁸³ [⁸³ *Business Day* 10 September] The parliamentary standing committee on SATS expressed serious concern at the losses and called for an independent specialist investigation into all matters surrounding SATS's currency management practices. Mr Louw referred the committee's report to SATS's management so that 'proper formulated replies' could be prepared for tabling in Parliament. The general manager of SATS, Dr E L Grové, told the committee that only 50% of the loans taken up had been in any way covered against foreign exchange losses during the period in which the losses occurred. The auditor general, Mr Joop de Loor, said that SATS did not consider itself to be a purely state institution but a business undertaking as well, and believed it could become actively involved in the foreign exchange market and take risks which a purely state institution would not be entitled to take.⁸⁴ [⁸⁴ *Ibid* 30 September] In November Mr Louw announced the names of a specialist committee to investigate the losses. It was to be chaired by the general manager of the gold and foreign exchange department of the South African Reserve Bank, Mr J Cross.⁸⁵ [⁸⁵ *The Star* November] By mid-February 1988 it had not yet reported to the standin

Road financing

The council chairman of the South African Bitumen and Tar Association, Mr Wally Babb, said in August at an annual transportation convention that despite a 500% growth in vehicle ownership in the previous 30 years and a decrease in the ratio of people to cars among Africans from 4 200 a car in 1950 to 41 in 1985, expenditure on national and provincial roads had dropped in real terms by more than 3% annually since the mid-1970s. There was a 'desperate need' to have 'guaranteed dedicated' funds available, Mr Babb said.⁸⁷ [⁸⁷ *The Star* August]

The financing shortfall facing the national road network was estimated at R253m.⁸⁸ [⁸⁸ *Business Day* 30 March]

In March the Department of Finance's chief executive director of financial institutions, treasury and public finance, Mr Gerhard Croeser, said that road expenditure on a national level should be financed directly through the treasury. The existing system of financing main provincial and national roads—from central government allocations to the provinces, vehicle registration and licensing fees and the fuel levy—was unacceptably ad hoc. Furthermore, with the disappearance of elected provincial councils, the determination of the allocation to roads might have to be located within the central government. This would bring important economic benefits in the form of co-ordinated planning and standardisation as the existing system ignored the needs of long-term planning.⁸⁹ [⁸⁹ *Ibid* 18 March]

In November the director general of transport affairs, Mr Ronnie Meyer, said that responsibility for the provision and maintenance of roads had become so fragmented between the national, provincial and local road authorities that co-ordinated planning had become virtually impossible. He said that the establishment of a central road fund for the construction and maintenance of the total road system would lead to a more effective utilisation of available funds.⁹⁰ [⁹⁰ *The Star* 1 November]

Mr Meyer said in January that South Africa's three state-run toll roads were operating with average revenue 30% higher than forecast.⁹¹ [⁹¹ *Business Day* 3 January] By August three new toll roads were under construction. These were between Paarl and Worcester (the Dutoitskloof tunnel in the western Cape), on the N3 between the Orange Free State and Natal from Frere to the bottom of Van Reenen's Pass, and between Kroonstad and Vergenoeg on the N1. Tolls would be charged on these new roads from March, June and April 1988 respectively.⁹² [⁹² *Hansard* (A) 9 q cols 554-555, 11 August; *Business Day* 13 January]

Utilisation and Provision

Mass transport

Statistical overview

The following table shows the number of passengers transported by bus by private undertakings:⁹³ [⁹³ Central Statistical Service, Statistical News Release, *Transport of Passengers by Bus and Train*, May 1987, 6 October 1987]

Passengers on private buses

Blacks

Whites

Total

Million

Million

Million

1984

1 041,7

32,6

1 074,3

1985

932,8

30,1

962,9

1986

845,4

30,7

876,1

The following table shows the number of passengers transported by public undertakings:⁹⁴ [Ibid]

Passengers of all races transported by public concerns

SATS

SATS

Municipal bus

road transport

rail transport

transport

Million

Million

Million

1984

15,3

697,0

235,1

1985

13,9

665,3

211,7

1986

12,2

626,3

177,8

(These figures differ from those in the 1986 *Survey* Part 1 p195 as they were subsequently revised.)

SATS's total rail passenger journeys (both mainline and commuter) have been decreasing annually ever since they reached a peak of 753m in 1981/82, up to which year they had increased steadily from the 34m passengers carried in 1910.⁹⁵ [⁹⁵ SATS, Supplement to 1986/87 annual report] They decreased from 658,7m in 1985/86 to 612,4m in 1986/87. Commuter journeys decreased from 638,3m to 598,6m during the same period. Of these, third-class commuter journeys decreased by 5% (by 25,8m) and first-class commuter journeys by 15% (by 13,9m). Of the 598,6m commuter journeys, 522,7m were undertaken by third-class passengers. Third-class commuter journeys therefore constituted 87% of all commuter journeys and 85% of all rail passenger journeys (mainline and commuter).⁹⁶ [⁹⁶ Ibid]

SATS's 1986/87 annual report stated that decreases in passenger numbers caused considerable losses. It attributed this to 'private bus serices competing in the open market and who regularly extend their serice to new routes'. It added that 'the minibuses which convey black passengers increased tremendously, and because they render a conenient door-to-door service to black people, these minibuses are very well supported'.⁹⁷ [⁹⁷ SATS 1986/87 annual report]

SATS's rail services transported the following number of first- and third-class commuters in 1986/87 in the various metropolitan areas:⁹⁸ [⁹⁸ Ibid]

SATS rail commuter journeys in metropolitan areas in 1986/87

First class

Third class

Million

Million

Cape Town

35,2

121,7

Durban

3,6

97,6

East London

0,04

4,9

Johannesburg

33,6

218,8

Port Elizabeth

0,7

3,8

Pretoria

2,8

76,0

Developments in particular areas

Cape province

The Port Elizabeth City Council's works and traffic committee approved plans for a R146m light rail transit system from Port Elizabeth to its northern suburbs and Ibhayi. Full council approval was subsequently obtained and Department of Transport approval and government and private sector finance

were awaited. The city engineer's department had prepared a study evaluating the implications of the light rail system, a heavy rail system, an improved bus system and a minibus system. It had found that there was little difference between the light rail, heavy rail and bus systems, all of which would operate at a loss of between R20m and R30m a year. (The minibus system was evaluated as being a significantly inferior performer economically.) Peak hour patronage (16 000) was too low for the minimum stipulated by the South African Transport Services (SATS) (40 000) for a heavy rail system.⁹⁹ [⁹⁹ *Eastern Province Herald* 3 April, *Local Government* November/December] The study found that light rail offered numerous advantages over a bus system. It could also improve the image of public transport and provide an opportunity for small businessmen of all races to participate.¹⁰⁰ [¹⁰⁰ *Ibid*] The light rail system would carry 695 000 passengers daily, and use taxi and bus feeder services. The chairman of the works and traffic committee, Mr Frikkie Kotze, said that the system could be extended to Motherwell where 200 000 people would eventually live.

Homelands

The South African Development Trust Corporation (SADTC) is responsible for the management of bus companies operating in the Ciskei (Ciskei Transport Corporation Bus Company), Gazankulu (Gazankulu Transport) and QwaQwa (QwaQwa Bus Service). The SADTC's interest in KwaZulu Transport and Lebowa Transport was transferred to the KwaZulu administration and the Lebowa Development Corporation in January and February respectively. Various statistics for 1986/87 regarding the SADTC-managed companies are provided in the table below:¹⁰¹ [¹⁰¹ South African Development Trust Corporation (SADTC), 1987 annual report]

Homeland transport: 1986/87

Buses

Kilometres

Passengers

Revenue

Expenditure

(000)

(000)

R(000)

R(000)

Ciskei Transport Corporatin

35

20

50

29

37Gazankulu Transport

48

2 810

6 291

3 482

4 065

QwaQwa Bus Services

73

7 150

10 891

9 792

11 026

A subsidiary of **Bophuthatswana** Transport Holdings (BTH)—Durabuild—acquired a R12,5m bus manufacturing plant in Temba. This would produce 40 buses a month. Durabuild's Mabopane plant had supplied BTH with more than 500 new buses since it started functioning.¹⁰² [¹⁰² *Sowetan* 4 February] BTH's

1 400 buses transport 140m passengers over 75m kilometers annually.¹⁰³ [¹⁰³ *Business Day* December]

In January the **KwaZulu** administration announced the formation of the KwaZulu Transport Services Corporation (KTSC) to control all publicly-owned transport in KwaZulu. The entire shareholding in KwaZulu Transport (responsible for transporting 68m passengers throughout KwaZulu annually) was transferred to the new corporation. It was chaired by the chairman of the KwaZulu Finance and Investment Corporation, Dr Alpheus Zulu. The corporation's board was asked by the KwaZulu chief minister, Chief Mangosuthu Buthelezi, to report to him on the possibility of privatising transport in KwaZulu and the rationalisation of passenger transport.¹⁰⁴ [¹⁰⁴ *The Natal Mercury* 1 January]

In October the Pietermaritzburg City Council announced that it had decided to lease the Pietermaritzburg African municipal bus service of 232 buses—transporting 70 000 commuters daily—at R1 per bus and some council premises to KTSC from February 1988, if the administrator of Natal approved.¹⁰⁵ [¹⁰⁵ *The Citizen* 5 October; *The Natal Witness* 12 February, 15 October] The municipal service lost R4,3m in 1985/86 and was expected to lose R6m in 1986/87. The mayor, Mr Mark Cornell, said that the disposal of the service would cost Pietermaritzburg ratepayers R2m a year for ten years, to pay debts and other expenses, and another R2m a year for the next five years as a subsidy to KTSC.¹⁰⁶ [¹⁰⁶ *The Natal Witness* 12 February, 23 October]

Lebowa Transport became a subsidiary of the Lebowa Development Corporation on 1 March. Its shares were previously held by the SADTC.¹⁰⁷ [¹⁰⁷ *Momentum* April]

The **QwaQwa** Bus Service transported 820 000 passengers monthly in 1986/87 over 650 000km. Passengers were taken mainly to Harrismith and Bethlehem, and 32% of the total distance operated was within QwaQwa. It was the sole operator of mass transport in QwaQwa, and after the QwaQwa government service, the largest single employer (of 350 people).¹⁰⁸ [¹⁰⁸ *STK Chronicles* vol 2 no 4, Summer]

At the request of the **Venda** administration, the SADTC's transport division carried out an investigation into Venda's transport system. The recommendations were being considered by the Venda cabinet.¹⁰⁹ [¹⁰⁹ SADTC, 1987 annual report]

Natal

Following Putco's withdrawal of 260 buses from the Durban area on 5 December 1986 (see 1986 *Survey* Part 1 p 198), the township of Umlazi (housing 350 000 people) was affected by severe transport problems. By June Umlazi was being served by only 13 buses run by Southern Africa Bus and Taxi Association (SABTA) affiliates and 43 Durban Transport Management Board (DTMB) buses travelling only to the outskirts of Umlazi. Thousands of residents were walking long distances to reach work.¹¹⁰ [¹¹⁰ *The Daily News* 5 June, *The Natal Witness* 11 December] In November the general manager of the DTMB, Mr Marshall Cuthbert, said that 40 extra DTMB buses would start operating in Umlazi from 14 December.

The mayor of Umlazi, Mr Reuben Mfeka, said that the Umlazi Bus Company, a SABTA concern running taxis and buses, would continue to service Umlazi.¹¹¹ [¹¹¹ *The Natal Mercury*, 17 November, 11 December] The Umlazi Town Council had approached the DTMB after a residents' meeting had voted unanimously that the board's buses move into the township.¹¹² [¹¹² *Ibid*]

By January SATS was transporting some 140 000 people daily to Durban (70 000 from Umlazi, 45 000 from KwaMashu and 22 500 from Indian areas).¹¹³ [¹¹³ *The Daily News* 2 January]

Transvaal

SATS said in June that it was to double the passenger capacity on its circle route linking Soweto and Johannesburg. The service was already running at 100% capacity during peak periods.¹¹⁴ [¹¹⁴ *The Citizen* 1 June] The Johannesburg city engineer's department planned to build a 9km bus highway from Soweto to the Johannesburg central business district to reduce congestion and provide a faster transport service for Soweto residents using the 600 buses on the route.¹¹⁵ [¹¹⁵ *Business Day* 1 September]

The Johannesburg City Council's municipal bus service recorded a R17,3m deficit for 1986/87. It anticipated a R22m loss in 1987/88. It operated 376 white buses on 100 routes for 130 000 daily passengers and 70 black buses on 12 routes catering for 43 000 black passengers.¹¹⁶ [¹¹⁶ *The New Nation* June, *The Star* 18 June]

Putco said in its 1987 annual report that its claim against the National Transport Commission for its loss of business after a rail line was introduced between Mabopane and Pretoria had been 'partially finalised'. By September Putco had received R8,5m in compensation.¹¹⁷ [¹¹⁷ Putco, 1987 annual report]

General

Putco appealed unsuccessfully to the United States (US) State Department to have itself removed from the list of South African parastatals who were prohibited from exporting goods to the US in terms of the US Comprehensive Anti-Apartheid Act of 1986 (see 1986 *Survey* Part 1 pp69–70). It was listed because it received a state subsidy. Putco said that the subsidies it received were for its passengers, not for the company.¹¹⁸ [¹¹⁸ *The Citizen* 6 January] Putco said that the action was 'calculated to reinforce a misconception which already exacerbates problems in the present political climate'.¹¹⁹ [¹¹⁹ *Ibid* 14 March] Putco subsequently said that if it was included, other South African transport companies should also be put on the list. As a result the State Department was taking a new look at the transport sector to decide whether additional firms should be listed.¹²⁰ [¹²⁰ *Business Day* 3 March, *The Citizen* 16 January]

Fare increases, boycotts and disturbances

Fare increases

Most bus companies raised fares during the year under review in response to higher running costs and/or a decline in passenger demand. On 1 July the government rationalised the fuel price structure, and in terms of the new system the bus industry no longer qualified for any rebates on diesel purchases. As a result the price of diesel for bus operators rose by almost six cents a litre. The managing director of City Tramways (Cape Town), Mr Nick Cronje, said that this would have a 'shocking impact' on the bus industry. Putco said that its annual fuel bill would increase by R4m. Various bus companies made urgent representations to the government to reinstate the rebate. They were supported in their pleas by the South African Federated Chamber of Industries (FCI). On 17 July, however, the executive director of the South African Bus Operators' Association (SABOA), Dr G C Prinsloo, said that the government had decided that no rebates would be restored and the bus industry would not be exempted from any levies. Bus fares would, therefore, increase throughout the country from the beginning of August, Dr Prinsloo said. SABOA wanted to 'make it clear that this increase is neither the wish nor the creation of the bus industry and this increase will be handled with great circumspection', he added.¹²¹ [¹²¹ *Business Day*, 8, 24 July; *The Citizen* 18 July] City Tramways passed on the fuel price increase to passengers through a fare increase on 20 September.¹²² [¹²² *Cape Times* 18 September]

Some fare increases met with oral protests, violence or boycotts (see *Bus Boycotts* below).

The Committee of Ten, which had represented Mdantsane residents in the boycott of the Ciskei Transport Corporation (CTC) between 1983 and 1985, criticised CTC for increasing fares by 50% without consulting the transport committee of the Border Chamber of Industry—a forum created during the boycott for employers, commuters and the bus company—and for inviting the Committee of Ten to a meeting called to inform organisations of the increases only after it had inquired about the meeting. The United Democratic Front (UDF) and Congress of South African Trade Unions (COSATU) had not been invited.¹²³ [¹²³ *The New Nation* 1 May] On 5 May a CTC bus was petrol-bombed and five others stoned in Mdantsane.

The Port Elizabeth Black Civic Organisation said that residents were unhappy with a 17,6% fare increase on PE Tramways buses from 1 July. It had come at a time of high unemployment, retrenchments and increases in food prices in the Port Elizabeth area. The Azanian People's Organisation (AZAPO) also registered its disapproval.¹²⁴ [¹²⁴ *Eastern Province Herald* 25 June]

The managing director of PE Tramways, Mr Carl Coetzer, said at the end of June that, as a result of approaches to the company by community organisations, the Department of Transport had agreed to an extra subsidy on the bus service as a result of which the 17,6% fare increase would be eased. Pensioners would enjoy cut-rate fares and substantial reductions were made on ten-ride clipcard fares.¹²⁵ [¹²⁵ *Ibid* 1 July] However, a spokesman for various organisations and unions that had been in talks with the company said that there had been a deadlock in negotiations in which they had requested a cancellation

of the proposed increases. The pensioners' concession was 'long overdue', he said, and was not considered a victory.¹²⁶ [¹²⁶ Ibid] Further talks between the company and unions were held on 7 July about the withdrawal of increases but no agreement was reached.¹²⁷ [¹²⁷ Ibid 8 July] On 30 September the police seized 1 000 pamphlets calling for a bus boycott from the Port Elizabeth offices of the Institute for a Democratic Alternative for South Africa (IDASA).¹²⁸ [¹²⁸ *Business Day* 1 October]

Northern Cape Bus Services buses in Kimberley were stoned in September in the wake of an announcement that the company planned to raise fares on 1 October 1987 and 1 March 1988.

After fare increases were introduced by the Pietermaritzburg City Council on 9 February on all municipal African routes to and from greater Edendale, Sobantu, Slangspruit and Zwartkop, one bus was set alight and three stoned in Sobantu. The mayor of Pietermaritzburg, Mr Mark Cornell, said it appeared as if the attacks were related to the fare increases but Sobantu had been the only area affected.¹²⁹ [¹²⁹ *The Natal Witness* 4 March]

Taxi fare increases in the Isithebe/Sundumbili/Mandini area (Natal north coast) in November led to an outbreak of violence between taxi operators and commuters. One driver was killed, five taxis set alight, and the homes of four drivers attacked, according to the police. Residents in Isithebe alleged that a driver had been burnt to death and 15 taxis burnt.¹³⁰ [¹³⁰ *The Natal Mercury* 14 November] COSATU said on 18 November that a 'violent campaign' had been mounted against its members there, that at least three COSATU members had been killed and that many others had been injured in alleged attacks by taxi drivers. The attacks had arisen, COSATU said, from a decision by communities in the area not to pay fare increases demanded by taxi drivers. COSATU's general secretary, Mr Jay Naidoo, also alleged that the KwaZulu legislative assembly member for Eshowe, Prince Gideon Zulu; Inkatha's information officer, Mr Siegfried Bhengu; and Inkatha's national youth organiser, Mr Ntwe Mafole, had disrupted a meeting between SABTA, COSATU and local officials a few days previously. Mr Naidoo said that Inkatha's involvement could not contribute to a solution and he called on SABTA to clarify its relationship with Inkatha, as they had allegedly identified with the Inkatha officials' views at the meeting. Prince Gideon said that COSATU's allegations were 'just rubbish'.¹³¹ [¹³¹ Ibid 19 November]

The chief minister of KwaNdebele, Mr George Mahlangu, said in March that his administration was opposed to Putco's plans to increase fares in the homeland. A Putco increase in the Transvaal in November had been suspended on the KwaNdebele/Pretoria route following commuter protest (see 1986 *Survey* Part 1 p202), and after a five-month suspension Putco planned to introduce the increase on 29 March. Mr Mahlangu said that he had held 'extensive talks' with Putco in an attempt to stave it off.¹³² [¹³² *The Star* 25 March]

AZAPO threatened in March to seek an interdict in the Transvaal Provincial Division of the Supreme Court in Pretoria to stop Bophuthatswana Transport Holdings (BTH) from implementing fare increases.¹³³ [¹³³ Ibid 27 March]

On 21 December Putco increased Transvaal fares by 14%, and on 3 November announced its decision to withdraw its subsidies on pupil commuter fares from 1 January 1988 (see *Finance* above).¹³⁴ [¹³⁴ *Business Day* 7 December]

Bus boycotts

The boycott of Putco buses in **Soweto** which began in November 1986 in protest against a 17,5% fare increase (see 1986 *Survey* Part 1 pp205–206) was called off on 19 February by various United Democratic Front (UDF) affiliates in Soweto grouped under a Soweto area committee. The committee requested ‘progressive organisations to help people return to the buses without fear of intimidation’. A committee spokesman said that Putco had agreed that the disabled and pensioners could ride free on buses between 9am and 3pm, to a maximum of six a bus (this came into effect in the Pretoria/Witwatersrand/Vereeniging area and Durban from 26 March); Putco would attempt to reinstate workers retrenched as a result of the boycott at a rate of two for each bus that resumed operating (242 workers had been retrenched and 370 of Putco’s 650 buses on the Soweto route had been taken out of operation during the boycott); all pupils, irrespective of age, could use buses at subsidised prices and Putco agreed to scrap the single concession ticket in favour of a coupon system. (This came into effect on 3 July.)¹³⁵ [¹³⁵ *Financial Mail* 23 January, *The Star* 20 February, *The Weekly Mail* 20 February, *Business Day* 25 March, *Sowetan* 3 July] Putco announced in March, however, that it was to retrench a further 205 workers in the south western area (which included Soweto) and make 107 positions in its eastern areas redundant from April. Forty other positions, however, were vacant for some of those affected by redundancies. Putco was also reducing its south western fleet from 902 to 820 buses. This was because of a fall-off in passenger numbers, and a Putco study of operations had ‘established the need for further rationalisation and retrenchments’.¹³⁶ [¹³⁶ *The Star* 18 March]

Fare increases of between R10 and R15 per trip introduced in December 1986 by bus companies transporting passengers between the Cape Town area and the Ciskei and the Transkei were abandoned on 6 February. This followed a campaign by a transport co-ordinating committee consisting of representatives from COSATU, Cape Town township organisations and the Western Cape Hostel Dwellers’ Association. The campaign involved a week-long boycott of the buses. The bus companies involved also agreed to consult local organisations about future increases, drop charges for luggage, transport passengers right into residential areas rather than to the peripheries and to charge half-price fares for children between 12 and 16 years of age. At the beginning of September, following month-long negotiations between local organisations and the bus companies, the fares were raised by between R10 and R15.¹³⁷ [¹³⁷ *The New Nation* 26 February, *Cape Times* 28 August]

During a three-week strike by workers at **Lebowa** Transport from 25 June, thousands of commuters in Mahwelereng and Seshego boycotted the bus service in support of the strikers. They used taxis and private cars or walked to work in Pietersburg (12km away). Some new drivers were assaulted, allegedly by commuters, and buses stoned. On 20 July commuters again boarded buses following the settlement of the strike.¹³⁸ [¹³⁸ *Sowetan* 7, 17, 21 July; *The Star* 20 July]

Disturbances

The major disturbances in the transport sector during the year under review were those associated with a strike by South African Transport Services (SATS) workers. During the violence scores of trains were set alight or stoned. The strike began on 13 March—involving 600 workers—and grew to involve between 20 000 and 22 000 by 21 April. The strike was settled on 5 June.¹³⁹ [¹³⁹ *The Citizen* 6 June] For details of the strike and the settlement of the dispute, see chapter on *Labour Relations*. From 13 April attacks on trains spread throughout the Pretoria/Witwatersrand/Vereeniging area, leaving thousands of commuters stranded. In the words of one journalist the strike had, by mid-April, become ‘associated with images of burning coaches, stranded commuters and skirmishes at stations’.¹⁴⁰ [¹⁴⁰ *The Star* 10 April]

During the strike a total of 136 railway coaches were damaged by fire, 30 of these, valued at R7,6m, beyond repair.¹⁴¹ [¹⁴¹ *Hansard* (A) 12 q col 710, 31 August] In the first arson attack, on 13 April, ten passenger trains and a locomotive were set alight at four stations in Soweto, damaging 26 coaches. On 14 April four more trains were set alight at Soweto stations. Many of the trains were carrying passengers. The following day armed police went on duty on passenger trains, and arsonists began attacking empty trains. That day 13 trains were set alight between 4pm and 6pm at eight separate stations outside Soweto in the Johannesburg/Pretoria area—at Braamfontein, Croesus, Germiston, Irene, Kaalfontein, Langlaagte, Luipaardsvlei and New Canada—severely disrupting peak-hour commuter traffic. On the same day police dispersed a crowd of 2 000 people with teargas near Tembisa (east Rand) at Oakmoor Station. According to one report, ‘many’ were carrying ignited petrol bombs. According to another, they had been unwilling to pay fares.

During the disruptions Putco put 75 buses withdrawn during the Soweto bus boycott (see *Bus Boycotts* above) back on to the Soweto route because of increased demand. Stonings occurred at Doornfontein and Mayfair stations, and the TransNatal train (running between Durban and Johannesburg) was stoned on 13 April. The Bureau for Information said on 19 April that a number of passengers had been injured in stoning attacks at various Witwatersrand stations. By 17 April 59 coaches had been burnt, further attacks having occurred at Jeppe and Springs stations, as well as at those stations previously involved. From 20 April the security forces were deployed at all strategic depots, SATS property and stations, and travelled on various trains. By this stage workers in the northern and eastern Transvaal had joined the strike. SATS estimated damage at R25m.¹⁴² [¹⁴² Various press reports]

After the dismissal of striking workers on 22 April, the attacks on trains on the Reef continued throughout May and June. There were also incidents in Cape Town. On 6 May a railway coach was completely burnt and a station shelter extensively damaged at Kintemede (Cape Town) in a suspected arson attack. On 15 May a SATS office in Bonteheuwel (Cape Town) was damaged by arsonists. Apart from these and attacks on trains at Boksburg East, Braamfontein, Daveyton, Jeppe and Soweto there were attacks on ticket controllers and acts of sabotage. On 2 June two ticket examiners were seriously burnt at Westgate Station, and on 3 June another badly burnt at Crown Station in Johannesburg when petrol bombs were buried at them from incoming trains.¹⁴³ [¹⁴³ Various press reports] On 23 March 90 trains

were delayed in Soweto by a bomb blast at Dube Station.¹⁴⁴ [¹⁴⁴ *Business Day* 24 March, *The Star* 25 March] On 30 April there was an explosion on the railway line between Kliptown and Nancefield (Soweto). On 10 May a bomb exploded outside the ticket office of the Roodepoort Station (west Rand) injuring two railway workers and causing damage estimated at R20 000.

By 5 June 102 carriages and locomotives had been set alight, and by 31 August 136 coaches had been damaged by fire. The South African Railways and Harbours Workers' Union (SARHWU), to which most strikers belonged, denied involvement in the attacks and said that it had no idea who had been setting trains on fire. Civic and youth organisations also dissociated themselves from the violence. SATS linked the arson to an escalating climate of violence that developed after its talks with striking workers had collapsed.¹⁴⁵ [¹⁴⁵ Various press reports]

During the strike there was a breakdown of control on some commuter trains because there were no staff to check tickets. White conductors found it difficult to gain access to black coaches and many commuters ignored the distinction between first- and third-class carriages. Thousands of commuters were unable to buy tickets and travelled free. Many complained that they had been fined and removed from trains.¹⁴⁶ [¹⁴⁶ *The Star* 8 May] Two Sebokeng (Vaal Triangle) boys died in May when they jumped from a moving train evidently to escape ticket examiners, who were allegedly wielding sjamboks.

Unionists apparently distributed pamphlets and discussed union issues on the trains.¹⁴⁷ [¹⁴⁷ *The New Nation* 9 April, *Business Day* 28 April]

During 1986 a total of 4 256 windows were damaged on trains running between Mitchell's Plain and Cape Town as a result of civil unrest or criminal activity, according to the minister of transport affairs, Mr Eli Louw. All had been repaired at a cost of R191 406, he said.¹⁴⁸ [¹⁴⁸ *Hansard* (R) 7 q col 61, 29 July]

Between September 1984 and May 1987, 63 of Putco's buses were destroyed and, on average, each of its 3 500 buses had been stoned five times and had had two-and-a-half windows smashed.

On 12 February Putco said that since it resumed operating in Alexandra (Sandton) on 17 November 1986, there had been 41 robberies and attacks on its drivers. It had decided to withdraw some of its services to the township outskirts as a result.¹⁴⁹ [¹⁴⁹ *The Star* 12 February]

Private transport: kombitaxis

Policy

The government's *White Paper on National Transport Policy* tabled on 30 January set out government policy on the kombitaxi industry (see *Policy* above). In August the minister of transport affairs, Mr Eli Louw, said that there had to be proper control of taxis and that the government was working on a central

register so that there could be 'proper control'.¹⁵⁰ [¹⁵⁰ *Hansard* (D) 10 col 2264, 19 August] He regarded the kombitaxi as a 'very welcome avenue for the small entrepreneur' and had, therefore, not asked the police or army to clamp down on them, even though 'we have many problems with the vast number of taxis and even illegal taxis'. The informal sector should be encouraged, Mr Louw said, but 'we should also do our utmost to give them the legality they need to proceed with their business'.¹⁵¹ [¹⁵¹ *Ibid* col 2267]

Statistics

During the period 1 July 1983 to 30 June 1984 the largest percentage increase per type of registered motor vehicle occurred in respect of minibuses (15%). Registered bus numbers increased by 6% in the same period. (All registered vehicles increased by 6%.)¹⁵² [¹⁵² Central Statistical Service, press release, 18 June]

Minibuses, as a percentage of all licensed motor cars, increased from 1,5% in 1970 to 2,9% in 1980, to 3,7% in 1984.¹⁵³ [¹⁵³ Statistics calculated from Central Statistical Service, *Motor vehicles -All new and used licensed vehicles*, 13.6.1; and *Registration of new motor vehicles*, 13.6.2] Almost 6% of new motor cars registered in 1986 were minibuses.

The chairman of the Free Market Foundation, Mr Michael O'Dowd, said that the development of the African taxi industry was 'one of the most remarkable pieces of economic growth and development we have seen in the past few years'. It had occurred without any form of government help or stimulation. However, the dismantling of controls and regulation had not gone nearly far enough, he said.¹⁵⁴ [¹⁵⁴ *The Star* 19 November]

Taxis and other operators

Various transport operators attributed their decline in passenger loads over previous years partially to the kombitaxi industry's success. The regional manager of South African Transport Services (SATS) for the Durban area, Mr Andre Fourie, said in January that the proliferation of taxis (as well as bus services) was making heavy inroads into SATS's local rail commuter business. Rail passenger figures in Natal between 1 July and 30 September 1986 were 9% down on those of the same quarter in 1985. Municipal transport undertakings' passenger loads had dropped by 15% and those of private companies by 9%.¹⁵⁵ [¹⁵⁵ *The Daily News* 22 January]

The deputy minister of transport affairs, Mr Myburgh Streicher, said in June that some bus operators had lost up to a third of their passengers to taxis since 1982. He added that political influences and intimidation were creating a bad image of public transport, particularly bus companies, and that taxi services were flourishing.¹⁵⁶ [¹⁵⁶ *The Star* 23 June]

Putco's passenger loads declined from 353,3m in 1984 to 278,2m in 1986. Putco's general manager, Mr Jack Visser, said in April that the government appeared to be 'insensitive' to the plight of bus operators, despite their massive problems, and encouraged economic policies which, in time, 'must drive him out of business'. He said that Putco faced ruin unless the government subsidised losses incurred from various factors, such as crippling competition from minibus taxis. Putco had lost R18m in 1985/86, and passenger numbers had decreased by 14% in 1985/86 compared to 1984/85. Numbers on the Soweto route, for example, had been cut by 47% since the taxis had appeared. Apart from taxis, he referred to losses arising from Putco carrying schoolchildren at a loss, service disruptions and destruction of assets caused by unrest, inflation, bus boycotts and a decline in loads because of unemployment. Mr Visser said that of Putco's 513 route clusters 291 were unprofitable. If Putco withdrew from these areas its losses would be reduced by R25m a year, but 3 300 employees would be retrenched. The alternative was for the state to maintain all the services or increase subsidies so that Putco could continue.¹⁵⁷ [¹⁵⁷ Ibid 24 April]

Commenting on the taxi industry, Putco's public relations executive, Mr Pat Rogers, said that Putco did not blame taxis for exploiting the lack of control which had now become 'apparent policy', but Putco would have preferred to see a more ordered development of their role. 'We are not against competition but we believe that control, or lack of control, should be applied equally,' he said.¹⁵⁸ [¹⁵⁸ *Financial Mail* 23 January]

Referring to competition, the chairman of Putco, Mr D PS van Huyssteen, said in September in his chairman's statement that 'the growth of the kombi-minibus industry has adversely affected the bus industry'. Putco had 'continued to experience a decline in the number of passengers carried' in 1986/87. Putco's view, he said, was that there would inevitably be too great a supply of kombitaxis in relation to demand. 'Experience drawn from the Soweto bus boycott shows that these vehicles cannot replace the bus as a medium of mass transport during peak periods.'¹⁵⁹ [¹⁵⁹ Putco, 1987 annual report]

The president of the Passenger Transport Association, Mr J J van Staden, said in March that while taxis had made a valuable contribution in the provision of transport, their expanding presence was seriously eroding the patronage of buses. This, in turn, created further pressures for increased subsidies to keep bus companies viable, and would lead to higher demands on the finances of central government and regional services councils.¹⁶⁰ [¹⁶⁰ *Business Day* 18 March]

Southern Africa Bus and Taxi Association (SABTA)

The Southern Africa Bus and Taxi Association (SABTA) represented 45 000 legal taxi operators organised in 383 local taxi associations in 40 regions.¹⁶¹ [¹⁶¹ Ibid 18 June] On 1 July SABTA's executive vice president, Mr Godfrey Ntlatleng, announced that SABTA membership was being opened to pirate taxi operators.¹⁶² [¹⁶² *Sowetan* 2 July] The organisation would make strong recommendations to the government to issue permits where necessary, he added.¹⁶³ [¹⁶³ *The Star* 2 July]

By September SABTA had established 12 service stations in association with Shell South Africa, in which taxi drivers were shareholders. Each station was owned by between 300 and 400 shareholders. The shareholders elected boards of directors, and signed an agreement with SABTA which was to assist them with management in the first five years, after which they were to employ their own managers and staff.

In July Total (South Africa) entered into a preferential agreement with SABTA in terms of which local taxi associations would be offered a direct shareholding in a number of existing and new service stations catering particularly for their needs. Total would develop and finance new service stations in close consultation with SABTA and the local taxi association operating in the area. SABTA, assisted by Total, would manage the stations but they would be owned by the local taxi association.¹⁶⁴ [¹⁶⁴ *Financial Mail* 1 July]

Four of SABTA's regions decided to leave the organisation. In November the members of the Alexandra region formed a new association, the Black Union of South African Taxi Operators, and the Soweto, western Transvaal and Vaal Triangle regions indicated that they would be leaving. They said that SABTA's officials were not running the organisation's affairs properly, had failed to inform members about developments in the organisation (such as when it decided to purchase control of Putco—see below—or when national executive committee members went to London), and did not send financial statements to and neglected its members.¹⁶⁵ [¹⁶⁵ *Sowetan* 26 November]

Attempts to purchase control of Putco

Unsuccessful attempts to purchase a controlling interest in Putco attracted considerable interest during 1987.

On 12 June the board of Carleo Investments agreed to sell the Putco shares held by Carleo Enterprises (52,5% of Putco shares), to a trustee, Mr Ivan Brownlees, for a company still to be formed for the disposal of shares to a new owner.¹⁶⁶ [¹⁶⁶ *The Citizen* 13 June] SABTA said a few days later that it had appointed experts to study Putco's viability with a view to bidding for the controlling shareholding. Its national president, Mr James Ngcoya, said that if it did bid for Putco, it would appeal to oil companies to finance the venture.¹⁶⁷ [¹⁶⁷ *Business Day* 18 June] On 8 July Mr Ngcoya said that SABTA negotiations to take over Putco were at an advanced stage, and that SABTA would have little difficulty in raising the funds from industry.¹⁶⁸ [¹⁶⁸ *Ibid* 9 July]

SABTA's national adviser, Mr James Chapman, said that SABTA believed that 'black transport should be in black hands'. It was obvious that road space did not allow for thousands more taxis, 'therefore, buses have a very real and meaningful role to play in the field of black transport. This is what has promoted our interest in buses', he said. There were various obstacles, however, in that government approval for the deal was needed (takeover of any transport system requires government approval, and SABTA would need permission from the National Transport Commission (NTC) for the transfer of

Putco's permits) and SABTA would require a government undertaking that subsidies would be continued.¹⁶⁹ [¹⁶⁹ *Financial Mail* 10 July]

SABTA also confirmed that it had formed a committee to investigate the franchising or distribution of ownership of the buses on various routes to individual taxi owners.¹⁷⁰ [¹⁷⁰ *The Star* 11 July] On 12 July Mr Chapman said that he expected the sale to be finalised within a month.¹⁷¹ [¹⁷¹ *Sunday Times* 12 July] Putco refused to confirm or deny whether SABTA was involved but said that negotiations were under way for the purchase of the majority shares in Putco. On 14 July SABTA confirmed that it was the prospective buyer. The asking price was reportedly R200m.¹⁷² [¹⁷² *Business Day* 15 July]

In mid-July an unnamed Afrikaans business consortium made a R150m bid for Putco. Its nominee, Mr Antony Mayer, was initially reported as saying that this offer was 'politically motivated in that we feel we cannot allow control of black transport to fall into black hands. They could disrupt the economy of South Africa any time they felt like it'. The consortium did not 'feel that a strategic business such as transport should be in black hands at this point in time', he said. The consortium offered SABTA's nominee, Mr Brownlees, a commission of R5m to cancel his option on Putco. (Mr Brownlees' offer was for R140m and had an expiry date of 15 September.)¹⁷³ [¹⁷³ *Ibid* 17 July] The group subsequently denied reports that the offer was politically motivated. 'Our only consideration is a financial one,' Mr Mayer said.

At the beginning of August SABTA was reported to have offered R156m for Putco and said that black business would 'go it alone' with an all-black-sponsored bid. Mr Ntlatleng said, 'In SABTA's view, this is the key to a new and exciting era for black business and we see the Putco venture as the forerunner of many more such deals. This is an attempt to put the black businessman where he belongs, on top.' He said that SABTA would not go ahead with the transaction unless fully supported by black business leaders and commuters. It planned to conduct a market survey among black commuters during the next few weeks to ascertain reaction.¹⁷⁴ [¹⁷⁴ *Ibid* 3 August] On 5 August Mr Chapman said that SABTA had a signed and sealed contract with Putco. 'If SABTA so decided it can buy Putco,' he said. Financial backing would come from the Rand Merchant Bank (RMB) and other interested parties, he said.¹⁷⁵ [¹⁷⁵ *The Star* 6 August] The following day RMB said in a formal announcement that agreement had been reached for the purchase of the controlling shareholding by SABTA. Putco's executive officer, Mr Vie Coetzee, said that RMB had confirmed its financial commitment and would raise the money itself or form a consortium.¹⁷⁶ [¹⁷⁶ *Business Day* 7 August]

In August the Johannesburg Taxi Association (JTA) claimed that taxi owners had not been consulted on the proposed takeover of Carleo Enterprises.¹⁷⁷ [¹⁷⁷ *City Press* 23 August] In September some taxi associations in the Roodepoort area defected to the new Black Union of South African Taxi Operators (see above). This was formed in response to the way SABTA was being managed and run and the bid to buy Carleo Enterprises, which was seen by some as a 'sellout' of taxi operators.¹⁷⁸ [¹⁷⁸ *The Citizen* 8 September] A SABTA spokesman said that the taxi feuding had no connection with the Putco deal, and

SABTA representatives from all parts of the country had given their full approval for the deal in February and July.¹⁷⁹ [¹⁷⁹ Ibid 14 September] In October the JTA also left SABTA, in part due to its negotiations to purchase control of Putco.¹⁸⁰ [¹⁸⁰ *The Star* 24 October]

On 15 September SABTA announced that it was withdrawing from the deal ‘because of unacceptable demands imposed by third parties’. Mr Ntlatleng said in a statement that ‘SABTA’s top executive, acting in the interest of its members, decided to discontinue negotiations after we were advised to do so by our financial advisers. Rand Merchant Bank. This was after we had realised that some of the people we had involved in negotiating on our behalf had vested interests clashing with those of SABTA.’ He denied that infighting in SABTA had had anything to do with SABTA’s withdrawal.¹⁸¹ [¹⁸¹ *Sowetan* 16 September]

Mr Brownlees said that the deal had fallen through possibly because of feuding within SABTA. Funding and government approval had not been a problem and agent’s commissions had been sorted out, he said.¹⁸² [¹⁸² *Business Day* 15 September] Mr Brownlees, whose share option was due to expire on 15 September, obtained an extension on his option, and Putco said that Brownlees Holdings was the new principal with which it was dealing.¹⁸³ [¹⁸³ *The Star* 17 September, *The Citizen* 16 September] Mr Brownlees said he would raise the R150m and envisaged the creation of a trust, funded by large corporations, which would be prepared to pass control of Putco in segments into the hands of the communities it served.¹⁸⁴ [¹⁸⁴ *The Natal Mercury* 18 September] He said that the KwaNdebele National Development Corporation had indicated that it wanted its own bus service, and was willing to pay R42,5m for 500 buses.

It was subsequently ascertained that until a late stage in the negotiations SABTA and RMB had been under the impression that the association held an option to purchase control of Putco and that it was the principal in the proposed deal. However, Brownlees Holdings was in fact the principal, and a company with headquarters in the Seychelles, the GMR Group, were the financial backers of the deal. The South African deputy chairman of the GMR group was Mr Craig Williamson, former top-ranking security police spy and member of the President’s Council. GMR had reportedly agreed to put up R80m to finance the purchase. Mr Williamson said, ‘GMR specialises worldwide in the takeover of politically and economically troubled companies and has taken over companies far bigger than Putco,’ He denied that any government funding was behind the GMR bid.¹⁸⁵ [¹⁸⁵ *Financial Mail* 25 September] GMR was to have received various Putco assets while SABTA would have been left solely with Putco’s bus operations. Substantial commissions were stipulated—R15m to Mr Brownlees and R10m to other parties. Only at a late stage did SABTA realise that it was not the principal behind the deal and RMB had advised it to withdraw.¹⁸⁶ [¹⁸⁶ *The Citizen* 19 September] The GMR group also withdrew.¹⁸⁷ [¹⁸⁷ Ibid 9 October]

On 21 September Mr Ntlatleng said that SABTA had not approached Mr Williamson and had not considered funds from any source other than RMB; SABTA had wanted to buy Putco on its own, using funds from a reputable bank; Mr Brownlees had been employed as an agent; when SABTA had learned

that Mr Brownlees had involved third parties, including a firm of which Mr Williamson was a director, it had said that it was not prepared to take partners and would withdraw unless given sole rights; and that SABTA had withdrawn after it had received no reassurance by 11 September that third parties were to be left out of the deal or that it would receive exclusive rights to the transaction.¹⁸⁸ [¹⁸⁸ *Business Day* 22 September]

On 8 October Putco announced that ‘no change of control of Putco is to take place and that for the foreseeable future the Carleo family will remain in control of Putco’. The statement said that Putco regretted the ‘uncertainty that has been aroused by the publicity in recent months concerning the supposed imminent change of control of Putco, for which publicity neither Putco nor the Carleo family is responsible’.¹⁸⁹ [¹⁸⁹ *The Citizen* 9 October]

The acting managing director of Putco, Mr Luigi Carleo, said, ‘We have been through a very traumatic experience with the Brownlees debacle.’ He said, ‘It was due to their incorrect legal documentation that Mr Ivan Brownlees who initially acted as agent for SABTA turned out to be principal in the deal.’ One of the reasons Carleo Enterprises was not selling, Mr Carleo said, was that Putco was likely to become more profitable as a result of the new contract system under the new passenger transport policy (see *Policy* above).¹⁹⁰ [¹⁹⁰ *The Star* 24 October]

General

During the first six months of 1987 accidents involving minibuses increased by 22%. Some 18 715 minibuses—more than 5 000 a month—were involved in accidents in this period, 328 people died in minibuses and 1 557 were seriously injured.¹⁹¹ [¹⁹¹ *The Citizen* 24 September, 24 October] In November Mr Ngcoya said that SABTA had installed a disciplinary committee in each province to act against any driver giving the taxi industry a bad name. The committees would deal with bad driving, recklessness, speeding and bad treatment of the public. Mr Ronnie Meyer, the director general of transport affairs, said that the government was aware of an increasing number of accidents involving taxis. He said that driver training had not kept up with the growth of the taxi industry.¹⁹² [¹⁹² *The Star* 4 November] In the wake of reports of these accidents as well as reports that there were more than 45 000 pirate taxis on the roads, Mr Louw set up a special working group to look into the performance of the illegal drivers.¹⁹³ [¹⁹³ *Business Day* 8 December]

GOVERNMENT AND CONSTITUTION

The First Tier

Structure of government

State of the parties

As at 31 December 1986 there were 3 037 792 registered white voters in white-designated South Africa. There were 1 562 952 coloured and 592 837 Indian voters.¹ [¹ Figures from the Progressive Federal Party (PFP) Research Department, 19 January 1988]

On 6 May 1987 an election was held for the House of Assembly.

House of Assembly (white) (178 members)

Before the election the National Party (NP) had 119 representatives, the Progressive Federal Party (PFP) 27, the Conservative Party (CP) 17, the New Republic Party (NRP) five, the Herstigte Nasionale Party (HNP) one, and Independent members one. There were eight vacancies.² [² *Hansard* (A) 1, 5-12 February]

After the election the NP held 133 seats, while the CP, which won 23 seats, replaced the PFP as the official opposition. The PFP won 20 seats, the NRP and Independent members being represented by one member each.³ [³ *Hansard* (A) 1, 18-22 May] These figures include nominated members.

House of Delegates (Indian) (45 members)

The National People's Party (NPP) had 23 representatives, Solidarity 12, the Progressive Reform Party (PRP) four, and the Progressive Independent Party (PIP) one. There were five Independent members of Parliament and no vacancies.⁴ [⁴ *Hansard* (D) 1, 5-12 February]

House of Representatives (coloured) (85 members)

The Labour Party (LP) had 80 representatives, the Democratic Workers' Party (DWP) three, and the Freedom Party (FP) one. There was a single vacancy.⁵ [⁵ *Hansard* (R) 1, 5-12 February]

Parliament

Election for the House of Assembly

Opening Parliament on 30 January 1987, the state president, Mr P W Botha, announced a general election for the House of Assembly on 6 May.⁶ [⁶ Address by state president on the occasion of the opening of the Fourth Session of the Eighth Parliament of the Republic of South Africa, issued by the Directorate of Liaison and Information] This was the first election for the House of Assembly since the introduction of the tricameral Parliament in September 1984.⁷ [⁷ *Ibid*]

The NP maintained its position as the majority party in the house by winning 133 of the 178 seats. The

CP, which won 23 seats, replaced the PFP as the official opposition. The question of political rights for Africans outside the homelands and the security situation were the dominant issues in the run-up to the election. The state president, various ministers and NP spokesmen made a number of statements on these questions (see *African political rights* below and chapter on *Security*).

Prior to the election a new moderate opposition to the left of the NP called the Independent Movement was formed by a loose alliance of three candidates. They were Dr Esther Lategan, a businesswoman who stood in Stellenbosch (western Cape); Mr Wynand Malan, NP member of Parliament for Randburg; and Dr Denis Worrall, former South African ambassador to Britain.⁸ [⁸ *The Weekly Mail* 20 February] Mr Malan said that the government's handling of the group areas and security situations were the main reasons for his leaving the party.⁹ [⁹ *Business Day* 26 January] Dr Worrall stood in the Helderberg (western Cape) constituency against the minister of constitutional development and planning, Mr Chris Heunis.

Dissatisfaction with the National Party included the signing of a petition by 301 University of Stellenbosch academics in support of a group of 28 who had asked for speedier reform. Professor Andries van der Walt of the Department of Mathematics claimed that well over 50% of lecturers and researchers on the campus associated themselves with the broad statement. This, he believed, would demonstrate the lack of support for the government at the university.¹⁰ [¹⁰ *The Star* 30 March]

The three Independent Movement candidates issued a joint manifesto for the election. It said that negotiations had to begin 'aimed at the common overriding objective of one South Africa with equal rights, justice and safety for all'. However, while supporting free and democratic organisation in black politics, it said that 'emergency powers must be retained to secure stability during the transition period'.¹¹ [¹¹ *Ibid* 9 March] Mr Malan was the only Independent candidate to win a seat in the election. Dr Worrall lost to Mr Heunis by 39 votes. Dr Lategan lost to Mr Pieter Marais of the NP by 781 votes.¹² [¹² PFP Research Department, 26 April 1988]

The PFP decided not to oppose the Independent Movement in order to avoid splitting the moderate opposition vote. Commenting on Dr Worrall's campaign, the leader of the PFP, Mr Colin Eglin, said that 'while there may be matters of minor detail on which we might disagree, what is of overall importance is to return to Parliament the maximum number of MPs who are committed to genuine reform. By standing back in the Helderberg, the PFP believes it can help attain this objective'.¹³ [¹³ *The Citizen* 21 February]

Attempts by the CP and the HNP to form an election pact and fight the election together failed. In a television interview on 28 January Dr Andries Treurnicht, leader of the CP, said that time was running out for the HNP and that it should join forces with the CP for the election. Dr Treurnicht said that it was a pity that the two parties had built up such a parallel strength and should then refuse to work together towards the same goals.¹⁴ [¹⁴ *Ibid* 29 January] The Afrikaner Weerstandsbeweging (AWB) attempted unsuccessfully to unite these two parties.

The HNP lost its only seat in Parliament and Mr Louis Stofberg, the prior holder of the seat, defected to the CP. Sixty-five of the party's 86 candidates lost their deposits.

According to a report in *The Star*, the CP's strength in the election guprised even its leaders, particularly in industrialised areas, where the swing towards it was attributed to the impact of the economic recession on blue-collar workers.¹⁵ [¹⁵ *The Star* 13 May] Had it not been for the HNP, which split the vote in a number of constituencies, the CP, *The Star* stated, would have been returned to Parliament with 30 seats in place of its actual 23.¹⁶ [¹⁶ *Ibid*]

Extra-parliamentary responses to the white election

The archbishop of Cape Town, the Most Rev Desmond Tutu, called the results a return to the dark ages. Prior to the election Archbishop Tutu had called on the PFP to withdraw from Parliament. The state president would have proven 'absolutely nothing' if his party was returned to power with a big majority, Archbishop Tutu had said. 'The PFP ought to get out of this charade and make it clear that we do not have what the world seems to think we have—a parliamentary democracy.'¹⁷ [¹⁷ *The Citizen* 17 January] He said that considering that 70% of the population did not have the vote, 'the forthcoming election for whites is a total non-event'.

The leader of Inkatha and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, described the election results as 'the devil's hour of glory', adding that whites had increased the anger of moderate Africans by rejecting a chance to end violence.¹⁸ [¹⁸ *Financial Mail* 15 May]

The United Democratic Front (UDF) described the election as a 'time-wasting blockade of the real challenges that South Africa should be facing'. The UDF's statement went on to say that the election and its participating parties 'offer no solutions to the political crisis as the majority of South Africans are excluded from their right to govern'. As long as this exclusion was practised, the UDF said, conflict would continue.¹⁹ [¹⁹ *Sowetan* 20 March]

In protest against the election and the suppression of trade unions and political organisations under the state of emergency, more than one million workers, students and schoolchildren stayed at home on 5 and 6 May, according to a report by the Labour Monitoring Group (LMG).²⁰ [²⁰ *The Star* 7 May]

Byelection for the House of Delegates

A byelection was held in Lenasia (Johannesburg) in August, following the death of the standing member, Mr Abie Choonara of the NPP.²¹ [²¹ *The Sunday Star* 9 August] There was a 16% poll, a total of 7 052 people not voting, compared with 4 867 in 1984. The winning candidate was Mr Mohamed Shah (NPP).

The leader of the NPP, Mr Amichand Rajbansi, said that the result indicated the people's confidence in the role of negotiation politics while demonstrating a rejection of protest politics. The Transvaal Indian Congress said that it reflected 'a massive vote of no confidence in the House of Delegates'.²² [²² Ibid]

Joint sittings

In a report of a joint meeting of the committees on standing rules and orders tabled in September, proposals were made for joint sittings and debates of the three houses but not for joint voting. Mr Heunis, while claiming, that the joint debate proposal was the most important amendment to the constitution to date, admitted that the system would eventually have to be altered drastically to give all South Africans a share in the government of the country.²³ [²³ *Business Day* 10 July] The chief whip of Parliament, Mr Alex van Breda, described the new rules as the 'final break from the Westminster system'.

Mr Koos van der Merwe MP (CP) said that the report was a step in the direction of an African majority government and that whites no longer had a Parliament of their own.²⁴ [²⁴ *Rapport* 16 August]

The leader of the PFP, Mr Colin Eglin, called the new proposals 'cumbersome and involved'. The government lacked the courage to allow for joint decision-making along with the debates. 'It will be impossible for us to sit through a charade of talking and in the end retiring to separate houses to make separate decisions,' Mr Eglin said.²⁵ [²⁵ *The Star* 14 August]

Another of the report's proposals which drew criticism was that relating to the scrapping of the tradition of the no-confidence debate. Mr Eglin said that the proposal illustrated the 'supreme arrogance' of a government which attempted to prescribe why and how its official opposition should move a motion of no confidence. 'What a toothless lot of bulldogs we are in this Parliament that the state president can tell us when we may debate,' he said.²⁶ [²⁶ *Diamond Fields Advertiser* 30 September]

Opposition to these constitutional proposals was expressed by Mr Hendrickse, in reaction to what he claimed to be the government's intransigence in amending the Group Areas Act of 1966 and the Reservation of Separate Amenities Act of 1953 (see *The cabinet and deputy ministers* below). In October Mr Hendrickse moved that the report of the joint meeting of committees on standing rules and orders be referred back. He was supported unanimously by members of the House of Representatives. Mr Hendrickse described the proposals as full of 'shortcomings, inadequacies and excess empowering'. He also objected to the removal of the no-confidence debate, the lack of joint voting in the joint sittings and expressed concern over clauses which gave 'too much power' to the chief whip.²⁷ [²⁷ *The Natal Witness* 7 October]

Legislation

During the sitting a total of 131 bills were tabled and 106 were passed. Of these 111 were general affairs

bills of which 87 were passed. In addition, the House of Assembly tabled and passed six own affairs bills. The House of Representatives had eight own affairs bills tabled, and passed seven; one was still under consideration at the time of adjournment. In the House of Delegates all of the five tabled own affairs bills were passed.²⁸ [²⁸ PFP Research Department, 21 January 1988]

Parliament adjourned on 7 October without enacting several bills which the LP had rejected. Subsequent to the adjournment of Parliament the LP also blocked provincial legislation at standing committee level.²⁹ [²⁹ *Business Day* 1 October, *The Weekly Mail* 16 October]

The executive

The state president

As in previous years, there was much speculation over a replacement for the state president after a rumour began to circulate that Mr Botha was to retire. However, at the opening of the Cape congress of the NP in November, Mr Botha said that he would not allow 'small people' to tell him when to go. 'I want to tell these people that my whole political life has been a fight and the harder you try the less you will succeed in getting rid of me,' he said.³⁰ [³⁰ *The Natal Mercury* 10 November]

The State Security Council (SSC)

In June 1986 the government revealed the existence of 12 joint management centres (JMCs) which co-ordinated joint government action at regional level and whose chairmen reported to the secretary of the State Security Council (SSC) (see 1986 *Survey* Part 1 p85).

According to a report in *The Citizen*, in 1987 there were 11 JMCs, 60 sub-JMCs and 357 mini-JMC organisations. The chief of staff and co-ordinating services of the SSC denied accusations from political opponents of the system that it could be used to 'bring about a creeping coup'.³¹ [³¹ *The Citizen* 25 September]

The JMCs remained secretive, with little readily available information about them. A Black Sash study claimed that 'all participants must take an oath of secrecy which makes them subject to heavy penalties under the Official Secrets Act [of 1956]'.³² [³² *Eastern Province Herald* 20 July, *Sash* vol 30 no 1, May]

The mayor of Johannesburg, Mr Ormond Fenn, ruled in October that a debate on a motion by a Johannesburg city councillor, Mr Tony Leon (PFP), attacking the JMCs would constitute a contravention of the Protection of Information Act of 1982. The mayor's decision was overturned after Mr Leon had presented the city secretary with the legal opinions of two senior counsels and other supporting documents. The documents detailed similar debates in the Cape Town City Council and answers given to questions about the JMCs by the minister of defence, Mr Magnus Malan, in Parliament. Mr Leon's motion was deferred until the council's next ordinary meeting in 1988.³³ [³³ *The*

Citizen 25 November]

The cabinet and deputy ministers

Mr P W Botha asked the minister of agriculture, Mr Greyling Wentzel, who lost his seat to the CP in the May election, to remain in the cabinet. Three deputy ministers who lost their seats resigned. They were the deputy minister of constitutional development and planning and of public works and land affairs, Mr Ben Wilkens; the deputy minister of development aid, Mr Hendrik Tempel; and the deputy minister of foreign affairs, Mr Ron Miller.³⁴ [³⁴ *Business Day* 12 May]

Mr G J Kotzé became minister of environment affairs and of water affairs after the suicide of the previous minister, Mr John Wiley, prior to the election. Mr Eli Louw replaced Mr Hendrik Schoeman on the latter's retirement as minister of transport affairs. Mr Miller was replaced by Mr J W H Meiring as deputy minister of foreign affairs.³⁵ [³⁵ *Hansard* (A) 16, 28 September - 7 October]

The official designation of Dr C J (Stoffel) van der Merwe, named by the state president as his personal assistant in the process of persuading Africans to the negotiating table, was changed to deputy minister of information and of constitutional planning. Mr Piet Badenhorst was appointed as the new deputy minister of development aid.³⁶ [³⁶ *The Citizen* 17 June]

The deputy minister of environment affairs, Mr S V Naicker, was made minister of local government and agriculture in the House of Delegates. His replacement as deputy minister of environment affairs, which is a general affairs post, was Mr Somaroo Pachai, who was also appointed deputy minister of local government, housing and agriculture in the House of Delegates.³⁷ [³⁷ *The Star* 26 June]

The most significant alteration in the cabinet was the resignation of the Labour Party (LP) leader, the Rev Allan Hendrickse. Conflict between the state president and Mr Hendrickse had occurred over Mr Hendrickse's criticism of what he argued was the slow pace of reform. In particular he was critical of the government's failure to repeal the Group Areas Act of 1966 and the Reservation of Separate Amenities Act of 1953.

In defiance of the government, Mr Hendrickse had had a widely publicised swim on a 'white' Port Elizabeth beach in December 1986. Mr Botha demanded an apology from Mr Hendrickse which, after a confrontation between the two men, was reluctantly given (see chapter on *Social Segregation*). Mr Botha also attacked Mr Hendrickse in a lengthy television broadcast. The conflict continued after the apology. Mr Hendrickse threatened to compel the state president to call a general election in 1989 or 1990 by refusing to approve a planned constitutional amendment to allow the next election to be postponed to 1992 unless the two acts were dramatically altered. All three houses were constitutionally due to hold elections in 1989 or early in 1990.³⁸ [³⁸ *Business Day* 25 August, *Financial Mail* 8 January 1988]

At a press conference in August after his resignation, which took place 'with immediate effect', Mr

Hendrickse said that he did not believe that a single member of his party would be prepared to fill his vacant seat in the cabinet, and indicated that his plan to block Mr P W Botha's proposed postponement of the election still applied.³⁹ [³⁹ *Cape Times* 25 August]

Mr Hendrickse said that he intended to keep to his plan to block legislation in Parliament unless the state president gave a firm undertaking to scrap both acts.⁴⁰ [⁴⁰ *Financial Mail* 28 August, *Business Day* 25 August] The LP said that the government, 'as a result of this new strategy', would face strong opposition on the following issues:

- proposed legislation to end township rent boycotts by compelling employers to deduct amounts owed for rents and service charges from the salaries of their employees;
- the National Council Bill to set up a forum to involve African leaders in negotiations;
- legislation extending powers to the non-independent homelands; and
- cabinet plans to change the constitution to give each house of Parliament a separate maximum life.⁴¹ [⁴¹ *Financial Mail* 28 August]

Ministers' councils and ministerial representatives

On 6 March Mr Botha announced the creation of 13 posts for 'ministerial representatives' who would assist own affairs ministers in the three houses. The appointments took effect on 1 May. Mr Botha said that when the concept of own affairs had been introduced as part of the tricameral system, certain functions which had previously been carried out by general government departments or provincial councils had been transferred to the own affairs administrations. Own affairs ministers, he said, had an 'extensive workload, especially with regard to policy-making functions'. The need had been created, he stated, for political functionaries who could pay more attention to specific matters in designated areas.⁴² [⁴² *Eastern Province Herald* 7 March]

The House of Assembly would have six ministerial representatives, the House of Representatives four, and the House of Delegates three (see *The cabinet and deputy ministers* above).

President's Council (PC)

Group Areas

The Group Areas Act of 1966 was the focus of renewed public attention in the period under review. The report of the committee for constitutional affairs of the President's Council (PC) on the report of the technical committee, 1983 and related matters (ie the report on the Group Areas Act and other legislation), was due to come out before the white election but was delayed amid much speculation as to

its controversial nature.

The report, which was not published until August, advocated the relaxation of group areas regulations. It recommended the 'retention of own residential areas in general while allowing for an end of control ["grey areas"] in certain circumstances'.⁴³ [⁴³ *Cape times* 25 August]

Group areas regulations, according to the report, had 'fulfilled a positive function in ordering and protecting communities' and had helped to stem the 'urban decay' which resulted from the 'invasion and succession' of newcomers into previously segregated areas. While acknowledging the overwhelming rejection of the Group Areas Act by blacks, the report continued to justify the retention of the act. It argued that it had facilitated greater participation in local government by Indians and coloured people by allowing them to 'manage their own affairs'. Separate living areas went 'hand in hand with the right of minorities to self-determination', a principle, it pointed out, which was recognised by the United Nations. The report detailed a need for 'group rights' and noted that 'the rights of the individual are not independent of the rights of the community in which he lives'.

The report acknowledged practical problems in the effective administration of the Group Areas Act. One example was the high level of vacancies of flats in white-designated areas while the black areas experienced a severe shortage of accommodation. The report said that 'with the severe housing shortage among people of colour a strong demand builds up, resulting in an influx to white areas'.⁴⁴ [⁴⁴ *The Citizen* 18 September]

Regarding the impact that the Group Areas Act had had on South African society, the report said that it had had 'a frustrating and discouraging effect on modern people of colour' and observed that the government was committed to removing 'hurtful' and 'discriminatory' legislation. On the basis of these arguments the report said that it 'wishes to act in a manner that will be conducive to reform' and to 'introduce flexibility of choice' into the system by allowing 'open' areas to exist alongside existing segregated ones. As far as abolishing the act was concerned, the report said that it 'cannot be repealed until there is more clarity regarding future constitutional dispensations which are still being negotiated'.⁴⁵ [⁴⁵ Ebrahim M, Friedman S, and Pickard-Cambridge C, 'Backs against the tide' *Topical Briefing*, South African Institute of Race Relations (SAIRR), November] The state president argued for the retention of separate residential areas when the PC deflected a PFP motion calling for a debate on the report. Mr Botha argued for 'the retention of community life, for community management and participation in community structures'. The PFP claimed that the report had been 'buried' in the face of the forthcoming election on 6 May and that it would have 'blown the guts out of the own affairs/general affairs system'.⁴⁶ [⁴⁶ *The Star* 5 February]

The leader of the NRP, Mr Bill Sutton, called the delay 'a political manoeuvre which can only bring the standing of the PC into serious disrepute'.⁴⁷ [⁴⁷ *Ibid*]

Youth report

A report by the PC's committee for social affairs on the youth of South Africa, signed on 22 May, was widely condemned for its emphasis on rehabilitation for political offenders. It recommended the establishment of training and rehabilitation centres for 'intimidators' and 'youthful political criminals' in order not only to foster in them meaningful ideals but also to 'protect orderly and peace-loving members of the community from their acts of intimidation and terror'.

The committee's brief had been to advise on 'ways in which the South African youth can be equipped and positively motivated for responsible citizenship and active participation and involvement in community service and national development projects, against the background of the harmful effect of the incidence of social deviations'. The report identified the following 'deviations': divorce; lack of authority and discipline; permissiveness; promiscuity; breakdown of self-image; lack of involvement; homosexuality; juvenile delinquency; alcohol and drug abuse; and suicide.⁴⁸ [⁴⁸ *Report of the Committee for Social Affairs on the Youth of South Africa*, PC2/1987; *Cape Times* 18 June]

The committee also recommended that active steps needed to be taken to establish youth organisations with 'balanced objectives', which would 'aim at promoting positive attitudes and development programmes among young people'.

The report also recommended compulsory military service for Africans.⁴⁹ [⁴⁹ *Sowetan* 18 June]

The PFP refused to sign the report, saying it was 'simplistic' and lacked critical insight in the listing of 'harmful deviations'.⁵⁰ [⁵⁰ *Cape Times* 18 June]

The leader of the House of Delegates and chairman of its ministers' council, Mr Amichand Rajbansi, demanded the immediate resignation of his party's representative on the PC, Mr Rajaram Mohangi, after Mr Mohangi had signed the controversial report.⁵¹ [⁵¹ *Eastern Province Herald* 23 June]

African participation in the President's Council (PC)

The state president requested the constitutional affairs committee of the President's Council (PC) to look into the inclusion of Africans on the council.⁵² [⁵² *The Citizen* 19 February] At the time of writing no report on this question had been published by the council.

Constitutional legislation

The Constitution Second Amendment Bill was tabled in the House of Assembly on 25 September and in the houses of Representatives and Delegates on 28 September. It had a second reading in the House of Delegates and was under consideration by a standing committee when Parliament adjourned on 8 October. It was to be tabled again in 1988.⁵³ [⁵³ Information supplied by Mr James Seife, PFP Research Department, 29

January]

Inter alia, the bill provided for the following:

- joint performance of functions by the three houses and the making by them of joint rules in this connection, with a view to a single, uniform set of rules for all three houses;
- a quorum to be required only when a house passed a resolution; and
- joint debates on certain matters (but separate voting and passing of resolutions by each house).⁵⁴ [⁵⁴ Memorandum on the objects of the Constitution Second Amendment Bill of 1987, IB 121-87 (GA)]

The minister of national education, Mr F W de Klerk, speaking in December as chairman of the ministers' council in the House of Assembly, told of an investigation the government was to launch into possible legislation to distinguish own affairs from general affairs more clearly. The distinction in education and welfare was clear, he said, but this was not the case with health.⁵⁵ [⁵⁵ *Rapport* 6 December]

At its congress at the end of the year in Pretoria the LP adopted a resolution calling on the state president to 'broaden the base of general affairs' to include all population groups rather than extend own affairs. The leader of the LP, the Rev Allan Hendrickse, said that expanding own affairs would have 'disastrous consequences'.⁵⁶ [⁵⁶ *Sunday Times* 6 December]

African political rights

Constitutional policy

Opening the Cape congress of the National Party (NP) in November, the state president and party leader, Mr P W Botha, said that he viewed South Africa as a country of minorities with the African population split by tribal rivalries. 'South Africa is not a country with a black majority and a small minority of white people,' he said.⁵⁷ [⁵⁷ *The Guardian* 10 November]

The next step in South Africa's constitutional development would be the creation of elected authorities with executive powers for Africans outside the non-independent homelands, the minister of national education, Mr FW de Klerk, said at the opening of the annual congress of the Transvaal Municipal Association in October. The millions of Africans in cities, towns and farms had to have their own decision-making machinery, he said.⁵⁸ [⁵⁸ *The Star* 1 October]

'City states'

In his speech in the no-confidence debate in February, Mr Botha revived the idea of independent African city states.⁵⁹ [⁵⁹ *Business Day* 5 February]

The government's 18-page election manifesto said that 'full autonomy, and even independence, for African metropolitan areas will not be refused'. The policy was criticised by the leader of the Progressive Federal Party (PFP), Mr Colin Eglin, as being a modernisation of apartheid. 'If the city states are the best on offer, then God help us,' he said.⁶⁰ [⁶⁰ *The Star* 17 February]

The chairman of the Soweto Civic Association, Dr Nthato Motlana, said that the idea of city states had been previously rejected 'with the contempt it deserves. Every level-headed person knows the answers to the situation in South Africa do not lie in pseudo-independence, but with power at central level'. The mayor of Soweto, Mr Nelson Botile, asked how a township like Soweto could be 'independent' when it had no industries from which to draw its income and was dependent on the central government 'in all aspects of survival'. One of the presidents of the United Democratic Front (UDF), Mrs Albertina Sisulu, said that the UDF was not interested in seeing Soweto being turned into a 'mini independent' homeland.⁶¹ [⁶¹ *Ibid* 18 February] The president of Inkatha and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said that the Zulu people would never accept city states instead of full South African citizenship. He described the new proposals as another form of apartheid which aimed to 'castrate' African political hopes.⁶² [⁶² *The Citizen* 18 May]

National council (NC)

At the opening of Parliament on 31 January 1986, Mr P W Botha had announced that he intended to negotiate with African leaders for the establishment of a national council (NC) to meet under his chairmanship. The council would advise him on matters of common interest to all communities in South Africa, including proposed legislation, prior to the creation of constitutional structures for Africans to be agreed to jointly (see 1986 *Survey* Part 1 p93). The National Council Bill, providing for the setting up of an NC, had been introduced in Parliament in 1986.

The government intended to set up the NC before the all-house elections due by March 1990. Mr Botha said that this was part of the mandate he was planning to get from the white electorate on 6 May. In February he had said, 'I ask for the mandate to enable me to negotiate in a peaceful manner with leaders of other communities and seek solutions for our common problems. But at the same time I ask for an assignment to help create structures whereby the different population groups, who have their own cultures, way of life, traditions and ideals, can be provided with the power to take decisions about their own affairs,' he said.⁶³ [⁶³ *Ibid* 19 February]

In May Mr Botha placed an invitation in various local newspapers in which he said, 'I am now extending my hand of friendship to all South Africans of goodwill. Join me in talks and negotiations. We will find the answers to our questions together.'⁶⁴ [⁶⁴ *Sowetan* 25 May]

Mrs Helen Suzman, the PFP spokeswoman on black affairs, said that the advertisement was a ‘palpably obvious attempt’ to reassure English-speaking voters that the government was still on the track of reform while every action Mr Botha made proved that security was his priority and that ‘reform was on the back burner’.⁶⁵ [⁶⁵ *The Daily News* 25 May]

Mrs Sisulu said that Africans did not understand what the government meant by negotiations, ‘If [Mr Botha] wants to negotiate, he should start by releasing our authentic, jailed leaders. Negotiations will never work without them,’ she said.⁶⁶ [⁶⁶ *Ibid* 15 May]

Dr Ferdie Hartzenberg, constitutional affairs spokesman for the Conservative Party (CP), asked why an advertisement calling for further negotiations was necessary when it had previously been stated that behind-the-scenes negotiations were already under way.⁶⁷ [⁶⁷ *The Star* 24 March]

The president of the Urban Councils Association of South Africa (UCASA), Mr Steve Kgame, said in January that he would like to participate in the NC in his individual capacity but that he had been given no mandate from UCASA at that stage to enter discussions. In 1985 UCASA had demanded the release of a jailed African National Congress (ANC) leader, Mr Nelson Mandela, as a precondition to serving on the council (see 1985 *Survey* p90). UCASA reiterated its demand for the release of political prisoners before participating in the council. However, the chairman of UCASA’s Transvaal region, Mr P DM Nhlapho, expressed his willingness to participate and said that if the demand was not met immediately UCASA would still take part in the NC and would ‘fight from within’.⁶⁸ [⁶⁸ *Business Day* 26 May] The president of the United Municipalities of South Africa (UMSA), Mr Tom Boya (see below), said that UMSA would not serve on the NC despite attempts by Mr Heunis to persuade it to do so.⁶⁹ [⁶⁹ *Ibid* 4 February]

The president of the National African Federated Chamber of Commerce and Industry (NAFCOC), Dr Sam Motsuenyane, said that NAFCOC would not participate in the NC if acknowledged African leaders were still imprisoned and African organisations were banned.⁷⁰ [⁷⁰ *Ibid* 8 July]

The archbishop of Cape Town, the Most Rev Desmond Tutu, said that the NC was not a significant concession as Africans already elected representatives to local bodies but power remained with the government. Many organisations vital to defusing the South African situation were still banned, he added.⁷¹ [⁷¹ *Sowetan* 13 July]

An ANC spokesman described the proposals as ‘cosmetic’. He said that it was another instance of tinkering with the instruments and mechanics of apartheid. The organisation did not feel it was possible to reform apartheid and it had to be dismantled.⁷² [⁷² *The Natal Witness* 13 July]

The president of the Azanian People’s Organisation (AZAPO), Mr Nkosi Molala, said that AZAPO was convinced that ‘genuine change cannot and shall not come from the regime’.⁷³ [⁷³ *The Star* 10 July]

Chief Buthelezi reiterated his standpoint that he would not negotiate in the NC unless Mr Mandela was free to do so. He said that he would not be moved from his position.⁷⁴ [⁷⁴ SAIRR, *Quarterly Countdown* 7, October]

Mr Botha said in August that the government hoped to finalise the National Council Bill during the current session of Parliament. However following the tabling of an amended bill in September, it became clear that this would not be possible. Mr Heunis said that the parliamentary standing committee on constitutional affairs would call on outsiders to submit written representations on the amended bill by 30 October.⁷⁵ [⁷⁵ South African Press Association, 13 August; *Business Day* 25 September]

In terms of the amended bill, the proposed NC would have three main functions. It would:

- plan and prepare a constitution which would allow South African citizens to participate in government;
- give African South Africans an interim voice in the governmental process; and
- further protect the dignity, rights, freedom and sound interrelations of South Africans.

In addition the NC would have a two-year term of office and would meet as and when the state president determined. Its members would include:

- the chief ministers of each non-independent homeland or their cabinet designates;
- nine members elected by African South Africans normally resident in white-designated South Africa;
- the chairman of each ministers' council in Parliament;
- the minister of constitutional development and planning and any other cabinet member appointed by the state president; and
- not more than ten other persons appointed by the state president in consultation with other NC members.⁷⁶ [⁷⁶ National Council Bill [B 109-87 (GA)]]

The government said that it had received 150 memoranda on the bill from various communities and leaders.⁷⁷ [⁷⁷ *Rapport* 29 March 1988] When asked which Africans the government was negotiating with on this and other matters, the minister of finance, Mr Barend du Plessis, said that it would be impossible and foolish to name them. 'Have you forgotten the necklace murders?' he asked.⁷⁸ [⁷⁸ *The Star* 24 March] Mr Heunis said in July that his department had held discussions with between 107 and 190 Africans who

had, in principle, accepted the NC.⁷⁹ [⁷⁹ *Business Day* 10 July]

The constitutional affairs spokesman for the PFP, Professor Nic Olivier, said that it was useless to bring Africans into an NC without first trying to solve the problem of African political representation at national level.⁸⁰ [⁸⁰ *Sowetan* 22 September]

Council of state

The state president said in April that the government was determined to pursue its concept of a council of state to provide African communities with an opportunity to elect leaders for negotiations. The legislative plans for such a council, designed as a negotiating forum with African iguanas, had not been shelved but had been made available for comment and would be continued with after the election.⁸¹ [⁸¹ *The Citizen* 23 April]

In May Mr P W Botha confirmed his commitment to a council of state, which would be preceded by the NC. The council of state would be a type of 'super-cabinet' with executive but not legislative powers. Mr De Klerk had referred to the proposed council in a speech in Switzerland towards the end of 1986 when he spoke of 'own legislative assemblies for urban blacks and executive ministerial councils' of which 'the final outcome [would] be a number of high-level authorities with full decision-making powers'.⁸² [⁸² *The Weekly Mail* 22 May] Mr De Klerk said that the National Party wanted separate power bases for each group, with leaders from the power bases coming together in the proposed council of state to share power over national matters, such as foreign affairs, law and order, defence and the economy.⁸³ [⁸³ *Business Day* 16 April]

Fourth chamber

Despite the fact that no major black grouping has put forward such an idea, the government has repeatedly rejected the notion of a fourth chamber of Parliament for Africans. During the no-confidence debate, Mr Botha said that a joint council of state (see *Council of State* below) 'may be developed in which the leaders and representatives of all political entities may participate in the formulation of policies regarding common interest by way of consensus'.⁸⁴ [⁸⁴ *The Star* 17 February] A fourth chamber was not possible because it 'would have to accommodate six or seven different peoples', Mr Botha said.⁸⁵ [⁸⁵ *The Citizen* 4 February; Hansard (A) 1 col 227, 4 February] When opening Parliament, Mr Botha said, 'When I refer to the protection of minority groups, I also have in mind black minority groups with their own languages, ways of life and traditions.'

In September the minister of constitutional development and planning, Mr Chris Heunis, confirmed that the 1983 constitution was not suitable for the inclusion of Africans in a fourth chamber. The election for the House of Assembly had been held to get a mandate for a new constitution, he said.⁸⁶ [⁸⁶ *The Citizen* 25 September]

Citizenship

In his opening address to Parliament in January 1986 the state president accepted one citizenship for all South Africans.⁸⁷ [⁸⁷ *Hansard* (A) 1 cols 13-14, 25 January 1986] However, it was reported that many Africans who had previously had their identity documents cancelled due to their being made citizens of the 'homelands' were being turned away by the Department of Home Affairs when applying for the new documents because they were either 'aliens' or did not have proof of being South Africans by birth (see chapter on *Urbanisation*).⁸⁸ [⁸⁸ *Sowetan* 18 February]

Freehold rights

The Black Communities Development Act of 1984 granted freehold rights in urban areas in white-designated South Africa to Africans who were South African citizens or, if they were from one of the 'independent' homelands, were legally resident in 'South Africa' (ie excluding the homelands). The first freehold title deeds for Africans since the restoration of freehold rights were handed over to Mr Siegfried Manthata of Soweto (Johannesburg) and Mr David Mkhabela of Katlehong (Germiston) in November (see chapter on *Housing*).⁸⁹ [⁸⁹ *Ibid* 17 November] The vice chairman of the constitutional committee of the Transvaal Provincial Administration, Mr John Mavuso, said that the granting of full property ownership rights to the two African men marked the beginning of a new era in property ownership for Africans.⁹⁰ [⁹⁰ *Ibid*]

African home ownership was, nonetheless, still regulated by racially discriminatory red tape. Prospective buyers had, *inter alia*, to prove legal competence to purchase and had to show their marital status. They also had to provide the names, addresses, nationalities and identity numbers of would-be occupants of the house.⁹¹ [⁹¹ *Business Day* 16 November]

The Second Tier

Provincial administration

The Provincial Government Act of 1986, which abolished the four white provincial councils (see 1986 *Survey* Part 1 p97), provided, among other things, for the subdivision of the provinces.⁹² [⁹² Provincial Government Act, no 96 of 1986] The minister of constitutional development and planning, Mr Chris Heunis, said in November that a government investigation into dividing the provinces was under way and had reached a stage where he had asked the four provincial administrators to co-operate with a committee of inquiry to take the matter further.⁹³ [⁹³ *Business Day* 12 November]

Mr Heunis told the Cape congress of the National Party (NP) in Cape Town in November that he thought the Cape would be divided into three sections because of its size, and that the same applied to the Transvaal. However, neither Natal nor the Orange Free State needed to be changed, he said. The financial implications of the redrawing of the boundaries would have to be considered by the appointed committee, Mr Heunis said.⁹⁴ [⁹⁴ *Diamond Fields Advertiser* 13 November]

The administrator of the Transvaal, Mr Willem Cruywagen, said that the system of making provincial government accountable to parliamentary committees had not worked well and proposed that it be changed. The administrator of the Cape, Mr Eugene Louw, also criticised the system and suggested a democratically elected multiracial provincial council.⁹⁵ [⁹⁵ *The Star* 14 October]

These statements led to speculation that the government believed that the scrapping of the provincial councils had been a mistake, especially as it had created a vacuum at the second-tier level of government. The Department of Constitutional Development and Planning acknowledged that there 'was talk of re-introducing elected representation at second-tier level' but not necessarily in the same form as the old provincial councils. There was discussion in the pipeline, according to a spokesman for the department, concerning the functional aspect of second-tier government but any changes at this level would first depend on first-tier constitutional developments, specifically the inclusion of Africans.⁹⁶ [⁹⁶ Mr Richard Kruger, spokesman for the Department of Constitutional Development and Planning in Pretoria, 2 February 1988]

In terms of a *Government Gazette* published on 2 January the administration of several acts was handed over to the provincial administrators. The acts included the Prevention of Illegal Squatting Act of 1951, sections of the Group Areas Act of 1966, the National Welfare Act of 1978, the Blind Persons' Act of 1968, the Aged Persons' Act of 1967, the Social Pensions Act of 1973 and the Children's Act of 1960.⁹⁷ [⁹⁷ *The Natal Witness* 3 January, Government Gazette no 10565, 2 January]

Joint Executive Authority (JEA) for KwaZulu and Natal

The Joint Executive Authority (JEA) for KwaZulu and Natal Bill which was passed in August 1986 and which provided for joint decision-making on a regional level, was introduced following a request by the KwaZulu Legislative Assembly and the Natal Provincial Council that statutory status be given to their informal co-operative structures (see 1986 *Survey* Part 1 pp99–104).

The JEA consisted of an equal number of representatives from Natal and KwaZulu, most of whom were members of the KwaZulu cabinet or the Natal Provincial Executive. Although the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, and the administrator of Natal, Mr Radclyffe Cadman, were not members of the JEA, they could take part in decision-making and arbitration in the case of a dispute arising.⁹⁸ [⁹⁸ *Informa* January/February 1988]

The functions of the JEA are as follows:

- the implementation of legislation assigned to it by the administrator or by a cabinet minister of KwaZulu;
- the making of recommendations to the administrator or the chief minister on matters such as the amendment of any laws, including those which had not been assigned to the JEA;
- to act in a co-ordinating capacity between the Natal Provincial Administration and the KwaZulu administration; and
- to collaborate with persons in either the public or private sector in respect of the performing of any act the JEA is competent to perform.⁹⁹ [⁹⁹ Ibid]

At the official opening of the JEA in November the state president, Mr P W Botha, described the authority as ‘an experiment that can succeed’. The JEA enjoyed the full support of the government, he said.¹⁰⁰ [¹⁰⁰ *The Star* 4 November] In his speech at the opening, Chief Buthelezi praised Mr Botha as a statesman and a ‘God-fearing man’. ‘It is under your guiding hand’, he told the state president, ‘that there are now some prospects of a peaceful solution to South Africa’s problems.’¹⁰¹ [¹⁰¹ *Business Day* 4 November]

KwaZulu agreed to participate on the JEA even though it was critical of the body because it had no legislative authority, was racially biased and was unrepresentative of the whole province. However, Chief Buthelezi said that KwaZulu would not participate in the JEA if it meant the imposition of regional services councils (RSCs) on the people of KwaZulu. ‘I would lose all utility to the land of my birth if I attempted to force black people in KwaZulu/Natal to accept RSCs,’ he said (see *Regional services councils* below).¹⁰² [¹⁰² *Financial Mail* 30 October]

Negative comments about the KwaZulu Natal indaba by Mr Heunis led to a threat by Chief Buthelezi to withdraw from the indaba and the JEA, and to withdraw his earlier offer to participate in the proposed NC (see *KwaZulu Natal indaba* below). Chief Buthelezi said that he was deeply shocked by Mr Heunis’s comments, which, he said, could only have been made by a man who had been ‘politically castrated’ by his own colleagues. The statement by Mr Heunis made it clear, Chief Buthelezi said, that the government was not prepared to scrap the Group Areas and Population Registration acts.¹⁰³ [¹⁰³ *The Citizen* 7 December]

Chief Buthelezi told Inkatha’s central committee in December that it would be suicide for Inkatha to begin negotiations with the government while it refused to deal with ‘the reality of a black majority’. If the government continued to blunder on major issues like the indaba, he felt the credibility of the national council would be lost. ‘How can I negotiate with cabinet ministers,’ he asked, ‘when they sweep everything off the negotiating table whenever the right sneezes?’¹⁰⁴ [¹⁰⁴ Ibid]

Proposals for other joint executive authorities

Mr Heunis said at the Cape NP congress that the government accepted the principle of co-operation between different regions as the example of the KwaZulu Natal JEA had shown.¹⁰⁵ [¹⁰⁵ *The Star* 12 November]

Mr Cruywagen announced in November that the Transvaal Provincial Administration was investigating the establishment of a JEA.¹⁰⁶ [¹⁰⁶ *The Citizen* 6 November] The possibility of JEAs in the Transvaal and the Orange Free State (OFS) had been discussed but they would be the result of a negotiated agreement between the provincial administrations and the non-independent homelands concerned and would not 'slavishly' follow the pattern of the KwaZulu Natal proposals, Mr Cruywagen said.¹⁰⁷ [¹⁰⁷ *Ibid*]

Mr Cruywagen said that in the Transvaal the provincial administration would negotiate separately with the non-independent homelands of Gazankulu, KaNgwane, KwaNdebele and Lebowa. The administration of the OFS could be linked with the non-independent homeland QwaQwa to administer the eastern area of the OFS. Each proposal would have to be approved by the South African government.¹⁰⁸ [¹⁰⁸ *Ibid*]

The leader of the Conservative Party (CP), Dr Andries Treurnicht, said that his party would fight the proposals 'in every possible manner', especially in relation to an alleged statement made by Mr Cruywagen that blacks and whites would rule the Transvaal jointly under a single executive. Mr Cruywagen denied having made the statement.¹⁰⁹ [¹⁰⁹ *Ibid*]

The KwaZulu Natal indaba

Mr Heunis said in February that the proposals of the KwaZulu Natal indaba, which had been formally presented to him on 13 January, did not make provision for effective power-sharing and did not offer sufficient guarantees to groups against domination. He said that while the indaba represented an important exercise in the development of consensus, the government would not accept any model in which it did not take an active part.¹¹⁰ [¹¹⁰ *Business Day* 4 February] Mr Heunis rejected the indaba's request for a referendum in Natal on its proposals, claiming that an assessment would first have to be made of whether signatories to the proposals had mandates.¹¹¹ [¹¹¹ *The Citizen* 6 February]

Chief Buthelezi described the government's reaction as evidence that the NP regarded its own party political position as more important than that of South Africa.¹¹² [¹¹² *The Star* 5 February]

In a statement in August, the KwaZulu Natal indaba pointed out that a proposal to establish a joint executive authority (JEA) had been presented to Mr Heunis by the KwaZulu administration and the Natal Provincial Council in March 1986. At the same time Mr Heunis had been advised by the two

parties of their intention to convene the indaba, a JEA being seen as only an interim step towards the creation of a single provincial government for the whole region. The secretary general of Inkatha, Dr Oscar Dhlomo, said that KwaZulu expected progress towards implementing the KwaZulu Natal indaba, failing which its representatives would withdraw from an 'irrelevant' JEA.¹¹³ [¹¹³ Ibid 7 August; *Financial Mail* 20 August; Kwazulu Natal indaba press statement 17 August]

The Natal leader of the PFP, Mr Ray Swart, said that in spite of years of talking about reform and consultation, or trying to set up cabinet committees and consultative bodies, the government had yet to succeed in assembling any representative gathering for negotiation.¹¹⁴ [¹¹⁴ *The Citizen* 6 February] Mr Swart said that the establishment of the JEA would be welcomed providing it was a forerunner to a joint legislative authority for KwaZulu and Natal as had been proposed by the indaba.¹¹⁵ [¹¹⁵ Ibid 8 August]

Dr Denis Worrall, former South African ambassador to Britain and a member of the Independent Movement, said that the indaba had presented a great chance to the government to combat international sanctions and disinvestment but that the chance had been 'finally and irrevocably torpedoed' by Mr Heunis.¹¹⁶ [¹¹⁶ Ibid 20 March]

In a survey of 3 500 adults of all races in rural and urban areas in the KwaZulu region in March, Markinor found that 43% of the respondents had heard of the indaba. Of these 76% (83% of Africans, 68% of whites and 55% of coloured and Indian people), agreed that the proposals should be supported by people of all races in the area. A survey of white voters published by Mark en Meningsopnames a year later showed that 81% across all four provinces had heard of the indaba. Of those who had heard of it, 52% supported it and 15% opposed it, while the balance were neutral or did not specify their attitudes. At the time of going to press the indaba was planning an updated study of black opinion on the indaba.¹¹⁷ [¹¹⁷ Information supplied by the KwaZulu Natal indaba]

Other proposals

A plan for 'home rule', was introduced for the Border area at a press conference called by the Greater East London Co-ordinating Committee (GELCC) in March 1987. The proposal called for the appointment of a cabinet minister with specific responsibility for the Border area. Such a functionary would have the necessary seniority to talk directly to the administrations of the Ciskei and Transkei to draw them into discussions based on the KwaZulu Natal indaba. The GELCC is comprised of representatives of the business community, as well as local heads of government departments.¹¹⁸ [¹¹⁸ *The Weekly Mail* 20 March]

The proposal, which was to be put to Mr Heunis for consideration was motivated by the need for direct contact with the Ciskei and the Transkei. A New Republic Party (NRP) candidate who contested the Queenstown seat for the white election, Mr Robert Edimann, expressed reservations about the proposal on the grounds that it was not democratic. The idea of appointing cabinet ministers might work administratively, he said, 'but we are getting into a situation with our provincial executives who are

totally nominated by the government. We are going right away from the democratic principle of elected leaders'.¹¹⁹ [¹¹⁹ Ibid]

The Third Tier

The deputy minister of education, Mr Sam de Beer, said in May that the government had accepted the 'principle of maximum devolution of power and decentralisation of administration at local government level'. Participatory democracy had been effected through local government in that residents were involved in the administration and governing of their affairs at local level, Mr De Beer said.¹²⁰ [¹²⁰ *The Citizen* 16 May]

Regional services councils (RSCs)

During the period under review the government remained committed to the establishment of regional services councils (RSCs) to bring together representatives, including Africans, of racially exclusive local authorities in certain defined areas across the country. According to the Department of Constitutional Development and Planning, the RSC system rested on three pillars:

- rationalisation of services at the third tier of government;
- political participation by black local government; and
- mechanisms to collect and distribute levies.¹²¹ [¹²¹ *Financial Mail* 13 March]

The RSCs were intended to include representatives of all local government bodies, to collect funds and to improve infrastructure in less affluent areas. The RSCs could take care of all 22 services listed in Schedule 2 of the enabling act (the Regional Services Councils Act of 1985), but were not legally obliged to do so. These services included major services such as lights, water, sewage and transport, as well as museums, libraries, abattoirs, airports, health services, tourism, and the establishment and maintenance of infrastructure.¹²² [¹²² *Hansard* (A) no 6 col 2115, 22 June]

Legislation

The Regional Services Councils Amendment Bill, tabled on 24 June, was designed to amend the Regional Services Councils Act by providing, among other things, for:¹²³ [¹²³ Regional Services Councils Amendment Bill [B91-87 (GA)], *The Citizen* 16 May]

- the provincial administrator to perform certain acts if a local body refused or failed to do so;

- an administrator, in certain instances, to exercise his powers without
- the concurrence of the ministers concerned;
- the further regulation of the powers and duties of RSCs;
- the regulation of the constitution of RSCs;
- the regulation of RSCs' powers to delegate;
- the further regulation of the financing of RSCs;
- the establishment of rural councils; and
- the deletion of the requirement that employees of RSCs take an oath of secrecy.¹²⁴ [¹²⁴ *Financial Mail* 13 March]

The bill was opposed by the House of Representatives and the House of Delegates as undesirable and was dropped from the House of Assembly order paper in October.¹²⁵ [¹²⁵ *Ibid*] A new Regional Services Councils Amendment Bill was tabled in February 1988.

Introduction of RSCs

The first RSCs were formally instituted in June in Algoa, the east Rand, central Witwatersrand, Pretoria and the west Rand.¹²⁶ [¹²⁶ Hansard (A) no 6 col 2115, 22 June] At the end of 1987, there were three RSCs in the Cape, one in the Orange Free State and 12 in the Transvaal. The names of the RSCs were as follows: Bushveld, Central Witwatersrand, East Rand, Eastvaal, Highveld, Lowveld Escarpment, Northern Transvaal, Pretoria, Rustenburg-Marico, Vaal Triangle, West Rand and Westvaal (Transvaal); Algoa, Walvis Bay Enclave and Western Cape (Cape); and Bloemfontein Area (OFS).

It was envisaged that the entire country would be divided into RSCs although the exact number to be established was not known. The proposal was that the Transvaal would have 12, the Cape 14 and the Orange Free State 10.¹²⁷ [¹²⁷ Regional Services Councils Amendment Bill [B91-87 (GA)]]

No RSCs were established in Natal during 1987, and, according to a statement in January 1987 by the administrator of Natal, Mr Radclyffe Cadman, there were 'circumstances peculiar to the province' which prevented this. Mr Cadman said that the Regional Services Councils Act applied only to areas and local authorities under the jurisdiction of the Natal Provincial Administration. He explained that specific

provision was made in the act for areas falling under the authority of homelands, in this case KwaZulu, to be included in the RSCs only with the agreement of the administration of the homeland concerned.¹²⁸ [128 *The Citizen* 8 October; *Hansard* (A) 16 col 6903, 7 October]

The minister of education and culture in KwaZulu, Dr Oscar Dhlomo, said, 'We are not going to allow our area to be part of RSCs. We are demanding nothing short of a total renegotiation of the issue with central government.'¹²⁹ [129 *Eastern Province Herald* 5 June, *The Citizen* 11 June, *Business Day* 16 June] In August the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, criticised supporters of RSCs as a 'fifth column in the black body politic'. He said that RSCs were legislated by a white Parliament which totally excluded Africans and were being applied by the politics of prescription. He appealed for African unity on the RSC question and repeated his call for a moratorium on the introduction of RSCs.¹³⁰ [130 *Financial Mail* 13 March]

As a result of the establishment of RSCs a number of bodies were abolished, including the 13 development boards, the Transvaal Board of Peri-urban Areas and the 38 divisional councils in the Cape.¹³¹ [131 *The Natal Mercury* 9 January]

The administrator of the Cape, Mr Eugene Louw, said at the official opening of the Western Cape RSC in July that four or five new RSCs would be established along the southern and eastern Cape coast in 1988.¹³² [132 *Financial Mail* 6 March]

The Rustenburg-Marico RSC had its first formal sitting in October and its chairman, Mr P A Malan, said that one of its most important tasks was to improve the living standards of the people in the area.¹³³ [133 *Business Day* 3 August]

The deputy chairman of the West Rand RSC and mayor of Mohlakeng (Randfontein), Mr Alfred Tekwane, said in November that RSCs showed that 'we can all work together as multinationals in a spirit of democracy, fraternity and brotherhood'.¹³⁴ [134 *Informa* vol 34 no 5, November]

At the opening of the Lowveld Escarpment RSC in February 1988 the chairman of the council, Mr Schalk van Schalkwyk, said that although funds available to the council were not sufficient to change the face of the region, it had the means to provide minimal affordable standards to all communities within the next five to ten years.¹³⁵ [135 *Cape Times* 30 July]

Opening the conference of the United Municipal Executive (UME) in Cape Town in March, the minister of constitutional development and planning, Mr Chris Heunis, said that RSCs would bring about political power-sharing in matters of common interest at local government level. It was significant that agreement had been reached on mechanisms to protect minority groups and prevent domination within the RSCs, he said.¹³⁶ [136 *The Star* 30 October]

Mr Heunis said in November that RSCs would not only provide more efficient and cost-effective services in their regions, but would also educate people in the processes of government. At present there were communities which had not been educated in the ability to govern.¹³⁷ [¹³⁷ *The Citizen* 18 November] In terms of the Regional Services Councils Amendment Bill new rural councils would give representation on RSCs to people outside the Jurisdiction of local authorities and promote their welfare.¹³⁸ [¹³⁸ *The Star* 15 February 1988]

The mayor of Cape Town, Mr Leon Markovitz, said that Cape Town was not opposed in principle to the joint provision of services, but that further discussions were necessary first.¹³⁹ [¹³⁹ *The Citizen* 11 March] The Chamber of Commerce of the Western Cape said that the effect of the demarcation of the Cape Metropole section of the Western Cape RSC was to restrict the voting power of the Cape Town City Council.¹⁴⁰ [¹⁴⁰ *Ibid* 12 November]

The Cape Town City Council said that the RSCs perpetuated apartheid, were flawed, and added another costly level of bureaucracy for taxpayers to carry. In March it refused to allow the municipality to be used as an agency for collecting the two RSC levies.¹⁴¹ [¹⁴¹ *Business Day* 26 June] In May, however, the council voted in favour of serving on the Cape Metropole section of the RSC.¹⁴² [¹⁴² *The Citizen* 13 March]

Several local organisations called in July for the scrapping of RSCs. They were the civic associations of Mamelodi (Pretoria), Soweto (Johannesburg), Tembisa (east Rand) and the Vaal, and the Federation of Residents' Associations in Lenasia. They said that the domination of white members on RSCs would ensure that regional government would continue to serve the interests of whites.¹⁴³ [¹⁴³ *Chamber of Commerce of the Western Cape weekly bulletin* 4 March]

Also in July, the United Democratic Front (UDF) claimed that RSCs were an attempt to entrench segregated local government structures by 'hoodwinking' the public into believing the new system represented a broadening of democracy.¹⁴⁴ [¹⁴⁴ *Business Day* 26 June]

The National African Federated Chamber of Commerce and Industry (NAFCOC) rejected RSCs at its 23rd annual conference in July.¹⁴⁵ [¹⁴⁵ *Cape Times* 27 May]

Regional levies

The levies for the RSCs amounted to 0,1% of a business's turnover and 0,25% of its payroll and were deductible against taxable income. These levies were laid down in a *Government Gazette* published on 17 February 1987.¹⁴⁶ [¹⁴⁶ *Sowetan* 14 July] A notice appearing in a *Government Gazette* on 27 March stipulated that those responsible for paying levies had to register with the relevant RSC. The levies were collected from enterprises from 1 July.¹⁴⁷ [¹⁴⁷ *The Star* 3 July]

Companies trading at a loss, or in tax-loss situations, had still to pay the levies. *Informa*, a publication of the Department of Development Planning, claimed that 'enterprises sustaining losses have no reason for concern about this stipulation as they will benefit from the infrastructure which will be created and financed by the levies' and that RSCs would have 'an incredibly stimulating effect on the economy'.¹⁴⁸ [148 *Business Day* 10 July]

Preliminary estimates indicated about R800m would be collected from turnover and payroll levies to finance the RSCs in the first year of operation. The chief executive (policy) of the Department of Finance, Mr Gerhard Croeser, said that although the assessment had been made two years previously he believed the figure to be roughly accurate. The member of the executive committee (MEC) in charge of local government in the Transvaal, Mr John Griffiths, said that the rate of taxation was modest and might have to be doubled in the second year of operation, once the needs of various councils had been determined.¹⁴⁹ [149 *The Star* 12 March]

The state president, Mr P W Botha, said in May that RSCs should give priority to backward and underdeveloped areas in their allocation of funds.¹⁵⁰ [150 *Informa* vol 34 no 5, November]

Although there was speculation that RSCs might replace municipalities to alleviate duplication of services and expenditure, *Informa* said that 'the impression should not arise that the councils will be substitutes for local authorities' and should be seen rather as 'horizontal extensions of local authorities'.¹⁵¹ [151 *Ibid*]

In its review of the first quarter of 1987, the Association of Chambers of Commerce of South Africa (ASSOCOM) maintained that the levies would inevitably be inflationary.¹⁵² [152 *Business Day* 5 February] The Federated Hotel, Liquor and Catering Association of Southern Africa (FEDHASA) said that RSC levies were 'another manoeuvre which adds further to the tax burdens of business and consumers while bringing few, if any, perceivable benefits'.¹⁵³ [153 *The Citizen* 19 May] The president of the Southern Transvaal African Chamber of Commerce and Industry (SOUTACOC), Mr William McBain-Charles, said that, in light of the RSC levy on salaries, African business would be penalised for employing people in a time of growing unemployment.¹⁵⁴ [154 *Informa* vol 34 no 5, November]

Projects of RSCs

In August the Pretoria RSC (Transvaal) announced that urgent projects worth more than R20m were to be undertaken to improve living conditions in the area of the council's jurisdiction. The projects included a hospital for all races at Bronkhorstspuit, provision for electricity in underdeveloped townships, water provision schemes, and the improvement of access roads to several townships.¹⁵⁵ [155 *The Star* 8 April]

The RSC said in October that it was to spend more than R70m in the 1988/89 financial year including: R 14,8m in Pretoria, more than R20m in Mamelodi, R18m in Atteridgeville, R7,9m in Verwoerdburg, and R6,4m in Akasia.¹⁵⁶ [¹⁵⁶ *The Citizen* 1 May]

The Central Witwatersrand RSC (Transvaal) elected its first multiracial executive committee in August.¹⁵⁷ [¹⁵⁷ *The Star* 8 May] Its chairman, Mr Gerrit Bornman, said that R66m would be used to improve essential services in Alexandra, Diepmeadow, Dobsonville and Soweto (all near Johannesburg). He added that about R364m was needed over the next five years to upgrade township services. The first phase of the project would cost R74m.¹⁵⁸ [¹⁵⁸ *The Citizen* 4 September] In October the RSC set aside R50 000 to appoint consultants to identify areas for potential park development in areas within the region, such as Soweto, Dobsonville and Diepmeadow.¹⁵⁹ [¹⁵⁹ *The Star* 16 October] The RSC allocated R1,5m in November to replace water mains in Soweto but turned down a request for R2m to upgrade the township's civic centre buildings and a request for almost R1m to build a library. The RSC also allocated R1,6m to the Dobsonville Town Council for the establishment of a new bulk satellite substation for the township.¹⁶⁰ [¹⁶⁰ *The Citizen* 19 August]

The East Rand RSC (Transvaal) said in November that ten townships in the region were to be upgraded at a cost of R36m.¹⁶¹ [¹⁶¹ *Sowetan* 19 August] The council's chairman, Mr Leon Ferreira, described the determination of priorities for the upgrading of services in areas under the council's jurisdiction as one of the most important and sensitive issues the council handled. He said that the real needs of people and communities in dire straits cut across all barriers.¹⁶² [¹⁶² *Business Day* 22 October]

The West Rand RSC (Transvaal) allocated more than R10m towards the upgrading and improvement of townships in the area by way of interest-free loans.¹⁶³ [¹⁶³ *The Citizen* 18 November]

At a meeting in October the Algoa RSC (eastern Cape) allocated between R4m and R6m to provide water to KwaNobuhle township (Uitenhage), and R1,3m to improve services in the African township of Rini (Grahamstown).¹⁶⁴ [¹⁶⁴ *The Star* 12 November]

Voting on RSCs

In June the following weighted voting powers were granted to the various local authorities represented on the Central Witwatersrand RSC:¹⁶⁵ [¹⁶⁵ *Ibid* 10 November]

Share of weighted voting, Central Witwatersrand RSC, June

Local authorities

Proportion

Alexandra

0,60%

Davidsonville and Fleurhof

0,21%

Diepmeadow

5,30%

Dobsonville

1,14%

Eldorado Park

2,18%

Ennerdale

0,81%

Johannesburg

48,50%

Lenasia

1,58%

Lenasia Southeast

0,89%

Malboro Gardens

0,04%

Randburg

8,26%

Roodepoort

13,04%

Sandton

4,38%

Soweto

12,06%

Voting power was allocated in terms of the amount of bulk services (water, electricity, and sewage disposal and treatment) bought from the RSC by the participating local authority. The mayor of Soweto, Mr Nelson Botile, said that his council was not happy with its allocation. 'We were never consulted by the authorities when the voting power for individual local authorities was determined,' he said. A Johannesburg PFP city councillor, Mr Tony Leon, claimed that 'this determination of voting strengths is an unobvious form of racism, penalising population numbers and rewarding consumption'. He added that the envisaged redistribution of services to underdeveloped areas would be negated by the 'massive degree of state control' built into the Regional Services Co

The 1988 municipal elections

The minister of constitutional development and planning, Mr Chris Heunis, said in March that municipal elections for all population groups could be held on the same day throughout the country in 1988. One of the main reasons for this proposal was that all local authorities would then have a uniform five-year term of office. Mr Heunis said that 1 763 Africans, 1 321 coloured people, 370 Indians and 3 651 whites were currently holding office in 1 130 urban local government bodies, reflecting the expansion of democratic government at the local level since 'colonialism and imperialism had disappeared from South Africa'.¹⁶⁷ [167 *Eastern Province Herald* 31 October] The co-ordinating council for local government affairs had originally recommended 19 October 1988 as the date for the elections.¹⁶⁸ [168 *The Citizen* 17 June] However, black leaders were angry at the choice of this date as it coincided with the 11th anniversary of government action against the anti-apartheid movement that saw two newspapers and 18 organisations banned and an editor and several political leaders detained in the wake of the disturbances in Soweto and other black townships in 1976 and 1977.

Mr Heunis decided in November that the election date for all groups would be set between 26 and 29 October 1988.¹⁶⁹ [¹⁶⁹ Ibid, *Sowetan* 25 June] The different race groups would vote on different days: whites and Indians on 26 October, coloured people on 28 October and Africans on 28 and 29 October. However, the council for the co-ordination of local government affairs recommended at the end of November that all the voting be done on the same day. Mr Heunis said that this recommendation would be referred to the government.¹⁷⁰ [¹⁷⁰ *The Citizen* 20 March] Subsequently, 26 October was fixed as the date for all races.

Commenting on the 1988 elections, the Transvaal leader of the National Party (NP), Mr F W de Klerk, said that the elections would be equivalent to a general election at local level.¹⁷¹ [¹⁷¹ *Business Day* 27 March] In December the administrator of the Transvaal, Mr Willem Cruywagen, told African councillors from the west Rand that the municipal elections were vitally important to the success of African local government. ‘You are the standard bearers of democracy in the battle against the forces of revolution and anarchy,’ he declared. Mr Cruywagen described the transformation of African councils from the advisory bodies of the 1970s into local authorities as the ‘most important constitutional event in the history of this country’.¹⁷² [¹⁷² *Cape Times* 19 November]

Residents in Actonville (Benoni) refused to register as voters for the municipal elections, Mr S A Mohamedi, a member of the township management committee, reported in November. The residents were protesting over inadequate steps to alleviate the housing shortage. ‘We are fighting a losing battle in Actonville by trying to convince residents that they should register,’ Mr Mohamedi said.¹⁷³ [¹⁷³ *The Citizen* 24, 28 November]

There was speculation that the United Democratic Front (UDF) would participate in the local elections. However, a UDF spokesman, Mr Azhar Cachalia, said that although the election was a first in allowing municipal voters of all races to go to the polls at the same time, indications were that there would be little support and possibly another UDF-organised poll boycott in protest against the government’s ‘co-optive’ structures (see chapter on *Political Organisations*).¹⁷⁴ [¹⁷⁴ *Business Day* 18 November]

Party-political factors in the 1988 municipal elections

The municipal elections for 1988 could be fought by as many as 20 000 candidates in about 1 130 racially segregated local authorities. The National Party (NP) and the Conservative Party (CP) stated their intention to fight the white constituencies on a party-political basis. The leader of the Progressive Federal Party (PFP) in the Johannesburg City Council, Mr Sam Moss, said that the party should not fight local politics under a party-political banner. A committee under Mr Tony Leon, a Johannesburg city councillor for the PFP, had, however, decided to consider such a strategy.¹⁷⁵ [¹⁷⁵ *The Citizen* 9 December] The party finally made a decision to fight the election on a party-political platform.¹⁷⁶ [¹⁷⁶ *The Star* 26 November] Mr Leon subsequently replaced Mr Moss as the PFP leader in the council, Mr Moss leaving the caucus.

At the annual conference of the Transvaal Municipal Association in September its president, Mr Stefanus Ferreira, expressed concern over the politicisation of the elections. He warned delegates to be very cautious when bringing politics into municipal affairs. Care was needed in such sensitive times concerning co-operation between the different groups of the country on a local level, he said. Mr Ferreira pointed out that the regional services councils (RSCs) were elected by local government and that party-political local government would affect the representation of members on these councils. This meant that RSCs would function according to the policies of the local authorities. Mr Ferreira said that in small towns there were not enough leaders, and administrative structures were too fragile to handle party-political divisions, which would hamper the development of communities.¹⁷⁷ [¹⁷⁷ *Business Day* 18 November]

A Kimberley NP city councillor, Mr Johann van der Walt, researched the concept of the politicisation of local government and proposed a number of reasons for the resistance of the general public and most executive functionaries to party politics at municipal level. These were that:

- party politics increased community conflict;
- it created unnecessary polarisation among those involved;
- candidates were chosen on the basis of party affiliation and not on capability;
- candidates gave priority to party loyalty over community loyalty;
- matters were not considered on merit, but agreed on under party pressure;
- councillors' freedom of action and input became handicapped by party prescription;
- important community issues were banned due to party conflicts; and
- an unnecessary politicisation of own affairs took place.¹⁷⁸ [¹⁷⁸ *Sunday Tribune* 13 September]

Mr Van der Walt said that supporters of party politics at local government level argued that:

- the participation of the community in municipal matters was increased appreciably through party politics;
- councillors' responsibilities to the public were enlarged;
- greater political discipline was exercised through the party-political caucus system;

- the execution of national policy at local level was ensured if the same party was in power locally;
- should another party be in control, bottlenecks and political differences would be more clearly defined;
- greater political control would be an outcome of party-political restrictions and maladministration would be noticed sooner;
- party politics exercised pressure on higher government and better and quicker results were achieved, thus better serving the interests of the pressure on higher government and better and quicker results were achieved, thus better serving the interests of the community; and
- better and more efficient voter control of municipal administration came into play.¹⁷⁹ [¹⁷⁹ *The Star* 25 August]

Non-government initiatives

The Pietermaritzburg City Council continued its efforts to establish a nonracial metropolitan council for the greater city area. The mayor of Pietermaritzburg, Mr Mark Cornell, said that the proposed council would act more in a consultative than in a legislative capacity, and would offer guidance in areas of mutual concern.¹⁸⁰ [¹⁸⁰ *The Citizen* 1 October]

The city council decided in March to allow members of the coloured and Indian local affairs committees to vote at city council and committee meetings. They would be permitted to vote on a consensus basis only.¹⁸¹ [¹⁸¹ *Diamond Fields Advertiser* 8 September]

A member of the provincial executive committee for Natal, Mr Peter Miller, said in July that Pietermaritzburg's plan for a nonracial city council had little chance of success. While the committee had found the council's plans interesting it would take years and a vast amount of persuasion of the government for them to be implemented. He said that expectations were being created which could not realistically be fulfilled.¹⁸² [¹⁸² *Ibid*]

The Stellenbosch Town Council, at a secret meeting in February, turned down a proposal by the Stellenbosch Junior Rapportryers to form a multiracial junior town council. The chairman of the Rapportryers, Mr Leon Geustyn, said that the town council had been in favour of a junior town council until it became clear that two schools for coloured pupils would be involved. Mr Geustyn said that there was 'absolutely no way' the organisation would consider going ahead on a whites-only basis.¹⁸³ [¹⁸³ *Financial Mail* 13 March]

Political developments in coloured, Indian and white local government

Byelections

The emigration of Mr Mike Sutherland to Australia caused the Progressive Federal Party (PFP) to lose its one-seat majority in the Johannesburg City Council. The PFP had held a majority briefly after Mr Pat Rogers had won a byelection in the Parks constituency. Mr Sutherland's departure meant that the PFP and National Party (NP)Independent Ratepayers' Association coalition each held 23 seats.¹⁸⁴ [¹⁸⁴ *The Star* 31 March]

The PFP demanded that the date of the byelection to fill Mr Sutherland's seat be changed from 15 July since of the total voters' roll of 5 156, at least 20% were students who would be away on vacation during that month.¹⁸⁵ [¹⁸⁵ *The Natal Witness* 2 July] The date was changed to 19 August.¹⁸⁶ [¹⁸⁶ *Business Day* 2 March]

Mr Hein Kruger, the NP's candidate, won the byelection with a 64-vote majority in a 19% poll. The PFP's candidate, Mr Gary Cooney, said that the result showed that voters were 'hell bent on stampeding back into the laager'. The result meant that the NP/Independent Ratepayers' Association coalition retained control of the city council, with 24 votes against the PFP's 23.¹⁸⁷ [¹⁸⁷ *Ibid* 2 June]

The PFP's hopes of regaining control of the council received a further setback when Mr Geoff Stark, PFP councillor for Orange Grove, resigned from the party in the face of expulsion following his voting against the rest of the party in an amendment to the council's budget. Mr Stark said that he would continue to sit as an independent on the council.¹⁸⁸ [¹⁸⁸ *Ibid* 8 June]

A three-way byelection was held for the Randburg City Council seat of Blairgowrie after Mrs Pat van Rensburg (PFP) resigned. This was the first three-way confrontation between the NP, the PFP and an independent. The PFP candidate, Dr Humphrey Farrer, won the election, the NP coming Second and the independent candidate last.

Delimitations of wards

A delimitation commission proposed in November that the number of wards in Johannesburg be increased from 47 to 51 in preparation for the municipal elections in 1988. Three extra seats would be added to the south and one to the north. The report of the commission still awaited the approval of the administrator for the Transvaal, Mr Willem Cruywagen, at the end of the period under review. The total number of registered white voters in Johannesburg was 250 000 and the average ward contained 4 897 voters. Mr Gary Cooney, the PFP's regional director, felt that the proposed changes were 'blatant gerrymandering' to ensure safe NP seats. The Conservative Party welcomed the changes.¹⁸⁹ [¹⁸⁹ *The Citizen* 10 July]

Only three of the existing wards would survive the delimitation unchanged; Fairlands, Linden and

Hillbrow. A giant new ward, called Newtown, would stretch from Mayfair to the border of Doornfontein and would include most of the PFP-held Von Brandis ward. The Bellevue ward, held by the PFP, would disappear completely as it would be parcelled off into three surrounding wards.¹⁹⁰ [¹⁹⁰ *Business Day* 20 August]

Cape

The Department of Constitutional Development and Planning announced in Parliament in February that it planned to establish six more coloured management committees in the Cape Peninsula area at Mitchell's Plain, Retreat, Salt River, Schotsche Kloof, Walmer Estate and Woodstock.¹⁹¹ [¹⁹¹ *The Citizen* 23 June]

A spokesman for the Cape Housing Action Committee, which represented 22 civic groups in the Cape Peninsula, said that the coloured community had overwhelmingly rejected management committees which, it said, were 'undemocratically constituted along racist lines'.¹⁹² [¹⁹² *Ibid* 20 November]

Eleven areas which fell under the abolished divisional councils were asked whether they wanted to be incorporated into the Cape Town City Council municipality. The areas were Colorado, Constantia, Grassy Park, Hout Bay, Llandudno, Lotus River, Mandalay, Ottery East, Pelican Park, Philippi, Tokai, Wetton and Zeekoeivlei. Other rural or mountain areas adjacent to these regions could also be included, said the town clerk of Cape Town, Mr Stan Evans.¹⁹³ [¹⁹³ *Ibid*]

Natal

A confidential government blueprint for nominated mayors and the abolition of the office of town clerk nationwide was condemned in Natal as an NP ploy to enforce control. A number of town councillors and a Natal Midlands town clerk condemned the proposals for their secrecy as well as for the fact that they were issued only in Afrikaans. The proposals, which came as a surprise to most councillors in the form of a report in *The Natal Witness*, were drawn up by the Department of Constitutional Development and Planning and included the replacement of mayors with appointed officials and the replacement of town clerks with a 'mini-cabinet'.¹⁹⁴ [¹⁹⁴ *Hansard* (A) 2 q cols 43-44, 10 February]

A Pietermaritzburg city councillor, Ms Pam Reid, criticised the proposals as 'a clear attempt by Pretoria to enforce their control on local government'. The chairman of the Indian local affairs committee, Mr Kanthilall Premrajh, was 'distressed' that he had not heard of the proposals before their publication in the newspaper. 'Obviously I can't comment on what I have not seen, but this smacks of baasskap. As was the case with the RSCs we will be presented with a fait accompli,' Mr Premrajh said.¹⁹⁵ [¹⁹⁵ *Cape Times* 17 February]

Transvaal

The minister of housing, local government and agriculture in the House of Delegates, Mr Baldeo Dookie, said in February that the Transvaal provincial executive and the Johannesburg City Council would recommend to the Lenasia Management Committee that Lenasia South and Extensions 8,9, 10 and a portion of 11 be incorporated into the city of Johannesburg on condition that acceptable financial arrangements could be made.¹⁹⁶ [¹⁹⁶ Ibid 27 May]

African local government

During the period under review various political groupings continued to oppose African local authorities. Councillors continued to be put under pressure to resign and some were forced to move out of the townships. Civic associations, the United Democratic Front (UDF) and the Azanian People's Organisation (AZAPO) promised to continue their struggle against racially segregated structures.¹⁹⁷ [¹⁹⁷ *The Natal Witness* 16 July]

Legislation

The Promotion of Local Government Affairs Amendment Bill, which sought to amend the Promotion of Local Government Affairs Act of 1983, was tabled in 1987 but not passed. The bill was an attempt by the government to recover unpaid rents and service charges in the townships by placing the onus on employers to settle residents' outstanding debts by deducting from wages and salaries amounts owed by their employees. Any employer failing to comply with an order to recover the outstanding amounts would be guilty of an offence and liable to a fine not exceeding R2 000 or 12 months in prison or both. Although applying to all race groups, the bill was aimed primarily at Africans who had been involved in rent boycotts (see chapter on *Housing*).¹⁹⁸ [¹⁹⁸ Ibid]

The Black Communities Development Amendment Bill amended the Black Communities Development Act of 1984 by making further provision for development areas and townships; regulating the rights of holders of mineral rights and mining titles where townships were established; further regulating the alteration or disestablishment of development areas; legalising the granting of certain rights of leasehold; and regulating the delegation of powers.¹⁹⁹ [¹⁹⁹ *The Citizen* 9 February]

The bill was tabled on 5 October and was referred on 7 October to a standing committee on constitutional affairs for inquiry and report.²⁰⁰ [²⁰⁰ *Business Day* 18 November]

Finance

The precarious financial position of African local authorities was emphasised by the disclosure that the government had had to provide R63,5m worth of bridging finance to 82 local authorities in October, including R33,5m to the African local authority in Cape Town, R7,4m to the Ibhayi Town Council in Port Elizabeth, and R5,3m to the KwaNobuhle Town Council in Uitenhage. A further R33,5m was made available to the Diepmeadow City Council (Soweto) in October.²⁰¹ [²⁰¹ Promotion of Local Government Affairs Amendment Bill 1987 [B 72-(GA)]]

Mr Heunis said in August that unpaid rents and service charges owed to African local authorities amounted to R288 545 097 on 30 April 1987. The largest amount was in the Transvaal, where the total outstanding was R231 569 523. In Natal R2 822 284 was owed, while the Orange Free State was short of R10 929 839 and the Cape R43 223 451.²⁰² [²⁰² Black Communities Development Amendment Bill [B 128-87 (GA)]]

In February the town clerk of Soweto, Mr Nico Malan, said that the Soweto City Council was bankrupt owing to the rent boycotts which had begun in June 1986 (see 1986 *Survey* Part 1 p373).²⁰³ [²⁰³ *Hansard* (A)16 cols 6659 and 6904, 5, 7 October] By November Soweto was R122m in debt, and rent arrears had increased the city's deficit nearly fourfold. According to Soweto's city treasurer, Mr Jimmy Veldsman, unpaid rents accounted for R50m of the deficit, outstanding electricity and water bills making up the balance. The city's housing director, Miss Estelle Bester, said that 'Soweto has no more resources. We are completely in the red. We are relying on bridging finance from the government'.²⁰⁴ [²⁰⁴ *Business Day* 29 October]

The Soweto Civic Association (SCA) requested a meeting with Mr Malan to discuss the boycott but gave as a condition that the meeting should not involve the town councillors. Mr Malan refused to hold the talks unless the councillors were involved.²⁰⁵ [²⁰⁵ *Hansard* (A) 9 q cols 579-582, 12 August; *The Citizen* 13 August]

The government launched a campaign to upgrade Alexandra township (near Johannesburg) at a cost of R90m in March. The exercise was considered by the government to be an important campaign to win the 'hearts and minds' of Africans away from the 'revolutionary struggle'. The first R75m was allocated for the construction of roads, electricity, water supply, waterborne sewerage and street lighting. Alexandra also received its first post office, public telephones and a clinic.²⁰⁶ [²⁰⁶ *Sowetan* 5 February]

Township administration

In June 1986 a circular dealing with the 'ethical conduct' of councillors had been sent by the director of local government to all local authorities (see 1986 *Survey* Part 1 p 120). In the circular the director stated that numerous reports had been received about alleged malpractices and corruption in the ranks of the councils.

In 1987 evidence of alleged corruption and maladministration by councillors in various town councils came to light. In many circumstances councillors were suspended from their duties and administrators were appointed to run the townships' affairs in their places. In some instances these administrators were also suspended for corruption.

By November 1987 the government had instituted commissions of inquiry into 11 of the 81 Transvaal local authorities. A number of other councils were dissolved because of suspicions of corruption or maladministration and replaced by administrators. By the end of 1987 two townships, Alexandra and Marlboro Gardens (southern Transvaal), had collapsed, while nine had been disbanded by the government. The nine were: Embelenhle, Silobela and eNgwenya (all in the eastern Transvaal); Duduza, Tembisa, Thokoza and Tsakane (on the east Rand); Diepmeadow and Bekkersdal (west Rand); and Oukasie (western Transvaal), which was to be removed.

Cape

In April Crossroads near Cape Town was given the status of a local authority in terms of the Black Local Authorities Act of 1982. The former squatter camp was being upgraded, and a decision to declare it a local authority was taken by the Cape executive committee.²⁰⁷ [207 *Sunday Times* 22 November] However, in September the Cape of Good Hope Provincial Division of the Supreme Court declared the council and its mayor, Mr Johnson Ngxobongwana, the leader of the 'Witdoeke', a local vigilante force, illegal on the grounds that the 'mayor' and six 'councillors' had not been elected but were appointed by the administrator of the Cape, Mr Eugene Louw. Although counsel for the administrator acknowledged that the case was a test for other local authorities as 'there are other local authorities where the same problem applies', a liaison spokesman for the administrator, Mr Dirk Smit, said that the ruling did not apply to other areas. Mr Justice J H Conradie, ruling on the application brought by some of the estimated 70 000 people who lost their homes when 'witdoeke' destroyed the squatter camp in 1986 (see 1986 *Survey* Part 1 p 114-5), said that while Mr Louw had the authority to fill vacancies in a local authority occurring after an election, he did not have the power to fill 'vacancies' that occurred before an election.²⁰⁸ [208 *SCA News* April]

The Ibhayi Town Council, which controls Port Elizabeth's African townships, was put under the administration of Mr Barry Erasmus, administrator of the KwaNobuhle Town Council (Uitenhage). Mr Ronnie Delpont, director of local government of the Cape Provincial Administration, said that although Mr Erasmus's appointment in KwaNobuhle followed the resignation of all town councillors during the height of the unrest in 1985, the Ibhayi council would continue to operate without changes except for the appointment of the new administrator. Mr Delpont also noted that most of the serving councillors on the Ibhayi council were not regarded as residents of the town as they lived outside its area of jurisdiction. He explained that most councillors had bowed to community pressure during the unrest and had moved to Kwamagxaki, which did not fall under the Ibhayi council's control.

Orange Free State

A Mangaung (Bloemfontein) town councillor, Mr Daniel Selemela, was charged in August with fraud or alternatively theft. The charges related to allegations of attempting or seeking to accept money in consideration for the allocation of a housing site at Agisanang township (western Transvaal). It was alleged that Mr Selemela accepted money from two people for the same site.²⁰⁹ [²⁰⁹ *The Star* 16 March]

Transvaal

Towards the end of January the mayor of the Thokoza (Alberton), Mr Lethebe Gerald Mamabolo, and the town clerk of Thokoza, Ms Doris Thinane, appeared in court on charges of misappropriating R1,5m of council funds. Some of this money had allegedly gone to buy houses for Mr Mamabolo in the northern suburbs of Johannesburg which he had allegedly planned to use as a hideaway if violence erupted in the township.²¹⁰ [²¹⁰ *South African Digest* 8 May] Mr Mamabolo and Ms Thinane were subsequently suspended from office and replaced by Mr Jacob Sekete as acting mayor (until January 1988) and Mr H A Combrinck who took over as town clerk.²¹¹ [²¹¹ *Cape Times* 3 October]

A confidential report, written by Mr Mamabolo in response to the allegation of theft, was handed to the administrator of the Transvaal, Mr Willem Cruywagen. Mr Mamabolo claimed that the money was used to pay agents to fight campaigns such as stayaways, and rent and school boycotts. 'Security in Thokoza requires highly professional training which can only be implemented by strategic and unconventional means,' Mr Mamabolo said.²¹² [²¹² *Sowetan* 26 August]

In June Mr Sekete said that the Thokoza Town Council was near bankruptcy. A rent boycott had started in the township after the theft of the R1,5m had been reported.²¹³ [²¹³ *Ibid* 26 January] At the end of July the chairman of the constitutional committee of the Transvaal Provincial Administration (TPA), Mr John Griffiths, announced that the town council had been dissolved because its members had failed in their financial responsibilities. Three of its members, Messrs Sekete, Commissioner Matsoso and Joseph Madi, had been appointed as administrators. The main concern of the provincial executive was that certain unauthorised payments of salaries had been made, and the council had not taken the appropriate steps to correct the financial situation, Mr Griffiths said.²¹⁴ [²¹⁴ *The Star* 29 January, *The Citizen* 14 February]

An administrator, Mr M E Vermeulen, was appointed in March by the TPA to run Tembisa (Kempton Park). He took over from six African administrators who had been appointed after the collapse of the council in 1986. The failure of the six administrators to run the township was the reason for the appointment of a white administrator, Mr Griffiths said. He added that the township's deteriorating financial situation and personal differences which often led to heated clashes among the administrators had also contributed to the appointment of Mr Vermeulen.²¹⁵ [²¹⁵ *The Weekly Mail* 15 May]

Four Duduza (Nigel) administrators appointed in 1986 to run the affairs of the council, after a mass resignation of councillors, were dismissed for 'failing to run council affairs properly'. They were Mr Theo Motwana (chairman), Mr George Khanyale, Mrs Flora Nda and Bishop Petros Moeketsi. Mr

Griffiths, speaking for the TPA, confirmed the dismissals and said that investigations were under way into the disappearance of R2,9m during the term of office of the four administrators.²¹⁶ [²¹⁶ *The Star* 5 June]

The mayor of Mhluzi township (near Middelburg), Mr Phillip Nhlapo, allegedly owed R3 362 in outstanding rent and yet no eviction order was served on him, while about 30 rent defaulters in the area had been evicted. Other allegations against Mr Nhlapo included: the use of council money to attend functions of the Urban Councils Association of South Africa (UCASA) without the approval of the council; and the spending of thousands of rands to erect a youth camp near Waterval Boven which was used only by members of Mr Nhlapo's youth club.²¹⁷ [²¹⁷ *Ibid* 5 August]

Between February and July about R30 000 disappeared from the Mhluzi Town Council. It was alleged that the money had been taken by officials without the approval of the council. The eastern Transvaal police were investigating the disappearance of the money as well as allegations that:

- white businessmen were granted sites in the township by the council while African businessmen were neglected;
- white council employees were granted loans while their African counterparts were denied such privileges; and
- a white council employee was being used by UCASA as its national organiser while the council still paid her salary.

Mr Nhlapo denied all the allegations.²¹⁸ [²¹⁸ *Ibid* 21 March]

According to *City Press*, Mr Steve Kgame, chairman of the housing committee of Dobsonville's Town Council and president of the United Councils Association of South Africa (UCASA), had acquired eight residential sites for himself and three for his two children. *City Press* also alleged that a former mayor, Mr Isaac Mashao, had also acquired land for a multi-purpose business complex. The land had never been publicly advertised outside the council itself. Other councillors, including the mayor, Mr Steve Nkatlo, had also allegedly received prime residential sites despite the existence of about 5 000 families who needed homes and were waiting for land.²¹⁹ [²¹⁹ *Ibid* 7 October]

It was also alleged that Messrs Kgame, Nkatlo and Mashao, as well as another councillor, Mr Jerry Zembe, had used council funds to pay for their defence when they appeared in court on charges of corruption. The charges of corruption against all the men were subsequently withdrawn.²²⁰ [²²⁰ *Sowetan* 23 June]

The government instituted a commission of inquiry into the financial affairs of the town council and a further 62 charges of theft and corruption were made against Mr Nkatlo in May. According to the charge

sheet, Mr Nkatlo was alleged unlawfully to have received money totalling R1 1800 from Dobsonville residents between October 1985 and May 1986 to arrange housing.²²¹ [²²¹ Ibid 3 August] In August the attorney general also dropped these charges against Mr Nkatlo.²²² [²²² *City Press* 29 March]

In December the administrator of the Transvaal, Mr Willem Cruywagen, disbanded the Diepmeadow Town Council and appointed a former mayor of Soweto, Mr David Thebehali, to serve as administrator. Mr Cruywagen said that the decision to disband the council related to its inability to recover outstanding rents or to put its financial records in order. The 15 councillors were removed but the administrator was not prepared to say whether an attempt would be made to collect outstanding monies.²²³ [²²³ *Sowetan* 30 March] The appointment of Mr Thebehali as administrator was widely criticised in the press. *Beeld* said, 'It will help very little to replace stubborn town councillors with people who are totally discredited in the eyes of blacks,' while the *Sowetan* said, 'His track record does not warrant the appointment. He lost his position in the Soweto Town Council because even the small number of people who turned up at the elections to his ward rejected him in favour of someone else.'²²⁴ [²²⁴ Ibid 20 May]

On 11 March members of the Transvaal provincial executive committee had talks with African mayors and councillors from the west Rand on the extension of powers to African local authorities. The talks were aimed at creating a channel of communication between the province and local authorities in an attempt to overcome the burden of corruption and maladministration, especially in light of many town councils in the townships having to be run by white administrators. A senior member of the executive committee (MEC), Mr John Griffiths, said that the talks followed the transfer of powers relating to African local authorities to provincial administrators on 1 October 1986. He said that regional offices of the provincial administrations' community services branch had been established on 1 February 1987.²²⁵ [²²⁵ Ibid 20 August]

Unrest

In 1987 there was a significant decrease in the number of councils ceasing to operate because of unrest as compared with the two previous years.

According to officials of the Cape provincial administration, only nine of 87 black local authorities in the Cape were not functioning in October. This compared with 23 which had been out of action at the beginning of the year.²²⁶ [²²⁶ Ibid 20 August] Officials also reported that whereas only 18 out of 45 black town councils in the eastern Cape had been functioning at the beginning of 1986, all but five were fully operational by the beginning of November.²²⁷ [²²⁷ *The Citizen* 18 December]

The deputy minister of law and order, Mr Roelf Meyer, said in October that he was not aware of any township 'which is now disrupted by so-called "ungovernable and liberated areas" '. More than a year ago, he said, 'you wouldn't dare to go to Crossroads. Now I'd enter it alone'.²²⁸ [²²⁸ *The Weekly Mail* 24 December]

Municipal associations

The Urban Councils Association of South Africa (UCASA), once the sole representative group for African councillors in townships in white-designated areas, came under strong criticism from its former deputy president, Mr Tom Boya, in February. Mr Boya said that a new group had become necessary after UCASA's history of inefficiency and that it had 'tarnished the image of black councillors by mismanagement of funds'.²²⁹ [²²⁹ *The Citizen* 11 March]

As a result the rival United Municipalities of South Africa (UMSA) was formed on 28 February at a ceremony attended by representatives of 26 African local authorities. The amount of support enjoyed by each group was not clear as both bodies defined their support in different ways. UMSA counted the support of a council whether it was unanimous or divided while UCASA only counted councils which were totally supportive. UMSA accused UCASA of silence on 'crucial issues', such as forced removals, the refusal by government to abolish all discriminatory legislation, the school crisis and the housing backlog.²³⁰ [²³⁰ *Business Day* 13 October]

One of the major reasons for the break with UCASA was the latter's support for the proposed national council (NC). Mr Boya said that UMSA would participate in the NC only if the banning orders on the African National Congress (ANC) and the Pan-Africanist Congress (PAC) were lifted and their leaders released. UCASA was prepared to work on the NC if it could help the people, Mr Kgame said.²³¹ [²³¹ *City Press* 1 November]

UMSA called for an in-depth investigation by the government and the regional services councils (RSCs) into the countrywide housing backlog and lack of infrastructure in the townships. The call followed a statement by the Central Witwatersrand RSC in which it was revealed that R364m would be needed over the next five years merely to clear the backlog for infrastructure in this RSC area. Mr Boya said that these figures were not surprising as UMSA had for some time been urging the government to pay attention to the problem.²³² [²³² *Financial Mail* 16 October]

Relations between UMSA and the state president, Mr P W Botha, deteriorated when UMSA pointed out in a memorandum that 'black people are still being moved against their will' and questioned the rationale for the Group Areas Act of 1966. 'The negotiations', Mr Boya said, 'that we always hear about are never conducted, and if they are this is done in bad faith as a propaganda exercise, to mislead the public on sensitive issues'. Mr Boya also called apartheid South Africa's 'Pandora's box'. In a written reply, Mr Botha said that if UMSA believed that meetings with cabinet ministers were conducted in bad faith and as a misleading propaganda exercise, there seemed little purpose in the organisation's request for another meeting. Mr Botha said that to label apartheid a Pandora's box and to compare the living conditions of the black communities with those in Nazi concentration camps was incorrect and unfair.²³³ [²³³ *Ibid* 13 March]

Rent Boycotts

The Transvaal MEC in charge of local government, Mr John Griffiths, said in January 1988 that more than half of Soweto's residents were paying rent, despite the boycott.²³⁴ [²³⁴ Ibid]

The minister of constitutional development and planning, Mr Chris Heunis, said in March 1988 that black local authorities in the Transvaal were owed R321m in arrear house rentals and service charges at the end of the previous year. Arrears in the Cape amounted to R47m, in the Orange Free State to R17m, and in Natal to R2,5m (see chapter on *Housing*).²³⁵ [²³⁵ Ibid]

Township police

Municipal police

The Border police liaison officer, Lieutenant Dot van der Vyver, confirmed that 33 charges had been laid with the SAP against Gompo (East London) municipal police since May 1987. These included three attempted murder charges, seven of serious assault, and 23 relating to common assault. The Black Sash office in East London said that claims to the value of R50 000 resulting from injuries due to alleged assaults by municipal police had already been delivered to the Gompo Town Council, and further claims to the value of R155 000 were in the process of being delivered.²³⁶ [²³⁶ *City Press* 12 May]

The first criminal court hearing against municipal policemen resulting from these claims concerned a Gompo municipal policeman charged with assaulting a seven-year-old boy with the intention of doing him grievous bodily harm (see chapter on *Security*).²³⁷ [²³⁷ *The Star* 10 November]

Following a two-day strike by Katlehong municipal police in October 1986 in which cars, council property and two houses belonging to councillors were damaged by the striking policemen, 115 strikers were detained and then released. A meeting with Mr Heunis was requested to discuss the improvement of police salaries. Council policemen earned a minimum salary of R276.50 a month, 8% of which was paid for by the government and the rest by the town council.²³⁸ [²³⁸ *Business Day* 22 January 1988]

On 10 December about 60 Lekoa Town Council (Vaal Triangle) policemen mutinied after many protests against wages. The mutiny was forcefully put down by the South African Police (SAP) after a violent clash in Sebokeng township (near Vereeniging) where eight men were injured, including one SAP member. The SAP disarmed and arrested 19 mutineers and the rest fled.²³⁹ [²³⁹ Ibid 4 March 1988]

According to a police statement, the police mutinied after their commanding officer, Major J J Bruyns, tried to hold an inspection. The police allegedly tried to run Major Bruyns down, whereupon he fled and called the unrest unit.²⁴⁰ [²⁴⁰ *Sowetan* 24 July]

The head of the Lekoa municipal police force, Captain Timothy Radebe, who was injured in the strike, said that it had arisen mainly from long-standing animosity between African and white policemen. He said that white policemen would not take orders from African superiors and that matters had come to a head in December when he and a white officer had given different orders to their subordinates. The 19 policemen concerned had also evidently been called 'kaffirs' by white colleagues. Maj Bruyns, who was a senior official of the Sebokeng law enforcement unit, was suspended from his duties, according to the Lekoa council. The head of the Vaal police, Colonel P van Niekerk, said that the 19 policemen had been released. They had not been charged and an investigation was under way into the cause of the incident.²⁴¹ [²⁴¹ Ibid]

A few days after the mutiny the Lekoa municipal police staged a strike to protest against racism and poor wages. According to the South African Black Municipal Workers' Union (SABMWU) racism, humiliating work conditions and unfulfilled promises were only a few of the problems African policemen had to cope with. African council policemen were expected to address their white counterparts as 'baas' and to take orders from them no matter what their own rank.²⁴² [²⁴² Ibid 25 February]

Special constables

The minister of law and order, Mr Adriaan Vlok, said in Parliament that as at 31 January, 1750 special constables (sometimes referred to by their opponents as 'kitskonstabels') had been trained and were deployed in Various centres in the Republic'. He refused to say how many firearms had been issued to them, as this was not 'in the interests of the public'.²⁴³ [²⁴³ *The Star* 11 December] By April 1988 the number of special constables trained had increased to 4 398.²⁴⁴ [²⁴⁴ *The Citizen* 12 December] The minister of home affairs and of communications, Mr Stoffel Botha, said in Parliament in October that a total of 95 firearms issued to township constables had been used to commit crimes in the Cape and the Transvaal by 21 September. Statistics for Natal and the Orange Free State were not available. Disciplinary action had been taken against 632 constables in the Cape and Transvaal for neglecting their duties or overstepping their authority.²⁴⁵ [²⁴⁵ *Sowetan* 14 December]

EDUCATION

Policy

In June the director general of national education, Dr R Venter, said that new educational institutions were to be created which would combine university education, teacher training and technikon education. The new institutions would be racially based, and controlled by the individual ministers responsible for education. Dr Venter said that the new colleges would be adapted to the needs of a particular area and need not necessarily contain all three elements of tertiary education.¹ [¹ *The Star* 12 June]

In August four provincial education councils were established. According to the minister of education and culture (white own affairs), Mr Piet Clase, the councils would advise him and his department on educational matters. Each council would represent the organised teaching profession, organised parent bodies, tertiary education, private schools, technical colleges and schools for special education in the province concerned. 'These high level councils are not political bodies, but will function in accordance with our policy of bringing education as near as possible to its users and, by so doing, guarantee diversity within unity,' Mr Clase said.² [² *The Citizen* 5 August]

Addressing a conference of the Transvaal Teachers' Association and the Transvaal Parents' Association in Potchefstroom (western Transvaal) in August, the minister of national education, Mr F W de Klerk, said that the government was irrevocably committed to the concept that education was an own affair of each group. He said that this would remain 'as long as people demonstrated a will for it'.³ [³ *Ibid* 21 August]

Addressing the Natal Chamber of Industries in Durban (Natal) in October, the minister of education and development aid, Dr Gerrit Viljoen, said that the government was committed to placing control of African education in the hands of an African minister of education. He said that it was a 'high priority that my own position as white minister in charge of African education should, as soon as possible, be replaced by an effectively operating African executive decision-making minister'. He said that African pupils in South Africa, including all the homelands, exceeded 7m. 'It is a tremendous undertaking and I think merely this fact should warn people not to be over-optimistic in calling for a central organisational structure dealing with all education in South Africa,' Dr Viljoen said.⁴ [⁴ *The Star* 28 October]

In October the Progressive Federal Party spokesman on national education, Mr Roger Burrows, revealed that the Natal Education Council had secretly debated a draft Education Council Bill at its first meeting that month. Mr Burrows said that in terms of the draft legislation provincial directors of education would have no statutory authority and all significant education powers would be centralised in the hands of the superintendent general of education and culture. He said that the draft bill also provided for rigid area control whereby it would be extremely difficult for a pupil to move to a school not in his/her area. It also extended controls over the action of teachers in the public sphere, particularly in opposing any act of government.⁵ [⁵ *The Natal Witness* 28 October]

On 6 November Mr De Klerk announced in the *Government Gazette* that he had determined general education policy on the following matters:⁶ [⁶ *Government Gazette* no 11021, Government Notice no R2471, 6 November; *The Star* 9 November]

- the setting of standards for the diplomas, certificates and degrees awarded by universities to counteract excessive professionalisation and to ensure that students received a general formative education;
- the setting of standards for syllabuses, examinations and the certification of courses offered at technikons;

- the determination of salary scales and service conditions of educators;
- the financing of universities and technikons through a subsidy formula. This was based not only on the number of students enrolled but also on the number of students who passed;
- the financing of the capital costs of universities, technikons, teacher training colleges and technical colleges through a system of space and cost norms; and
- the collecting of statistical information on various aspects of education.

Addressing the National Party congress in November, Mr Clase said that education in South Africa was expensive because it necessitated ‘the duplication, triplication and quadruplication of facilities’.⁷ [⁷ *Doily Dispatch* 11 November] Mr Clase subsequently denied that separate education was more expensive than a unitary system.⁸ [⁸ *The Star* 16 November]

Legislation

The **Education Laws (Education and Training) Amendment Act** which was passed during 1987, amended the Education and Training Act of 1979. In terms of the amendment act a definition of ‘post-school education’ was inserted into the act. ‘Post-school education’ was defined as ‘instruction and training provided at a technical college with a view to the pursuance of a vocation or the development of a social or recreational skill’.

The amendment act also provided for the establishment and operation of schools of industry and reform schools, as this responsibility in respect of Africans was due to be transferred from the provinces to the Department of Education and Training. These institutions would be administered in terms of the Child Care Act of 1983 which also applied to schools of industry and reform schools of all education departments. Provision was also made for the principal act (ie the Education and Training Act) to be brought in line with the provisions of the South African Certification Council Act of 1986.

Section 5 of the principal act was amended to allow the minister of education and training to suspend activities at a public school or suspend a class in a public school for a period determined by himself. Section 21 of the principal act was amended to extend the reasons for which a teacher could be discharged on account of misconduct. The reasons would now include absence from duty for a period exceeding 14 days, including Saturdays, Sundays and public holidays, without the permission of the director general of education and training.

Provision was also made for the minister, with the concurrence of the minister of finance, to determine the fees payable by persons admitted to any college of education.

Prior to the bill being debated in Parliament, the Department of Education and Training took an unprecedented step and asked the National Education Crisis Committee (NECC) to comment on the bill. The bill was criticised at a public meeting called by the NECC. The national co-ordinator of the NECC, Mr Eric Molobi, said that the government was faced with a crisis of 'acute political bankruptcy', 'Is it not a sign of utter confusion that while virtually all the NECC leadership are in detention the organisation must be expected to comment on the bill?' he asked.⁹ [*The Star* 10 September, *Sowetan* 15 September]

Proposals of the KwaZulu Natal indaba

In May 1986 the KwaZulu Natal indaba (see chapter on *Government and Constitution*) established a committee to investigate a proposed education system for KwaZulu and Natal. The report of the committee was published in April. The committee was chaired by Professor J Niven, a former head of the Department of Education and emeritus professor at the University of Natal (Pietermaritzburg). The committee's proposals included the following:

- the six education departments presently controlling education in Natal and KwaZulu should be scrapped and education should be placed under the control of one department and one minister;
- the province should be responsible for the provision of an open-ended, nonracial, public education in a common system which respected and protected the language and cultural rights of all its inhabitants;
- there should be a transitional programme to upgrade education for all to acceptable standards. A high priority should be placed on reducing the backlog in classrooms and reaching a teacher/pupil ratio of 1 to 30;
- school committees should be appointed serving geographical areas, which would contribute to decisions of language medium, curriculum and staff selection;
- formal school education should be child-centred, providing for the preservation of cultural identities, yet seeking to promote universal values;
- non-formal education as a supplement to formal education should be recognised and encouraged;
- private schools on a subsidised basis should be retained;
- the region's education department would co-ordinate policy, including salaries, teacher qualifications, examination standards and curricula, with the Department of National Education;
- the region should continue to receive financial support from the central government on at least the

same formula basis as other education departments;

- additional sources of financial support would have to be found to improve and extend services and eliminate backlogs; and
- full utilisation should be made of existing schools and teacher training facilities, many of which were presently underutilised.

With regard to the management structure of a single nonracial education department, the report said that it would reflect the indaba's 'commitment' to devolving decision-making and administrative power to the lowest appropriate level of authority. The proposed structure would consist of a provincial education council representing the 'entire education community' which would advise the provincial minister of education and would also co-ordinate and monitor education planning. It would be consulted on proposed legislation or regulations dealing with education and it would have the power to initiate its own investigations while playing a 'watchdog role' in relation to the maintenance of education standards. The report recommended that control over education should be broken down to a regional and then a district level. However, the regions were not to be seen as a separate level of government but as an 'administrative feature'. Regional co-ordinating committees would be established which would be responsible for physical planning, the provision and monitoring of educational services, financial control and the provision and administration of bursaries. The district system would provide the basis for ensuring proper representation on a geographic basis within the regional co-ordinating committees.

In its conclusion to the report, the committee said: 'Careful arrangements will have to be made to ensure a smooth transition from the present divided system of educational provision to one of unified control. While it will not be possible to achieve this overnight there should be no undue delay in commencing the process. While there is undoubtedly scope for rationalisation, there are also such glaring lacks in part of the present system that there can be no question of continuing retrenchments, nor the closure of facilities which are at present underutilised. On the contrary, every available resource will have to be carefully managed for optimum public benefit.'¹⁰ [¹⁰ KwaZulu Natal indaba. *Education Committee's Final Report*, undated]

Finance

The amount budgeted for 1987/88 for **African education** in the white-designated areas, which is controlled by the Department of Education and Training, was almost R1,49bn—an increase of R355,4m (31,4%) over the previous year's actual expenditure of R 1,13bn. The sum was allocated as follows:¹¹ [¹¹ Estimate of the Expenditure to be Defrayed from the State Revenue Account During the Year Ending 31 March 1988, RP 2 and 4-1987]

Expenditure on African education (White areas): 1987/88

R

Administration

49 286 000

Pre-primary education

3 337 000

Primary education

591 568 000

Secondary education

345 304 000

Technikon training

15 867 000

University education

149 507 000

Vocational education

31 223 000

Education of handicapped children

22 296 000

Teacher training

84 090 000

Out-of-school education and training*

63 612 000

Auxiliary and associated services

131 750 000

Total

1 487 840 000

*

Includes adult education and youth activities.

The Department of Public Works and Land Affairs budgeted an additional R100 000 for the provision of facilities for the technical and vocational education of Africans.¹² [¹² Ibid]

The **homelands** are responsible for their own education budgets, for which they receive grants from the central exchequer (see chapter on *The Homelands*). The non-independent homelands receive grants through the budget vote of the Department of Development Aid and the 'independent' homelands through the vote of the Department of Foreign Affairs. The budgets for education in the homelands in 1986/87 and 1987/88 were as follows:¹³ [¹³ Information obtained from the education departments of the various homelands, or from the estimates of expenditure for the various homelands]

Education expenditure in the homelands

1986/87

1987/88

R

R

Increase

Bophuthatswana

207 970 000

219 403 000

5,5%

Ciskei

93 000 000

128 358 000

38,0%

Gazankulu

77 964 000

128 962 000

65,4%

KaNgwane

43 120 710

79 032 050

83,3%

KwaNdebele

28 352 410

59 565 500

110,1%

KwaZulu

299 957 755

450 764 576

50,3%

Lebowa

205 303 000

341 448 000

66,3%

QwaQwa

39 499 710

56 654 700

43,4%

Transkei

252 241 000

343 462 000

36,2%

Venda

76 234 500

104 759 800

37,4%

Total

1 323 643 085

1 912 409 626

44,5%

The sum budgeted in 1987/88 for **coloured education** was just over R1bn, an increase of R 139,3m (16%) over the previous year's actual expenditure of R868,3m, while that for **Indian education** was R404,6m, an increase of R37,6m (10,2%) over the previous year's actual expenditure of R367,1m. The amounts were allocated as follows:¹⁴ [14 Administration: House of Representatives, Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1988, RP 9-1987; Administration: House of Delegates, Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1988, RP 12-1987]

Expenditure on coloured and Indian education: 1987/88

Co/IndAdministration

39 307 000

12 919 000

Pre-primary education

6 289 000

975 000

Primary education

493 420 000

146 017 000

Secondary education

253 625 000

152 527 000

Technikon education

18 739 000

16 867 000

University education

53 182 000

33 665 000

Technical education

13 250 000

5 464 000

Education on handicapped children

22 864 000

14 618 000

Education of children in need of care

12 564 000

2 650 000

Schools for specified purposes

1 520 000

—

Teacher training

47 307 000

9 999 000

Extra-mural education

2 297 000

235 000

Auxiliary service

43 205 000

8 711 000

Total

1 007 569 000

404 647 000

The sum budgeted in 1987/88 for **white education** was R3,3bn, an increase of R263m (8,6%) over the previous year's figure of R3,1bn, allocated as follows:¹⁵ [15 Administration: House of Assembly, Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1988, RP6 and 7-1987]

Expenditure on white education: 1987/88

R

Administration

6 552 000

Pre-primary, primary and secondary education, and teacher training

2 Technikon education

188 088 000

University education

847 903 000

Post-school education

90 361 000

Education on handicapped children

97 434 000

Children in need of care

28 597 000

Associated and supporting services

30 347 000

Total

3 320 700 000

The Department of National Education, which deals with **general policy matters for all population groups**, budgeted R7,4m for administration, national education policy and education improvements for 1987/88, an increase of R876 000 (13,5%) over the previous year's expenditure of R6,5m.¹⁶ [16 RP 2 and 4-1987 op cit]

On the basis of the figures above the total budgeted expenditure for **all population groups** in the whole country for the 1987/88 financial year w

Total education expenditure: 1987/88

R

African education in the white-designated areas

1 487 840 000

Education in the non-independent homelands

1 116 426 826

Education in the 'independent' homelands

795 982 800

Coloured education

1 007 569 000

Indian education

404 647 000

White education

3 320 700 000

Total

8 133 165 626

In response to a question in Parliament in July the minister of national education, Mr F W de Klerk, said that the government had committed itself to a real increase of 4,1 % a year in education expenditure over the next ten years. He said that certain formulae to bring about parity in education had been drafted. The formulae, together with the ten-year strategy for implementation (see 1986 *Survey* Part 2 p416), would be announced as soon as consultations had been completed. Mr De Klerk reiterated that the government's policy of equal opportunity for education, including equal standards of education, for every inhabitant of South Africa irrespective of race, colour, creed or sex, was being striven for. This did not imply that after ten years the object of equal education for all population groups would have been fully achieved, he added.¹⁷ [¹⁷ *Hansard* (A) 7 q cols 366-368, 27 July]

In December the Department of Education and Training announced that as a result of representations made by bus companies the department would in future become involved in the transportation of pupils. Previously, pupils were transported at reduced rates by bus companies without the involvement of the department. The department said that as an interim measure it would make available funds for the subsidisation of transport of pupils from January 1988 in cases where it was essential. During 1988 it would conduct a comprehensive survey of the specific needs of pupils at each school. The department said that its policy and priority was to use its resources to provide sufficient schools and to bring the school nearer to the pupil rather than to spend large amounts of money on trans

Per capita expenditure

Per capita expenditure by the state during 1986/87 on pupils of the different racial groups was as follows (with the percentage increase/decrease over 1985/86 given in brackets):

Per capita expenditure: 1986/87

Including capital expenditure

Excluding capital expenditure

R

R

Africans (in white-designated areas only)¹⁹

476,95(23%)

368,56(22%)

Coloured²⁰

1 021,41(15%)

887,08(8%)

Indian²¹

1 904,20(37%)

1 714,03(30%)

White²²

2 508,00(-9%)

2 299,00(-5%)

19 [¹⁹ Information supplied by the Department of Education and Training, 22 December]

20 [²⁰ Information supplied by the Department of Education and Culture (coloured own affairs), 29 March 1988]

21 [²¹ Information supplied by the Department of Education and Culture (Indian own affairs), 27 January 1988]

22 [²² *Hansard* (A) 4 q cols 134-135, 29 February 1988]

Per capita expenditure by the homelands for 1986/87 was as follows:²³ [²³ Information provided by the education departments of the various homelands]

Per capita expenditure on education by the homelands: 1986/87

R

Bophuthatswana

N/A

Ciskei

N/A

Gazankulu

327,69

KaNgwane

279,55

KwaNdebele

N/A

KwaZulu

359,00

Lebowa

N/A

QwaQwa

N/A

Transkei

413,32

Venda

N/A

N/A

Salaries

In July the minister of national education, Mr F W de Klerk, announced that women teachers in posts from head of department (Grade 2) upwards would receive the same salaries as their male counterparts from 1 November. The announcement was welcomed by the chairman of the Teachers' Federal Council, Mr Dudley Schroeder, who pointed out, however, that 80% of all women teachers were employed below the Grade 2 level.²⁴ [²⁴ *Eastern Province Herald* 28 July]

Bursaries and scholarships

The Department of Education and Training budgeted nearly R8m for bursaries during the 1986/87 financial year. Of this amount R6,9m was allocated to teacher training students, including those doing further training, R24 000 to students at universities and technikons, and R1m to secondary school pupils.²⁵ [²⁵ RP 2 and 4-1987 opcit]

The Department of Education and Culture (coloured own affairs) allocated 1 364 bursaries worth R4m to student teachers at universities and 5 612 totalling R13,5m to student teachers at teacher training colleges.²⁶ [²⁶ Information supplied by the Department of Education and Culture (coloured own affairs), 19 March]

Information on bursaries for Indian and white students was not obtainable.

The South African Institute of Race Relations (SAIRR) administers a large number of bursaries on behalf of private companies and trusts foreign governments, churches and development agencies. In 1987 about R3,7m was spent on bursaries administered by the SAIRR, 2 415 bursaries being awarded to black pupils and students throughout the country.

School Education

Multiracial school education

In January it was reported that the Department of Education and Culture (House of Delegates) was delaying approving or rejecting applications by 300 pupils from Soweto who wished to be admitted to six high schools in Lenasia.²⁷ [²⁷ *Business Day* 30 January] Following criticisms of this delay the minister of education and culture (Indian own affairs), Mr Kassie Ramduth, said that his department's policy regarding the provision of education to pupils other than Indian had been misunderstood. He said that Indian schools were open to all races only on an 'ad hoc basis' and that permission for an African pupil to attend an Indian school would be granted only if that pupil faced extraordinary personal difficulties. Mr Ramduth said that African applicants would be considered only after provision for Indian pupils had been made, if sufficient accommodation facilities were available, if no additional staff and special arrangements were necessary as a result of such admissions and if such pupils could be provided for from the monetary allocation to the school.²⁸ [²⁸ *Ibid*]

In a confidential circular sent to school principals, the department outlined its guidelines on the admission of Africans to Indian schools. These were, inter alia, as follows:²⁹ [²⁹ *The Indicator* 21-28 February]

- the character of the school should not be prejudiced as a result of the admission of any African pupil;
- preference at all times should be given to Indian pupils; and
- the principal should decide whether or not the pupil could easily be assimilated into the relevant class, taking into account the pupil's physical stature.

In February the chairman of the ministers' council in the House of Delegates and the leader of the National People's Party, Mr Amichand Rajbansi, said that he would make Indian schools nonracial when other communities opened their schools. He said that he did not have the power unilaterally to open Indian schools.³⁰ [³⁰ *Business Day* 19 February]

In April Mr Ramduth said that in 1987 Indian schools had admitted over 1 100 pupils of other races.³¹ [³¹ *The Star* 7 April]

In response to a question in Parliament in June the minister of education and culture (white own affairs), Mr Piet Clase, said that in 1987, 2 970 African, 3 008 coloured and 1 630 Indian pupils attended 13 white state-controlled schools, ten white state-subsidised schools and 230 white private schools.³² [³² *Hansard* (A) 4 q cols 143-144, 11 June] In response to a question in May 1988 Mr Clase said that 9 327 pupils attending white private schools in South Africa were black, broken down by province as follows: 2 600 in the Cape, 1 977 in Natal, 146 in the Orange Free State and 4 604 in the Transvaal. Mr Clase said that

in 1988, R29m was paid in subsidies to the private schools.³³ [³³ *Hansard* (A) 13 q cols 1247-1252, 2 May 1988]

It was reported in the 1986 *Survey* Part 2 (p420) that British Petroleum Southern Africa had announced that it would provide finance of up to R50m for government schools wishing to admit pupils of all races. Speaking in Parliament in February, Mr Clase said that the opening of state schools to all race groups encroached upon the principle of own schools. His department had, therefore, decided that for the present, state schools would not, by way of sale or transfer, be alienated to private bodies, and that bodies or people who specifically wanted to make donations for private education should donate their money to existing private schools or to finance the establishment of a new private school.³⁴ [³⁴ *Hansard* (A) 3 col 913, 17 February] Mr Clase said that his department would reconsider this decision when 'policy aspects relating to the preservation of the community life of individual communities' were discussed.³⁵ [³⁵ *Ibid* cols 913-914]

In March the Cape Town School Board, which represented 102 white schools in the Peninsula, voted in favour of asking the Cape Education Department (CED) to allow those Peninsula schools wishing to open their doors to all races to do so.³⁶ [³⁶ *The Citizen* 7 March] The Van Riebeeck Primary School dissociated itself from the call.³⁷ [³⁷ *Ibid* 11 March] The board's decision followed majority votes by parents' committees of several schools in the Peninsula in favour of opening the schools to all races (see 1986 *Survey* Part 2 pp419-420). The request was rejected by the CED in April on the grounds that education was an own affair. The CED criticised the board for making the request, saying that the board had acted beyond the scope of its duties.³⁸ [³⁸ *Cape Times* 9 April]

In February a white Stellenbosch primary school, Rhenish Primary School, was refused permission to admit the daughters of an African Malawian clergyman, the Rev Jonathan Kamwana, who was studying at the University of Stellenbosch.³⁹ [³⁹ *Business Day* 25 February] In terms of the policy of the Department of Education and Culture (white own affairs), black pupils could attend white schools only if they were the children of diplomats.⁴⁰ [⁴⁰ *Hansard* (A) 8 q cols 479-480, 4 August] In response to a question in Parliament in October Mr Clase said that his department had received and rejected 56 applications from African children who were not members of the diplomatic corps to attend white government schools.⁴¹ [⁴¹ *Hansard* (A) 16 q cols 1144-1145, 6 October]

Also in February, the department turned down a request by the Cape Town Teachers' Training College to open the college to all races.⁴² [⁴² *Business Day* 25 February]

In July an English-speaking coloured family in George (Cape) was forced to send their son to school in Cape Town because there was no English-medium coloured school in George, and the local English-medium white school was refused permission to admit the boy.⁴³ [⁴³ *Eastern Province Herald* 9 July]

In March a multiracial church school in Vereeniging (Transvaal), Kingdom School, which was run by the International Fellowship of Christian Churches (IFCC), was closed down after the Vereeniging

Town Council ruled that a multiracial school was not permitted in a white group area. Despite a request from the school committee, the minister of national education, Mr F W de Klerk, who was also the MP for Vereeniging, refused to intervene. Another multiracial IFCC school, the Word of Life Christian School, in Springs (east Rand) was also threatened with closure after two Conservative Party councillors expressed opposition to the school. At the time of writing, the school had not been closed down.⁴⁴ [⁴⁴ *The Star* 19 February 1988, *City Press* 18-20 March 1988]

In November the minister of education and development aid, Dr Gerrit Viljoen, denied an allegation made in *Die Patriot*, the official mouthpiece of the Conservative Party, that the government intended to establish mixed state schools in future open residential areas (see chapter on *The Group Areas Act*). Dr Viljoen said that if open residential areas were approved, schooling would be provided within the framework of existing government policy, that is separate state schools for each population group with the possibility of private schools that could follow an open policy of admission.⁴⁵ [⁴⁵ *The Citizen* 13 November]

In response to a question in Parliament in February Mr Clase revealed that as at 31 January there were 153 637 empty places at white schools. Seventeen schools and two hostels in Natal, the Orange Free State and the Transvaal were not being used at all or were being used for other purposes, while 15 white schools were being used by other race groups.⁴⁶ [⁴⁶ *Hansard* (A) 4 q cols 531-534, 23 February] In October Mr Clase reiterated a statement made in 1986 (see 1986 *Survey* Part 2 p421) that vacant white schools would first be offered to some other component of his department. If it could not use the schools, they would be offered to other white own affairs departments. If none of them required the facilities, they would be made available to other departments including other education departments.⁴⁷ [⁴⁷ *Business Day* 7 October]

In January Uthongathi, the first nonracial school established by the New Era Schools Trust (NEST), opened in Tongaat (Natal) with 107 pupils of all races (see 1986 *Survey* Part 2 pp422–423). Addressing the first assembly of the school the principal, Mr Richard Thompson, said: ‘Today we are the only school in South Africa which is truly nonracial. The whole of South Africa will be watching us very carefully because we are doing something completely new. Today we are starting a new era in education in South Africa. A school where the colour of your skin is completely unimportant. We are trying to set an example for South Africa and we want to prove that this is how education must be, if South Africa is ever going to be a peaceful country.’⁴⁸ [⁴⁸ *The Natal Witness* 15 January, *The Citizen* 12 March] The second NEST school, Phuting, was due to open near Fourways, north of Johannesburg, in 1988.⁴⁹ [⁴⁹ South African Institute of Race Relations (SAIRR), *Quarterly Countdown Seven*, Third Quarter 1986, 21 October] However, the opening of Phuting was delayed until 1989.

Teachers’ organisations

At the annual conference in July of the South African Teachers’ Association (SATA), the white English-

language teachers' association in the Cape Province, delegates defeated a motion calling for SATA's withdrawal from the whites-only Teachers' Federal Council (TFC).⁵⁰ [⁵⁰ *Cape Times* 29 July] Also in July the Natal Teachers' Society reaffirmed a decision taken in 1986 (see 1986 *Survey* Part 2 p424) not to be represented on the TFC.⁵¹ [⁵¹ *The Natal Witness* 8 July]

In October the Union of Teachers' Associations of South Africa (UTASA), an umbrella body representing coloured teachers' organisations in South Africa, decided to study the Freedom Charter with a view to adopting it as the organisation's 'bill of rights'. If UTASA adopted the charter it would bring it into line with other major extra-parliamentary organisations which had adopted it.⁵² [⁵² *The Sunday Star* 4 October]

At its annual congress in September the National Education Union of South Africa (NEUSA) elected jailed African National Congress (ANC) member, Mr Govan Mbeki, as its honorary president. According to NEUSA's vice president, Mr Elmon Mathonsi, NEUSA decided to honour Mr Mbeki for 'his resistance as a teacher against apartheid education'.

Speaking at NEUSA's congress, the general secretary of the Congress of South African Trade Unions (COSATU), Mr Jay Naidoo, called on NEUSA to create a single national teachers' organisation. Following this speech, delegates at the congress agreed to begin unity talks with other 'progressive teachers' organisations'.⁵³ [⁵³ *City Press* 20 September] In November, at a meeting of progressive teachers' organisations, a steering committee was formed to work towards creating a national teachers' organisation. Organisations represented at the meeting were: NEUSA, the Democratic Teachers' Union, the East London Progressive Teachers' Union, Education for an Aware South Africa, the Progressive Teachers' League, the Progressive Teachers' Union and the Western Cape Teachers' Union. The meeting agreed on ten principles for unity. They were:⁵⁴ [⁵⁴ *Sowetan* 19 November]

- to unite, mobilise and politicise teachers;
- to promote a national people's culture;
- to clarify the concept of, and implement and promote, 'people's education';
- to struggle for a unitary, democratic, compulsory and free education for all in a nonracial South Africa free from exploitation;
- to promote actively democratic control over the education system by parents and students;
- to reject participation in reactionary structures which had been created by the state to perpetuate the status quo;

- to educate teachers about their rights and to fight for the rights and interests of all teachers;
- to involve teachers in the progressive struggle of the people;
- to work towards eradicating all sexist practices in schools; and
- to work towards the principles and practices of nonracial sport.

Also in November the African Teachers' Association of South Africa (ATASA) initiated a meeting of teachers' organisations in Johannesburg to discuss the establishment of a single national organisation. The meeting was attended by ATASA, the Natalse Onderwysunie, the Natal Teachers' Society, the Onderwysunie van Oranje Vrystaat, SATA, the Suid-Afrikaanse Onderwysunie, the Teachers' Association of South Africa, the Transvaal Teachers' Association and UTASA. At the meeting the charter for teacher unity of the Joint Council of Teachers' Associations of South Africa was used as a basis for discussion. The principles of the charter included:

- equal education for all under a single education system administered by a single national department of education;
- the condemnation of apartheid as detrimental to education and the society at large;
- free and compulsory education for all children to the age of 16 years;
- the eradication of race as a criterion for the appointment of teachers to teaching posts; and
- equal salaries for equal qualifications and service regardless of sex.

Thirteen work study groups were set up to investigate certain topics for presentation at a meeting to be held in April 1988. Some of the issues to be investigated were: a unitary teaching body; education finance; registration and discipline of teachers; curricula and syllabuses; and pupil, parent and teacher contributions.⁵⁵ [⁵⁵ *The Natal Witness* 19 November, *Post Natal* 25 November, *The Weekly Mail* 27 November]

On 24 February 1988 NEUSA was banned (see chapter on *Security*).

Curricula

According to the minister of education and development aid, Dr Gerrit Viljoen, from sub A to standard 2 in schools falling under his department, the mother tongue (an African language) was used as the medium of instruction, while from standards 3 to 10, either English, Afrikaans or an African language

(as decided by the school committee) was used as the medium of instruction.⁵⁶ [⁵⁶ *Hansard* (A) 12 q cols 765-767, 3 September]

On 9 January the commissioner of the South African Police (SAP), General P J Coetzee, issued an order in the *Government Gazette* banning any National Education Crisis Committee (NECC) gathering from discussing the presentation of 'people's education' at any Department of Education and Training school or hostel. In terms of the order 'any gathering organised or convened or which is organised or convened by, or on behalf, or under the auspices or banner of the ... NECC and on which a discussion is held on (a) the presentation or proposed presentation on school or hostel premises or on any particular school or hostel premises of a course which has not been instituted under the Education and Training Act of 1979, in the stead of or in addition or as an alternative to any course so instituted; or (b) the determination of the syllabus of any such first-mentioned course with the view to the presentation or proposed presentation of any such course, is hereby prohibited'.⁵⁷ [⁵⁷ *Government Gazette* no 10585, Government Order no 116, 9 January]

Speaking in Parliament in July on his department's budget vote, Dr Viljoen said that any deviation in the content of education, particularly anything with any 'militant or revolutionary flavour would not be tolerated' by the educational authorities in any circumstance. He said that action was being taken against the schools at which that form of alternative or 'people's education' had taken place. Furthermore, action was also being taken against teachers and headmasters and against outside agencies that had made 'unlawful use' of these facilities. However, he added that the revision of syllabuses had become a matter of urgent importance because of the insistence on the part of African people on greater relevance in the syllabus content, especially in such sensitive subjects 'as history, literature and religious studies'. Dr Viljoen said that it was well known that the proponents of 'people's education' were calling and working for a rewriting of certain subject syllabuses 'so as to reflect more explicitly what they claim to be the experience and the aspirations of African communities'. He said: 'We have to concede that some school syllabuses are, in fact, experienced by African teachers and students to be irrelevant to their experience and background and strange in content. It is also a fact that the subject content has been defined and selected mainly by white educationists from the viewpoint, experience and values of the white community. It is also true that African educationists have thus far had limited involvement in and responsibility for syllabus formulation and curriculum development with regard to the learning content of the programmes at their schools. This is, of course, an unsatisfactory situation and the Department of Education and Training is actively promoting a change in this situation in the direction of a general revision of syllabuses towards greater relevance for all communities and the greater involvement of educationists from all population groups in the process.'⁵⁸ [⁵⁸ *Hansard* (A) 7 cols 2551-2552, 29 July]

Compulsory education

In response to a question in Parliament in August, the minister of education and development aid, Dr Gerrit Viljoen, said that 379 schools under his control were subject to compulsory education. Compulsory education for Africans was introduced only in those schools where the school committees

had requested it. On registration parents undertook that their children would remain at school at least up to standard 5 or to the age of 16 years. At the same time the department undertook to supply the necessary education facilities and learning materials. Dr Viljoen said that there were no plans to extend the age limit.⁵⁹ [⁵⁹ *Hansard* (A) 9 q cols 566-567, 11 August] The number of pupils subject to compulsory education was not obtainable. There was no compulsory education in the non-independent homelands or in Bophuthatswana or the Transkei. In Venda pupils from sub A to standard 3 were subject to compulsory education in 1986. Information on the Ciskei was not obtainable.

School attendance was compulsory for all white and coloured pupils until they reached the age of 16 years or passed standard 8 and for Indian pupils until 15 years of age.

Stationery and textbooks

In January a liaison officer for the Department of Education and Training, Mr Peter Mundell, said that the cost of providing stationery for schools under his department's control in 1987 would amount to R9m, while that for textbooks would be R23,9m, and prescribed books R12,2m.⁶⁰ [⁶⁰ *Eastern Province Herald* 22 January] The provision of free prescribed books to African pupils was introduced in 1987. The department began providing free textbooks to African pupils in 1979, and in 1980 it began supplying free stationery. Pupils in the non-independent homelands also received free stationery, textbooks and prescribed books. Information on the 'independent' homelands and coloured and Indian schools was not available.

In all white schools pupils were provided with textbooks, class readers, exercise books and stationery free of charge.

School statistics

Pupil/teacher ratios

Estimated pupil/teacher ratios for 1987, calculated from official statistics, were as follows (excluding the 'independent' homelands):⁶¹ [⁶¹ Department of National Education, *Preliminary Education Statistics for 1987*, NATED 02-214 (87/07) July 1987]

Pupil/teacher ratios in the white areas: 1987

African

41 to 1

Coloured

25 to 1

Indian

21 to 1

White

16 to 1

Pupil/teacher ratio in the homelands in 1986 were as follows:⁶² [62 Information supplied by the education departments of the various homelands or calculated from the 1986 annual reports of the departments of education of the different homelands]

Pupil/teacher ratios in the homelands: 1986

Primary

Secondary

Bophuthatswana

37 to 1

32 to 1

Ciskei

43 to 1

25 to 1

Gazankulu

44 to 1

28 to 1

KaNgwane

42 to 1

35 to 1

KwaNdebele

40 to 1

35 to 1

KwaZulu

53 to 1

37 to 1

Lebowa

44 to 1

39 to 1

QwaQwa

34 to 1

31 to 1

Transkei

60 to 1

22 to 1

Venda

35

Overall statistics

South Africa had the following primary and secondary schools, and teachers and pupils in such schools, in 1986:

Number of schools, teachers and pupils: 1986

Schools

Teachers

Pupils

African education in white-designated areas

7

48

1 Non-independent homelands

5 079

58 210

2 572 000

‘independent’ homelands

5 428

48 838

1 860 100

Coloured education

2 035

33 080

798 507

Indian education

445

4 792

232 468

White education

N/A

72 740

897 964

Total

20 479

265 759

8 166 009

Schools

The total numbers of schools above comprised the following number of primary and secondary schools:⁶³ [63 RP 42/1987 op cit; The Education Bureau, *Education for Life*, Administration: House of Representatives, undated; Information supplied by the Research Institute of Education Planning, University of the Orange Free State, 4 February 1988]

Number of schools: 1986*Primary***Secondary****Total**

Africans in white-designated areas

7 149

343

7 492

Non-independent homelands

3 911

1 168

5 079

'Independent' homelands

3 162

2 266

5 428

Coloured

1 823

212

2 035

Indian

N/A

N/A

445

White

N/A

N/A

N/A

The Department of Education and Training's annual report for 1986 gave the following details of the number of classrooms in African schools in that year (excluding the 'independent' homelands):⁶⁴ [64 RP 42/1987 op cit]

Number of classrooms in African schools: 1986

White-designated areas

Non-independent homelands

Primary

34 253

30 454

Secondary

6 738

10 517

Private

459

166

Total

41 450

41 137

There were 11 444 classrooms in Bophuthatswana, 5 988 in the Ciskei, 13 611 in the Transkei and 3 866 in Venda.⁶⁵ [65 Information provided by the Research Institute of Education Planning, University of the Orange Free State, 4 February 1988]

According to the Department of Education and Training, 25 new primary schools (with 538 classrooms) and 28 secondary schools (823 classrooms) were completed during 1986, along with additional classrooms to 21 existing primary (172 classrooms) and 23 secondary schools (263 classrooms). These additional facilities made provision for about 28 400 primary school pupils and about 38 000 secondary school pupils. At the same time a start was made on 18 new and 37 existing primary schools and 15 existing secondary schools.⁶⁶ [66 RP 42/1987 op cit] Provision for the erection and maintenance of African primary and secondary schools in 1987/88 in the white-designated areas amounted to R161,4m.⁶⁷ [67 Information supplied by the Department of Education and Training, 22 December]

In 1986 there were 31 085 classrooms at schools for coloured pupils.⁶⁸ [68 *Hansard (R)* 7 q cols 61-63, 29 July] Information on the number of classrooms and schools built for coloured pupils in 1986 was not obtainable. There were 6 688 classrooms at schools for Indians in 1986.⁶⁹ [69 Information supplied by the Department of Education and Culture (Indian own affairs), 3 March] According to the minister of education and culture (Indian own affairs), Mr Kassie Ramduth, ten new schools (with 161 classrooms) for Indians were completed during 1986, along with nine additional classrooms at existing secondary schools.⁷⁰ [70 *Hansard (D)* 4 q cols 24-25, 11 June]

The total number of classrooms at white schools was not obtainable. However, the total potential capacity of white primary and secondary schools as at 30 January 1987 amounted to 1 074 189 pupils.⁷¹ [71 *Hansard (A)* 4 q cols 531-534, 23 February] During 1986, 35 school buildings were constructed for whi

Shortages

In response to a question in Parliament, the minister of education and development aid, Dr Gerrit Viljoen, said that based on a calculation of 40 primary pupils per classroom and 35 secondary pupils per classroom there was a shortage of 1 494 classrooms at primary and 3 030 at secondary schools under the control of the Department of Education and Training in 1986. Dr Viljoen said that it would cost approximately R347m to eliminate the backlog calculated at 40 and 35 pupils per primary and secondary classroom respectively, and approximately R584m calculated at 40 and 30 pupils in primary and secondary classrooms respectively.⁷³ [73 *Hansard (A)* 12 q cols 730-732, 1 September] According to the South African Institute of Race Relations there was a shortage of 23 713 classrooms in the non-independent homelands and 9 544 in the 'independent' homelands.⁷⁴ [74 SAIRR, *Social and Economic Update 3*, Third Quarter]

According to the minister of education and culture (coloured own affairs), Mr Carter Abraham, there

was a shortage of about 5 400 classrooms for coloured pupils.⁷⁵ [⁷⁵ *Hansard* (R) 7 q cols 61-62, 29 July] The shortage of classrooms at Indian schools was not obtainable. However, the minister of education and culture (Indian own affairs), Mr Kassie Ramduth, said in June that based on a norm of 36 primary pupils per classroom and 31 secondary pupils per classroom there were 104 classrooms at 35 primary schools and 483 classrooms at 92 secondary schools that exceeded the norm. Mr Ramduth said that the average primary and secondary pupil-to-classroom ratios in these schools were 38 to 1 and 34 to 1 respectively. Mr Ramduth said that to accommodate this excess number of pupils in separate classrooms would have resulted in the creation of 'uneconomical classroom units'.⁷⁶ [⁷⁶ *Hansard* (D) 4 q cols 27-30, 11 June]

According to the minister of education and culture (white own affairs), Mr Piet Clase, there was a surplus of 153 637 places at white schools throughout South Africa.⁷⁷ [⁷⁷ *Hansard* (A) 4 q cols 531-534, 23 February]

Double sessions and the platoon system

The following number of African schools, African teachers and African pupils in the white-designated areas and the non-independent homelands were involved in double sessions (the same teacher takes two classes a day) or the platoon system (two teachers for two classes but in the same room) during 1986:⁷⁸ [⁷⁸ RP 42/1987 op cit]

Double sessions and the platoon system in African schools: 1986

White-designated areas

Non-independent homelands

Double session (sub A–sub B)

Number of schools

18

510

Number of teachers

N/A

N/A

Number of pupils

6 448

108 490

Platoon system (sub A–std 9)

Number of schools

56

53

Number of teachers

1 077

320

Number of pupils

37 426

Neither double sessions nor the platoon system existed in Bophuthatswana or Venda. Information on the Ciskei and the Transkei was not obtainable.

In 1986, 116 coloured schools, 14 437 coloured pupils and 301 teachers at coloured schools were involved in double sessions.⁷⁹ [79 Information supplied by the Department of Education and Culture (coloured own affairs), 19 March]

There are no platoon or double sessions at Indian or white schools.

Enrolment

Of the 8 166 009 African, coloured, Indian and white pupils at school in South Africa (including all ten homelands) in 1986, 76% were African, 10% were coloured pupils, 3% were Indian and 11% were white. Some 79% of African pupils and 75% of coloured pupils were in primary school, while for Indian and white pupils the proportions were 63% and 58% respectively. Only 2% of African pupils and 2% of coloured pupils were in standard 10, in contrast to 5% of Indian pupils and 7% of white pupils.

Enrolment figures for 1986 for Africans were as follows:⁸⁰ [80 Carstens P D, du Plessis A and Vorster C, *Education and Manpower Production (Blacks)* no 7, 1986, Research Institute for Education Planning, University of the Orange Free State]

African pupil enrolment by standard: 1986

StWhite-designated areas

Non-independent homelands

‘I

To

PrSub A

312 231

408 773

346 988

1 067 992

17,1%

Sub B

236 367

328 968

240 045

805 380

12,9%

Std 1

225 809

316 501

224 835

767 145

12,3%

Std 2

195 373

279 198

202 506

677 077

10,9%

Total lower primary

969 780

1 333 440

1 014 374

3 317 594

53,2%

Std 3

199 659

262 137

189 592

651 388

10,4%

Std 4

154 280

216 066

157 744

528 090

8,5%

Std 5

133 372

189 767

125 734

448 873

7,2%

Total higher primary

487 311

667 970

473 070

1 628 351

26,1%

Total primary

1 457 091

2 001 410

1 487 444

4 945 945

79,3%

Std 6

115 526

167 364

111 640

394 530

6,3%

Std 7

89 260

134 455

97 184

320 899

5,2%

Std 8

67 671

122 181

74 550

264 402

4,2%

Std 9

45 773

86 763

51 243

183 779

3,0%

Std 10

29 649

59 827

38 039

127 515

2,0%

Total secondary

347 879

570 590

372 656

1 291 125

20,7%

Combined total

1 804 970

2 572 000

1 860 100

6 237 070

100,0%

The table reveals that 29% of African schoolgoers were at school in the white-designated areas and 71% in the homelands.

The Department of Education and Training said that the removal of influx control made it necessary for it to provide for almost 50 000 more pupils (in the white-designated areas) than the expected increase in 1987.⁸¹ [⁸¹ *The Star* 26 April 1988]

Enrolment figures for 1986 for coloured, Indian and white pupils were as follows:⁸² [⁸² Information supplied by the Department of Education and Culture (coloured own affairs), 19 March; Carstens P D etal opcit]

Coloured, Indian and white pupil enrolment by standard: 1986

Standard

Coloured

Proportion

Indian

Proprtion

White

Proportion

Sub A

102 284

12,8%

20 000

8,6%

74 654

8,3%

Sub B

90 917

11,4%

19 749

8,5%

70 800

7,9%

Std 1

85 618

10,7%

19 883

8,6%

71 605

8,0%

Std 2

82 678

10,4%

20 753

8,9%

73 846

8,2%

Total lower primary

361 497

45,3%

80 385

34,6%

290 905

32,4%

Std 3

81 772

10,2%

22 062

9,5%

76 036

8,5%

Std 4

79 550

10,0%

21 614

9,3%

77 492

8,6%

Std 5

73 427

9,2%

21 088

9,1%

77 432

8,6%

Total higher primary

234 749

29,4%

64 764

27,9%

230 960

25,7%

Total primary

596 246

74,7%

145 149

62,5%

521 865

58,1%

Std 6

62 324

7,8%

22 145

9,5%

82 860

9,3%

Std 7

54 790

6,9%

19 987

8,6%

83 151

9,3%

Std 8

38 593

4,8%

18 441

7,9%

79 389

8,8%

Std 9

29 054

3,6%

15 046

6,5%

69 390

7,7%

Std 10

17 500

2,2%

11 700

5,0%

61 309

6,8%

Total secondary

202 261

25,3%

87 319

37,5%

376 099

41,9%

Combined total

798 507

100,0%

232 468

100,0

Farm and rural schools

In 1986 there were 5 484 farm schools for Africans in the white-designated areas, of which only one was a secondary school (although 407 primary schools offered standard 6, 7 and 8 classes). There were 11 771 farm school teachers and 477 260 farm school pupils.⁸³ [83 RP 42/1987 op cit; *Hansard* (R) 7 col 1434, 27 July] Farm schools accounted for about 13% of all schools controlled by the Department of Education and Training, farm school teachers about 25% of all teachers employed by the department, and farm school pupils about 26% of all African school pupils in the white-designated areas. In reply to a question in Parliament the minister of education and development aid, Dr Gerrit Viljoen, said that an average

subsidy of R18 000 was paid to each farm school during 1986. He said that R99m had been budgeted for farm schools during the 1986/87 financial year, which amounted to an average subsidy of R208 per pupil.⁸⁴ [⁸⁴ *Hansard* (A) 7 q col 339, 27 July] In 1986, 40 farm schools were closed down, while 132 new farm schools were opened.

It was reported in the 1986 *Survey* Part 2 (pp433–434) that the special task group which had been established in 1985 to investigate African education in the rural areas had presented its report to Dr Viljoen. Speaking in Parliament in July, Dr Viljoen said that in line with the recommendations in the report and with due regard to financial, legal and policy considerations, the department was giving attention to the following:⁸⁵ [⁸⁵ *Hansard* (R) 7 cols 1436-1439, 27 July]

- the centralisation of farm schools on state land or on other available public land, as well as the provision of transport or hostel facilities where necessary;
- where state land was not available, land and buildings could be leased from the farm owner on a long-term basis if the farmer did not want to involve himself in education;
- the subsidising of housing for teachers on farms;
- the extending of a new subject, Skill and Techniques, as a basis for a new model of career-orientated education, to farm schools as soon as possible;
- the extension of agriculture-related subjects to farm schools;
- the pre-service and in-service training of teachers to meet the particular needs of farm schools;
- the erection of teachers' centres in the rural areas;
- the establishment of basic sports facilities;
- the provision of teaching advisory services and inspection services;
- training in school management to principals of rural schools; and
- the establishment of a central education technology service for rural Schools.

In November Dr Viljoen announced that the Farm School Management and Teacher Development Project had been launched by his department in conjunction with a private company, African Oxygen Ltd (AOL) Performance and Educational Services. Dr Viljoen said that in the past large-scale programmes to improve the management and professional competence of teachers had had to overcome

the problems of numbers, distance and cost. He said that it had been neither feasible nor economically possible to remove all the teachers from their schools for centralised training. However, with the new project the department would be able to take the training to the teachers at their schools. The project would consist of 11 modules which would incorporate the most important parts of the principal's daily work in managing the school as well as teaching the pupils.⁸⁶ [⁸⁶ Statement by Dr G van N Viljoen, minister of education and development aid, *Spotlight on Farm Schools - A New Teacher Development Programme Gets Underway*, Pretoria, 23 November]

Literacy and dropout rate

The Research Institute for Education Planning at the University of the Orange Free State gave estimates of pupil outflow at different levels of education for 1986. The following table includes pupils who left school during the year without having passed the standard in which they were enrolled as well as pupils who did pass but who did not enrol for the next standard the following year:⁸⁷ [⁸⁷ Carstens P D etal opcit]

African school leavers: 1986

Sub A

Sub B– Std 2

Std 3–5

Std 6–8

Std 9–10

Total

Bophuthatswana

2 690

8 420

13 910

14 190

15 780

54 990

Ciskei

11 680

4 060

5 910

6 460

5 350

33 460

Gazankulu

6 280

5 090

5 370

3 930

5 480

26 150

KaNgwane

1 680

1 310

2 530

3 110

3 630

12 260

KwaNdebele

820

-2 420

-10

1 560

2 310

2 260

KwaZulu

24 520

27 610

27 500

29 750

26 720

136 100

Lebowa

8 050

10 710

19 300

20 220

24 370

82 650

QwaQwa

250

540

140

1 530

1 400

3 860

Transkei

72 150

34 040

26 550

20 620

13 190

166 550

Venda

1 990

1 720

3 920

4 280

6 810

18 720

White-designated areas

35 660

44 290

60 720

52 440

33 980

227 090

Total

165 770

135 370

165 840

158 090

139 020

764 090

Percentage of total outflow

21,7

17,7

21,7

20,7

18,2

100,00

Enrolment

1 067 992

2 249 602

1 628 351

979 831

311 294

6 237 070

Outflow aspercentage of enrolment

15,5

6,0

10,2

16,1

44,7

12,3

According to the report, the number of pupils who passed a standard and then left school was relatively small in the lower standards but tended to increase as the pupils advanced to higher standards. The report said that negative figures could possibly be attributed to a high failure rate or to the entry to the school of a large number of pupils from other areas in South Africa, resulting in a higher pupil

enrolment in the next standard than the total of the previous year in the lower standard.

In response to a question in Parliament the minister of education and culture (coloured own affairs), Mr Carter Ebrahim, gave the following information on the number of coloured pupils who dropped out of school during, and at the end of, 1986 without obtaining a matriculation certificate.⁸⁸ [⁸⁸ *Hansard* (R) 7 q cols 53-54, 27 July]

Coloured school leavers: 1986

During 1986

End of 1986

Total

Sub A

931

588

1 519

Sub B

1 250

1 105

2 355

Std 1

1 999

589

2 588

Std 2

1 926

996

2 922

Std 3

2 714

1 726

4 440

Std 4

3 326

2 884

6 210

Std 5

3 728

1 534

5 262

Std 6

5 486

4 018

9 504

Std 7

5 129

2 681

7 810

Std 8

2 380

3 120

5 500

Std 9

2 196

3 383*

5 579

Total

31 065

22 624

53 689

*

Inclu

Examination results

The 1986 matriculation examination results (given below) show that 50% of the African candidates, 64% of the coloured candidates, 87% of the Indian candidates, and 92% of the white candidates passed, while 13%, 13%, 33% and 45% respectively passed with matriculation exemption.

Results of the African matriculation examinations at the end of 1986 were as follows:⁸⁹ [89 House of Assembly, written reply supplied to the SAIRR by Mr K Andrew MP (Progressive Federal Party); Republic of Transkei, Department of Education, annual report 1986]

African matriculation examination results: 1986

Rest of South Africa

Transkei

Total

Candidates

96 000

12 039

108 039

Total passes

48 193

5 779

53 972

Proportion

50,2%

48,0%

50,0%

Passed with matriculation exemption

12 044

2 031

14 075

Proportion of total number of candidates

12,5

16,9%

13,0%

Passed with school-leaving certificate

36 149

3 748

39 897

Proportion of total number of candidates

37,7%

31,1%

36,9

The results of the coloured, Indian and white matriculation examinations at the end of 1986 were as follows:⁹⁰ [⁹⁰ Information supplied by the Department of Education and Culture (House of Representatives), 19 March; Information supplied by the South Africa Foundation 2 September; Information supplied by the Department of Education and Culture (House of Delegates), 27 January 1988]

Coloured, Indian and white matriculation results: 1986

Coloured

Indian

White

Candidates

11 052

11 359

57 964

Total passes

7 115

9 896

53 229

Proportion

64,4%

87,1%

91,8%

Passed with matriculation exemption

1 381

3 783

26 243

Proportion of total number of candidates

12,5%

33,3%

45,3%

Passed with school-leaving certificate

5 734

6 113

26 986

Proportion of total number of candidates

51,

According to the Department of Education and Training, 143 000 full-time and 162 000 part-time candidates were registered to write the matriculation examination at the end of 1987.⁹¹ [⁹¹ *Sowetan* 19 October] For the first time in several years the end-of-year examinations in African townships proceeded relatively smoothly. In October the National Education Crisis Committee (NECC) called on all pupils to sit for their examinations. In Pietermaritzburg (Natal), where conflict between Inkatha and the United Democratic Front (see chapter on *Political Developments*) disrupted schooling, the Department of Education and Training made 'special arrangements' with the South African Police 'to ensure the safety of students during examinations'. The writing of examinations in Natal was, however, hampered by floods. In Harrismith (Orange Free State) hundreds of students were unable to sit for their examinations because of alleged vigilante attacks on pupils and their families.⁹² [⁹² *The Weekly Mail* 23 October, 20 November; *The Star* 23 October, 3 November; *Eastern Province Herald* 28 October]

In Port Elizabeth there were also rumours that some standards 6 to 9 papers had been leaked to pupils. However, the regional office of the department had no knowledge of any breach of examination security and the examinations proceeded as scheduled.⁹³ [⁹³ *Eastern Province Herald* 28 October]

Of the 143 000 registered full-time matriculation candidates, 137 600 (96%) wrote the examinations.

The preliminary African, coloured, Indian and white examination results for 1987 were as follows:⁹⁴ [⁹⁴ *The Natal Mercury* 22, 23 December; *Cape Times* 24 December; *Sowetan* 29 December; *The Star* 22 December; Mr E Swarts, Cape Education Department, 21 April 1988; Mr A Wessels, Orange Free State Education Department, 18 April 1988]

Matriculation examination results: 1987

*African**

Coloured

Indian

White

Candidates

137 600

18 029

12 429

66 658

Total passes

77 454

12 423

11 575

63 135

Proportion

56,3%

68,9%

93,1%

94,7%

Passed with matriculation exemption

39 354

3 280

4 625

28 347

Proportion of total number of candidates

28,6%

18,2%

37,2%

42,5%

Passed with school-leaving certificate

38 100

9 143

6 950

34 788

Proportion of total number of candidates

27,7%

50,7%

55,9%

52,2%

*

Excluding the Transke

Teachers

Numbers and qualifications

In 1986 there were 155 147 teachers in African schools (including all ten homelands), 33 080 in

coloured schools, 4 792 in Indian schools and 72 740 in white schools,

If a post-standard 10 teacher's certificate or diploma is regarded as the minimum qualification for a teacher, it is evident from the tables below that 58% of teachers in African schools in the white-designated areas and non-independent homelands, 38% of teachers in coloured schools, and 6% of teachers in Indian schools were not adequately qualified in 1986. The respective figures for 1985 were 65%, 42% and 8%. In Bophuthatswana and Venda respectively, 63% and 49% of teachers were not adequately qualified in 1986. The qualifications of teachers in the Ciskei and the Transkei were not obtainable. If a three-year post-standard 10 teacher's certificate or diploma is regarded as the minimum qualification for a teacher, 93% of teachers in African schools in the white-designated areas and non-independent homelands were not adequately qualified, while in Bophuthatswana 95% of teachers were not adequately qualified. Similar figures for teachers in the other 'independent' homelands and for coloured and Indian teachers were not obtainable.

The following tables give a detailed breakdown of teachers' qualifications in 1986:⁹⁵ [RP 42/1987 op cit; Information supplied by the Department of Education and Culture (coloured own affairs), 19 March; Republic of Bophuthatswana, Department of Education, annual report, 1986; Republic of Venda, Department of Education, annual report, 1986; Department of Education and Culture (Indian own affairs), 3 March]

Qualification of teachers in African schools (excluding TBVC*): 1986

Professionally qualified with

White areas

%

Non-independent homelands

%

Total

%

Std 6

3 121

6,5

2 236

3,8

5 357

5,0

Std 8

18 427

38,3

16 881

29,0

35 308

33,2

National technical certifacate

147

0,3

58

0,1

205

0,2

Std 10 with primary teacher's certifacate

10 292

21,4

15 718

27,0

26 010

24,5

Std 10 with junior secondary teacher's certificate

3 231

6,7

4 102

7,1

7 333

6,9

Std 10 and 3 years' teacher's training

3 186

6,6

4 627

8,0

7 813

7,3

Degree

1 431

3,0

1 736

3,0

3 167

3,0

Sub-total

39 835

82,8

45 358

78,0

85 193

80,1

No professional qualification, but with

Std 8 or lower

5 117

10,6

5 256

9,0

10 373

9,8

National technical certificate

72

0,2

18

—

90

0,1

Matriculation or senior certifiacate

2 839

5,9

7 357

12,6

10 196

9,6

Degree

236

0,5

221

0,4

457

0,4

Sub-total

8 264

17,2

12 852

22,0

21 116

19,9

Total

48 099

100,0

58 210

100,0

106 309

100,0

*

Transkei, Bophuthatswana, Venda and Ciskei

Qualification of teachers in Bophuthatswana and Venda: 1986

Bophuthatswana

Venda

Professionally quallified with

Number

%

Number

%

Std 8 or lower

8 098

54,2

1 423

22,4

Std 10

3 409

22,8

2 410

37,9

Std 10 plus 2 years

1 003

6,7

—

—

Std 10 plus 3 years

713

4,8

—

—

Technical certifacate

9

0,1

—

—

Degree incomplete

—

—

351

5,5

Degree

455

3,1

422

6,6

Special teacher's certificate

—

—

41

0,6

Sub-total

13 687

91,7

4 647

73,0

No professional qualification but with

Std 8 or lower

413

2,7

89

1,4

Std 10

733

4,9

1 537

24,1

Technical certificate

1

—

—

—

Degree incomplete

—

—

28

0,4

Degree

100

0,7

65

1,0

Sub-total

1 247

8,3

1 719

27

Qualification of teachers in coloured schools: 1986

Professionally qualified with

Number

%

Below std 8

53

0,2

Std 8 or 9

9 991

30,2

Std 10

17 079

51,6

A university degree

3 297

10,0

Other (eg technical)

32

0,1

Sub-total

30 452

92,1

No professional qualification but with

Std 8 or lower

480

1,4

Std 10

1 388

4,2

A university degree

659

2,0

Other (eg technical)

101

0,3

Sub-total

2 628

7,9

Total

33 080

100,0

Qualification of teachers in Indian schools: 1986

Professionally qualified with

Number

%

Std 8 or equivalent

—

—

Std 10 or equivalent

523

10,9

A university degree

3 968

82,8

Sub-total

4 491

93,7

No professional qualification but with

Std 8 or equivalent

—

—

Std 10 or equivalent

149

3,1

A university degree

152

3,2

Sub-total

301

6,3

Total

4 792

100,0

In January it was reported that about 400 newly qualified Indian teachers were unable to find jobs in Indian schools. The president of the Teachers' Association of South Africa (TASA), Mr Pat Samuels, said that he could not understand how there could be no work for teachers when many classrooms were overcrowded and many were without teachers.⁹⁶ [⁹⁶ *The Daily News* 20 January, 2 February] In May the minister of education and culture in the House of Delegates, Mr Kassie Ramduth, said that jobs had been found for 177 of the ne

Many newly qualified secondary school teachers from the Soweto College of Education were also unable to find placements in 1987. According to a liaison officer for the Department of Education and Training, Mr Peter Mundell, the teachers should blame their own community for not being placed in high schools. 'We cannot expect young and inexperienced teachers to be exposed to unnecessary risks before the school situation is normalised. It is up to the community to decide whether schools closed down because of unrest last year should be reopened so that teachers can be employed,' he said. It was also reported that newly qualified African teachers in Pietermaritzburg could not find jobs.⁹⁸ [⁹⁸ *Echo* 29 January]

In August the leader of the Labour Party and chairman of the ministers' council in the House of

Representatives, the Rev Allan Hendrickse, announced that 72 teachers and principals who had been subjected to disciplinary investigations for failing to carry out year-end examinations in some western Cape schools in 1985 (see 1985 *Survey* pp386–395) would be reinstated and the departmental investigation would be called off.⁹⁹ [⁹⁹ *Hansard* (R) 10 cols 2272-2273, 19 August]

Teacher training

According to the annual report of the Department of Education and Training, there were 12 teacher training colleges for Africans under its control in 1986 (two more than in 1985), with a teaching staff of 570. There were another 24 under the education departments of the six non-independent homelands (as opposed to 23 in 1985), with a teaching staff of 973. Enrolment at these colleges totalled 20 817 (18 043 in 1985).¹⁰⁰ [¹⁰⁰ RP 42/1987 op cit] Bophuthatswana, the Ciskei, the Transkei and Venda had 21 teacher training colleges between them in 1986, with 636 teachers and 9 989 students enrolled.¹⁰¹ [¹⁰¹ Information obtained from the 1986 annual education reports for the Republics of Transkei, Venda, Bophuthatswana and Ciskei]

The following teaching degrees and diplomas were awarded to African students in education at African universities in 1985:¹⁰² [¹⁰² RP 42/1987 op cit; Republic of Bophuthatswana, Department of Education, annual report 1986]

Teaching degrees and diplomas awarded at African universities: 1985

University

Degrees

Diplomas

Total

Bophuthatswana

85

31

116

Fort Hare

79

89

168

The North

198

187

385

Transkei

Not available

Vista

—

1 256

1 256

Zululand

105

200

305

Total

467

1 763

2 230

The following numbers of African students were enrolled in the education faculties at African

universities in 1986:103 [¹⁰³ Ibid]

Student teachers at African universities: 1986

University

Number of students

Bophuthatswana

706

Fort Hare

616

The North

1 574

Transkei

Not available

Vista

12 296

Zululand

1 207

In addition to the above, a number of African students were enrolled for degrees in education at the University of South Africa and some of the predominantly white universities.

There were 5 732 coloured student teachers at colleges of education in 1986. At the end of 1985, 617 coloured students qualified as teachers.¹⁰⁴ [¹⁰⁴ Information supplied by the Department of Education and Culture (coloured own affairs), 19 March] Information was not obtainable on the number of coloured student teachers at universities.

For information on the number of student teachers enrolled at the two teacher training colleges for Indians and the University of Durban-Westville in 1986, see 1986 *Survey* Part 2 p442. Information for 1987 was not obtainable.

There were 14 798 white student teachers enrolled in colleges of education in 1986.¹⁰⁵ [¹⁰⁵ *Preliminary Education Statistics for 1986*, Department of National Education, October 1986] Information was not obtainable on the number of student teachers enrolled at universities and the number of student teachers who qualified.

Special education

In 1986 there were 40 special schools for Africans (42 in 1985) outside the 'independent' homelands, made up of 32 in the white-designated areas and eight in the non-independent homelands. Some of these schools made provision for more than one category of disabled children. Ten of them provided for the aurally disabled, seven for the visually disabled, one for the cerebral palsied, one for epileptics, 18 for the severely mentally disabled, nine for the physically disabled and one for the aurally and visually disabled. They employed 503 staff members and had 4 087 pupils.¹⁰⁶ [¹⁰⁶ RP 42/1987 op cit] There were two special schools in the Ciskei in 1986, one for the physically disabled and one for the deaf. The number of pupils enrolled was not obtainable.¹⁰⁷ [¹⁰⁷ Republic of Ciskei, Department of Education, annual report 1986] There were six special schools in the Transkei in 1986, two for the blind and deaf, two for mentally disabled children, one for cerebral palsied and orthopaedically disabled children and one for physically disabled children. They employed 91 staff members and had 723 pupils.¹⁰⁸ [¹⁰⁸ Republic of Transkei, Department of Education, annual report 1986] There was one special school in Venda, catering for aurally, physically and visually handicapped children, with 48 staff and an enrolment of 305.¹⁰⁹ [¹⁰⁹ Republic of Venda, Department of Education, annual report 1986] Information on Bophuthatswana was not obtainable.

The number of special schools for coloured, Indian and white pupils was not obtainable. However, in 1986 there were 4 828 coloured, 1 360 Indian and 13 949 white pupils enrolled at special schools.¹¹⁰ [¹¹⁰ *Preliminary Education Statistics for 1986*, op cit]

Adult education

According to the annual report of the Department of Education and Training, there were 259 adult education centres and satellites in 1986 (36 less than in 1985) in the white-designated areas of South Africa as follows: Cape province 43, Highveld 53, Johannesburg 75, Natal 22, northern Transvaal 37, Orange Free State 19 and Orange Vaal 10. These centres employed 3 585 teachers (against 3 522 in 1985) and had 46 987 adults enrolled: 33% in primary, 52% in secondary and 15% in literacy courses. In addition, 3 322 teachers were enrolled as students at these centres. In 1986 there were 71 adult education centres and satellites in KwaZulu (as against 94 in 1985) with 459 teachers and 5 077 students. An additional 846 teachers were enrolled as students in adult education centres in KwaZulu in 1986.¹¹¹ [¹¹¹ RP 42/1987 op cit]

In 1986 there were 228 adult education centres in Bophuthatswana (27 more than in 1985) employing 1 783 teachers. The number of adults enrolled at these centres was not obtainable.¹¹² [¹¹² Republic of Bophuthatswana, Department of Education, annual report 1986] In Venda there were 52 literacy centres operational in 1986 (as opposed to 44 in 1985) with an enrolment of 554 students, and 14 continuation centres (one more than in 1985) with an enrolment of 292 students.¹¹³ [¹¹³ Republic of Venda, Department of Education, annual report 1986] Information on the Ciskei and the Transkei was not obtainable.

In 1986 there were 79 coloured adult education centres (as against 108 in 1985) with an enrolment of 921 primary and 3 072 secondary students.¹¹⁴ [¹¹⁴ Information supplied by the Department of Education and Culture (coloured own affairs), 19 March] The Department of Education and Culture (Indian own affairs) operated eight adult education centres for Indians in 1986 (four more than in 1985) with 666 adults enrolled.¹¹⁵ [¹¹⁵ Information supplied by the Department of Education and Culture (Indian own affairs), 3 March] Information on adult education for whites was not obtainable.

School and sport

In February an African pupil from Kearsney College near Botha's Hill (Natal), Nkululeko Skweyiya, was banned by the Menlo Park High School (Pretoria) management council from participating in an athletics competition at the Pretoria school because of his race. About 100 Natal school athletes withdrew from the competition in protest.¹¹⁶ [¹¹⁶ *The Daily News* 12 February, *Business Day* 13 February] The minister of home affairs, Mr Stoffel Botha, said that he sincerely regretted the incident. He said that the government was not opposed to mixed school sport.¹¹⁷ [¹¹⁷ *The Citizen* 14 February] As a result of the banning, two members of the Menlo Park School management council, Dr Chris Stals and Mrs Marie Spruyt, resigned from the council. At a protest meeting parents of Menlo Park pupils passed a motion of no confidence in the management council and called on the remaining members to resign by 27 February. The parents said that unless the council resigned they would ask the minister of education and culture in the House of Assembly, Mr Piet Clase, to intervene.¹¹⁸ [¹¹⁸ *Ibid*] The remaining council members did not resign, and at the beginning of March parents who had opposed the council's decision and who had formed themselves into the Menlo Park Parents' Action Committee, and the parents who had supported the council's decision, met separately with Mr Clase.¹¹⁹ [¹¹⁹ *The Star* 4 March] Mr Clase said that he did not have the power to dismiss the management council but he called on the council to resign of its own volition to demonstrate its goodwill towards the school and its community. He said that legislation would be introduced to prevent a similar incident in the future.¹²⁰ [¹²⁰ *The Citizen* 6 March] At the end of March the management council announced that white pupils could not play against pupils of the other race groups on the school's grounds.¹²¹ [¹²¹ *The Star* 31 March]

Many other incidents where white schools refused to participate in multiracial sport were reported during 1987 (see chapter on *Sport*).

In November Mr Clase announced that the provincial education councils were considering the possibility of changing school sport policy to facilitate multiracial sport. According to newspaper reports the proposals provided that schools which did not wish to compete in multiracial events had to withdraw. The existing policy required the multiracial team to withdraw if objections were raised.¹²² [¹²² *Business Day* 3 November, *The Citizen* 5 November] Mr Clase also announced that legislation that would allow for the dissolution of school councils was also to be considered.¹²³ [¹²³ *Eastern Province Herald* 16 November]

Pupils' organisations

The Azanian Students' Movement (AZASM) had both pupils and students as members. For information on AZASM see *Student Organisations* below.

Information on other pupil organisations was not obtainable.

Student representative councils

In response to a question in Parliament the minister of education and development aid, Dr Gerrit Viljoen, said that 123 schools falling under the control of his department had student representative councils (SRCs) as follows in 1987: Highveld 50, Natal 24, northern Transvaal 16, Orange Free State 27 and Orange Vaal 6.¹²⁴ [¹²⁴ *Hansard* (A) 4 q cols 251-252, 23 February] In 1986, 191 schools had SRCs. SRCs are constituted each year at schools. Therefore, a school that has an SRC one year might not have one in another year.

School boycotts and other disturbances

During 1987 many African schools in South Africa were again affected by school boycotts. However, in its report for 1987, tabled in Parliament in April 1988, the Department of Education and Training said that there had been initially no disruption compared with the preceding three years.¹²⁵ [¹²⁵ *Business Day* 26 April 1988]

According to the minister of education and development aid, Dr Gerrit Viljoen, a total of 147 schools administered by his department were affected by boycotts or disturbances during 1987 (as opposed to 260 in 1986). Dr Viljoen said that the total enrolment at these schools was 128 022. However, he said that a survey had shown that no more than half the pupils at these schools were affected in some way or another by the boycotts and disturbances. Ninety-seven secondary schools out of a total of 368 registered secondary schools were affected by unrest. (In 1986, 105 secondary schools were affected.)¹²⁶ [¹²⁶ *Hansard* (A) 3 q col 58, 23 February 1988]

At the beginning of January a return-to-school campaign was launched which was endorsed by, among others, the National Education Crisis Committee (NECC), the United Democratic Front (UDF), the Azanian People's Organisation (AZAPO), the Azanian Students' Movement (AZASM), the South African National Students' Congress (SANSCO) and the Soweto Students' Congress (SASCO).¹²⁷ [¹²⁷ *Sowetan* 5 January] At the same time, these organisations called on the Department of Education and Training to reopen 73 schools which had been closed during the 1986 school boycotts (see 1986 *Survey* Part 2 pp445–459), and to withdraw those regulations issued on 29 December 1986 in terms of the emergency regulations of 12 June 1986 which prohibited, inter alia, the presence of pupils and other people on school premises at specified times and the offering of 'people's education' at any school (see 1986 *Survey* Part 2 p459). (These regulations were reimposed on 11 June 1987 when the state of emergency was reproclaimed—see chapter on *Security*.) The chief public relations officer for the Department of Education and Training, Mr Job Schoeman, said that discussions on the reopening of the 73 schools were being held countrywide between the department and parents and community groups. He said that 'only if the parents wish to have the schools reopened and if they are prepared to take responsibility for their children's behaviour the school will be reopened'.¹²⁸ [¹²⁸ *The Star* 7 January] On 7 January, when schools reopened for the 1987 school year, pupils throughout the country began returning to schools, except in Port Elizabeth where 60 schools had been closed in 1986. Pupils were given until 20 January to register at a school. On 21 January more than half the 73 closed schools had been reopened and by the end of February the remaining closed schools had reopened.¹²⁹ [¹²⁹ *The Citizen* 8, 21 January; *The Natal Witness* 8 January; *The Star* 27 February]

On 9 January in a further attempt to prohibit the promotion of 'people's education', the commissioner of the South African Police, General P J Coetzee, issued an order in the *Government Gazette* prohibiting any gathering organised by the NECC or any organisation acting on behalf of, or under the auspices of, the NECC, at which discussions were held on the presentation, on any school or hostel premises, of courses which had not been instituted under the Education and Training Act of 1979. Syllabuses of such courses could also not be determined at such gatherings.¹³⁰ [¹³⁰ *Government Gazette* no 10585, Government Notice no 116, 9 January]

When schools closed for the Easter holidays on 20 March, with the exception of a few isolated incidents, African schools had experienced what was described as 'the quietest quarter in African education since 1984'.¹³¹ [¹³¹ *The Star* 18 March]

However, from the second term onwards unrest and boycotts were reported at a number of schools throughout the country. By July about 50 schools were affected by boycotts in that attendance was less than 80%.¹³² [¹³² *Business Day* 29 July] Some of the incidents reported included the following:

- On 22 and 23 April there was a total stayaway of pupils at schools in Soweto (Johannesburg) which accompanied a work stayaway to protest against the eviction of a number of residents following a rent boycott (see chapter on *Housing*).¹³³ [¹³³ *The Star* 23 April]

- At Guguletu (Cape Town) pupils at the I D Mkhize High School boycotted classes to protest against the shortage of textbooks.¹³⁴ [¹³⁴ *Cape Times* 27 April]
- On 5 and 6 May hundreds of thousands of pupils throughout the country stayed away from schools to protest against the whites-only election for the House of Assembly (see chapters on *Government and Constitution, Labour Relations and Political Developments*).¹³⁵ [¹³⁵ *The Citizen* 6 May, *Business Day* 7 May]
- In KwaNdebele thousands of pupils boycotted classes for several months to protest against the detentions of fellow pupils, teachers and school inspectors as well as to protest against a decision by the homeland's legislative assembly to opt for independence (see chapter on *The Homelands*).¹³⁶ [¹³⁶ *Sowetan* 12 May, *The Star* 8 July]
- In May and June about 15 000 students at high schools in KwaMashu (Durban) boycotted classes to protest against the killing of a pupil by a special police constable.¹³⁷ [¹³⁷ *The Weekly Mail* 5 June] Schools in Natal were affected by the conflict between the United Democratic Front and Inkatha (see chapter on *Political Developments*).
- In May pupils from Ilanga High School in the western Cape began a boycott of classes after violence erupted when members of the school's athletic team who had returned from a Department of Education and Training sports event allegedly assaulted other pupils. The majority of pupils and teachers at the school had been opposed to the pupils participating in the meeting.¹³⁸ [¹³⁸ *The Star* 13 May] Parents and pupils were angered further when the department replaced the African principal, Mr D Ngcukana, with a white principal.¹³⁹ [¹³⁹ *The New Nation* 28 May] By the beginning of June four other schools in the western Cape were also affected by boycotts.¹⁴⁰ [¹⁴⁰ *South* 4 June] At the beginning of July the Department of Education and Training decided that when schools reopened for the new term on 7 July the Langa school would be closed and would only be reopened when parents agreed that the pupils would reregister.¹⁴¹ [¹⁴¹ *The Star* 7 July] In defiance of the department's ruling, all the pupils returned to school but failed to register.¹⁴² [¹⁴² *Eastern Province Herald* 9 July]
- In July thousands of coloured pupils in the western Cape staged a one-day boycott to protest against a disciplinary hearing that was to be brought against 72 teachers and principals who had refused to carry out year-end examinations during the school unrest in 1985 (see *Teachers* above and 1985 *Survey* pp388–395).¹⁴³ [¹⁴³ *South* 23 July]

At the end of 1987, despite incidents of unrest occurring throughout the year, the year-end examinations proceeded calmly, only isolated incidents of unrest being reported (see *Examinations* above). Some 96% of African matriculation candidates wrote the examination.

Technical Education and Industrial Training

Legislation and policy

The **Advanced Technical Education Amendment Act (House of Delegates)**, which was passed during 1987, amended the Indians Advanced Technical Education Act of 1968.

An insert into section 1 of the principal act provided that the provisions of the principal act would be applied subject to the general policy determined in terms of the General Education Affairs Act of 1984. Section 2 of the principal act was amended so as to extend the functions of technikons to include post-school education on a part-time basis for students who were no longer subject to compulsory school attendance.

A new section, 2A, inserted into the principal act made provision for university students to be trained at technikons as secondary school teachers in those subjects to which technikons were particularly suited to make a contribution. According to the minister of education and culture in the House of Delegates, Mr Kassie Ramduth, the intention of this amendment was to create new training possibilities for vocationally directed teachers.¹⁴⁴ [¹⁴⁴ *Hansard* (D) 3 col 537, 16 February]

Section 5 of the amendment act abolished the restriction that a technikon could not lend or borrow money without the approval of the minister of education and culture (Indian own affairs). Section 7 of the amendment act extended the powers of the council of a technikon.

Section 11(1) of the principal act provided that the staff establishment at a technikon would be determined by the minister. This was amended by section 10 of the amendment act to provide that the council of the technikon, with the approval of the minister, could determine the staff establishment. The amendment also provided that the council could determine the conditions of service and leave privileges with the approval of the minister. In terms of section 12 of the amendment act the council, subject to the permission of the minister, could create certain schools or courses of study at a technikon and could determine the syllabus of a course.

Section 29 of the principal act was amended to provide that the minister could delegate to the director general of education and culture (Indian own affairs) or to the council of a technikon, certain specified powers.

In response to a question in Parliament in September, the minister of education and culture (white own affairs), Mr Piet Clase, said that black students could be admitted to white technikons 'subject to the policy of admission'. Mr Clase said that he was presently holding talks with the rectors of the white technikons to formulate a policy on the admission of blacks which would be in accordance with the provisions and the spirit of South Africa's constitution and which served the interest of the country.¹⁴⁵

[145 *Hansard* (A) 12 q cols 710-711, 31 August] At the end of 1987 the discussions were still continuing.

Secondary school technical training

The total number of schools offering practical, technical and commercial subjects was not available. In 1986 a total of 517 003 African pupils in standards 6 to 10 in the white-designated areas and non-independent homelands were involved in practical subjects, 19 849 in technical subjects and 268 621 in commercial subjects. A further 111 889 pupils in standards 4 to 8 were involved in technical orientation subjects.¹⁴⁶ [¹⁴⁶ RP 42/1987 op cit] There were also 21 training centres in 1986 (the same as in 1985) run by the Department of Education and Training. They employed 360 teachers (as against 372 in 1985) and had 42 681 pupils (as against 48 652 in 1985). There was one training centre in QwaQwa (as in 1985). It employed 26 teachers and had 2 261 pupils (2 164 in 1985).¹⁴⁷ [¹⁴⁷ Ibid]

According to the executive director of education and culture (coloured own affairs), in 1986 a total of 1405 coloured pupils (1 166 in 1985) were involved in technical studies at comprehensive secondary schools controlled by the department.¹⁴⁸ [¹⁴⁸ Information supplied by the Department of Education and Culture (coloured own affairs), 19 March] The number of schools was not obtainable. According to the director general of education and culture (Indian own affairs), four secondary schools, three in Natal and one in the Transvaal, offered technical secondary education for Indians in 1987. Altogether 1 402 pupils were enrolled (2 219 in 1986) in these schools.¹⁴⁹ [¹⁴⁹ Information supplied by the Department of Education and Culture (Indian own affairs), 27 January 1988] Information on the number of schools offering technical subjects for white pupils was not obtainable.

Technical colleges and industrial training

In 1986 there were 19 technical colleges for Africans (the same as in 1985) in the white-designated areas of South Africa. There were 19 technical colleges and industrial training centres in the non-independent homelands, as follows: one in Gazankulu, one in KaNgwane, one in KwaNdebele, nine in KwaZulu, five in Lebowa and two in QwaQwa. In 1986, 2 533 students were enrolled in technical colleges in the white-designated areas on the block-release system, 1 497 for pre-service trade training and 426 on a part-time basis. A further 1393 were enrolled for commercial courses. Altogether 2 498 students were enrolled in pre-service trade training courses in the non-independent homelands, and a further 157 students were enrolled in commercial courses.¹⁵⁰ [¹⁵⁰ RP 42/1987 op cit]

There was one vocational school for coloured people in 1986 offering courses in upholstery, carpentry and cabinet making, bricklaying and shoe making. In 1986, 26 people enrolled at this school. There were seven technical colleges throughout the country for coloured people in 1986 with an enrolment of 8 648 students.¹⁵¹ [¹⁵¹ Information supplied by the Department of Education and Culture (coloured own affairs), 19 March]

There were two technical colleges for Indians in 1987. The Sastri Technical College in Durban (Natal) had an enrolment of 3 877 students. The St Oswald's Technical College in Newcastle (Natal) had an enrolment of 423 students.¹⁵² [¹⁵² Information supplied by the Department of Education and Culture (Indian own affairs), 27 January 1988]

In 1985 there were 72 technical colleges for whites throughout South Africa. In that year 115 835 students enrolled at these colleges, broken down as follows: 113 869 whites, 976 coloured students, 679 Africans and 311 Indians.¹⁵³ [¹⁵³ Department of Education and Culture, Administration: House of Assembly, annual report 1986, RP 59/1987] There were also two trade training centres for whites: the Vereeniging Trade Training Centre which had an enrolment of 81 in 1986 (64 in 1985) and the Westlake Trade Training Centre which had an enrolment of 273 (252 in 1985).¹⁵⁴ [¹⁵⁴ Ibid]

Advanced technical education

There were two institutions for the advanced technical education of Africans in 1986: the Technikon Northern Transvaal under the Department of Education and Training, and the Mangosuthu Technikon under the KwaZulu Department of Education and Culture. On 1 January 1986 the technikon functions of the Edendale Technical College (KwaZulu) were transferred to the Mangosuthu Technikon. In 1986 these technikons employed 187 staff and had an enrolment of 949 (as opposed to 1 604 in 1985).¹⁵⁵ [¹⁵⁵ RP 42/1987 op cit]

The Peninsula Technikon continued to provide advanced technical education for coloured people. In 1986 the enrolment figure was 1 948 full-time and 584 part-time students.¹⁵⁶ [¹⁵⁶ Information supplied by the Department of Education and Culture (coloured own affairs), 19 March] There was one technikon for Indians—the M L Sultan Technikon. In 1987, 2 797 full-time and 1250 part-time students were enrolled at the technikon.¹⁵⁷ [¹⁵⁷ Information supplied by the Department of Education and Culture (Indian own affairs), 21 January 1988]

There were eight technikons for whites with an enrolment of 51 069 students in 1985 and 35 047 in 1986.¹⁵⁸ [¹⁵⁸ Central Statistical Service, *South African Labour Statistics 1987*, D1, D6]

Industrial training schools

Four industrial training schools in KwaZulu and one in QwaQwa offered intensive 13-week courses in bricklaying, plastering, joinery and woodwork, plumbing, sheetmetal work and welding to adults. In 1986, 49 teachers were employed at these schools, but information on the number of students enrolled was not obtainable.¹⁵⁹ [¹⁵⁹ RP 42/1987 op cit]

Group training centres

There were nine group training centres in 1986 (as opposed to eight in 1985). In that year 12 599 people of all race groups received training at these centres. A group training centre is a centre established by a group or an association of employers in a particular industry or area.¹⁶⁰ [¹⁶⁰ *South African Labour Statistics 1987* op cit]

Private in-service training

In 1986, 709 training centres and 916 training schemes were registered with the Department of Manpower. In 1986, 126 347 people of all race groups received training at training centres (as against 129 759 in 1985) and 132 968 through training schemes (as against 155 562 in 1985).¹⁶¹ [¹⁶¹ *Ibid*]

Technical education in the ‘independent’ homelands

In 1986 four vocational and industrial schools operated in the **Transkei** employing 34 teachers and with an enrolment of 254 pupils. The Umtata Technical College and the Teko and Ngqungqushe technical institutes employed 41 teachers and had an enrolment of 1 020. The Ikhwezi and Ezibeleni technical skills centres continued to offer instruction in technical and vocational subjects to secondary school pupils. The exact number of pupils involved was not known.¹⁶² [¹⁶² Republic of Transkei, Department of Education, annual report 1986]

The Finyazwanda Technical College continued to provide technical education in **Venda**. In 1986, 422 students were enrolled there, and 35 instructors were employed. The Mavhoi Technical Institute in Dzanani began functioning in 1986 with seven instructors. The number of students enrolled was not obtainable. In 1986 construction began on a technical institute at Mashamba.¹⁶³ [¹⁶³ Republic of Venda, Department of Education, annual report 1986]

Information on **Bophuthatswana** and the **Ciskei** was not obtainable.

University Education

Legislation, policy and finance

The **Universities (Education and Training) Amendment Act** of 1987 amended the University of the North Act of 1969, the University of Zululand Act of 1969, the Medical University of Southern Africa Act of 1976 and the Vista University Act of 1981 so as to make the provisions of the Universities Act of 1955 as amended by the Universities Amendment Act of 1986 (see 1986 *Survey* Part 2 pp464–465) applicable to the above-mentioned universities.

Speaking in Parliament in February, the minister of education and culture (white own affairs), Mr Piet Clase, said that in future the government would link its subsidies to universities to a restriction on the number of full-time students. He said that it had become evident that it would not be possible for state expenditure to keep pace if universities continued to grow at the present rate. Mr Clase said that the failure rate at universities and the large numbers of students who left without obtaining qualifications showed that admission requirements could be applied more strictly to ensure a more economical use of state funds. He said further that it was evident that the proportion of students admitted to technikons and universities respectively would have to be adjusted. In order to provide the necessary technological manpower required for the development of the country it was imperative that a larger number of students be admitted to technikons, Mr Clase said.¹⁶⁴ [¹⁶⁴ *The Star* 18 February] This decision was criticised by the vice chancellors of the universities of Cape Town, Natal and the Witwatersrand. The vice chancellor of the University of Cape Town, Dr Stuart Saunders, said that while he recognised the economic problems facing South Africa, he had reservations about whether ‘an arbitrary limit on undergraduate numbers is the correct way of handling a complex problem’.¹⁶⁵ [¹⁶⁵ *Business Day* 18 February]

Speaking in Parliament towards the end of July, the minister of national education, Mr F W de Klerk, said that the government would not hesitate to ‘clamp down’ on unrest and anti-state activities on university campuses. Mr De Klerk said that he had had ‘in-depth talks’ with a number of universities and that his department was monitoring the situation closely. He said that the issue of unrest on campuses (see 1986 *Survey* Part 2 pp469–479) had been raised by several members of Parliament and had been the subject of many letters and appeals made to his department by the public and parents. Mr De Klerk added that the government was also sensitive to the fact that taxpayers’ money was being used to subsidise each student. He said that while the government had an obligation to higher education, it also had an obligation to taxpayers to see that universities did not receive funds which would be used for ‘ulterior motives’. He said that the government had a great respect for universities and the academic profession and wished to maintain the autonomy of these institutions. But academic autonomy was not absolute, and if it was upheld to the disadvantage of the country as a whole the government would not hesitate to act.¹⁶⁶ [¹⁶⁶ *Hansard* (A) 7 cols 2441-2442, 27 July]

Following the debate in Parliament, Mr De Klerk met the chairmen of the university councils and the rectors and vice chancellors of all the universities on 5 August to discuss the disruption of academic activities at universities with a view to ‘making arrangements which can ensure the maintenance of the good order and the effective control over the use of public funds at universities’.¹⁶⁷ [¹⁶⁷ *The Citizen* 4 August] After the meeting Mr De Klerk issued a statement saying that the government had decided that in terms of the Universities Act of 1955 it would lay down conditions for the allocation of subsidies. The universities would be expected to take ‘all reasonable steps’ to comply with the following proposed conditions:

- students should be taught and be allowed to study uninterrupted and unhindered;
- taxpayers’ money should be used constructively, functionally and for educational purposes;

- effective regulations should be applied to ensure good order and discipline; and
- traditional academic values and standards should be maintained.

Mr De Klerk said that the ‘conditions will be so formulated that they will not materially affect the executive autonomy of universities and the academic freedom of students, teachers and universities which has developed historically’. Mr De Klerk added that at the request of the university delegates, they had been given until the end of August to comment on the proposed conditions.¹⁶⁸ [¹⁶⁸ *The Star* 5 August]

At a press conference called by the National Union of South African Students (NUSAS) and the South African National Students’ Congress (SANSCO) at the University of the Witwatersrand at the end of August, a NUSAS spokesman said that the government’s proposals had the following implications:¹⁶⁹ [¹⁶⁹ *Ibid* 28 August]

- the effective banning of NUSAS, the suppression of almost any anti-apartheid activity or organisation on campus and the democratic rights of students to peaceful protest and critical debate; and
- the curtailment of university autonomy and academic freedom, University administrations would become policing agents of the state and would be forced to alter teaching and research methods under threat of having their subsidies cut off.

Although the responses by the universities were not made public, reports in various newspapers claimed that it was understood that the English-language universities, the University of the Western Cape and ‘at least one Afrikaans-language university’ rejected the proposals.¹⁷⁰ [¹⁷⁰ *The Star* 9 September, *Sunday Times* 6 September]

On 15 October Mr De Klerk revealed the conditions which universities would have to meet if their subsidies were not to be cut off. In terms of the conditions the onus was on the universities to:¹⁷¹ [¹⁷¹ *The Citizen* 16 October]

- prevent wrongful or unlawful interference with, or discrimination against, students or staff members in the pursuit of their normal and lawful activities;
- accomplish the undisrupted and undisturbed continuance of the teaching and research activities and all related supporting activities in accordance with the predetermined academic calendar;
- deter on-campus gatherings which were unlawful, the boycotting of classes or examinations, any other disruptive or seditious conduct, or the commission of any act of intimidation;

- prevent staff members or students from using any university supplies (including stationery), equipment, buildings or land to promote the aims or public image of any unlawful organisation;
- prevent the promotion, support or organising of a boycott of any kind against any particular firm or firms of any particular nature, class or kind, any particular product or article of whatever nature, class or kind, or any particular educational institution;
- prevent the incitement or encouragement of the public to stay away from work or to strike in contravention of any law;
- prevent the promotion, support or organising of any campaign of civil disobedience, such as the refusal to comply with or the contravention of any law or the refusal to fulfil any obligation towards a local authority;
- prevent the printing, publishing or dissemination of any publication in contravention of a notice issued under section 5(1) of the Internal Security Act of 1982; and
- prevent the commission of any act which endangered the safety of the public or the maintenance of law and order.

The university also had to ensure the disciplining of any student or staff member who, to the satisfaction of the university council, was guilty of any of the above offences or who conducted him/herself in a seditious or riotous manner within a radius of two kilometres from the perimeter of the campus.¹⁷² [¹⁷² Ibid]

Any incident of unrest or disruption at a university had to be reported to the minister of national education within 21 days, together with an explanation of the circumstances. The minister would then decide whether the particular university had complied with the conditions for preventing unrest or disruption. If not, the university would be given an opportunity to make representation about the minister's findings and, should such representations fail, the 'formal procedures in terms of the Universities Act of 1955 will commence'.¹⁷³ [¹⁷³ Ibid]

The new subsidy procedures were condemned by the universities of Cape Town, Natal, the Western Cape and the Witwatersrand, and Rhodes University. The principal of the University of Stellenbosch, Professor M de Vries, said that the new subsidy conditions did not conflict with his university's policy outline, and that he could 'go along with them'.¹⁷⁴ [¹⁷⁴ Ibid 17 October] Towards the end of October the five universities which had condemned the proposals held general assemblies to protest against the subsidy conditions.¹⁷⁵ [¹⁷⁵ Ibid 28 October]

In February 1988 following an application by the universities of Cape Town and the Western Cape in

the Cape of Good Hope Provincial Division of the Supreme Court, the subsidy conditions were declared invalid. The University of Natal was to bring its application towards the end of February 1988 and the University of the Witwatersrand said that it would challenge the conditions only if they were used against the university.¹⁷⁶ [¹⁷⁶ *The Star* 13 February 1988]

Student enrolment

Enrolment figures for 1987, supplied by the registrars of the universities were:

Student enrolment at universities: 1987

University

African

Coloured

Chinese

Indian

White

Total

Bophuthatswana

Breakdown according to race not available

2 337

Cape Town

705

1 582

—

345

10 520

13 152

Durban-Westville

1 181

162

—

5 024

279

6 646

Fort Hare

2 248

20

—

3

44

2 315

MEDUNSA

1 158

3

1

51

179

1 392

Natal

1 244

262

—

1 918

8 744*

12 168

The North

4 533

3

—

3

32

4 571

OFS

75

108

—

—

8 693

8 876

Port Elizabeth

55

266

34

28

3 981

4 364

Potchefstroom

139

63

—

9

8 911

9 122

Pretoria

29

26

—

16

21 974*

22 045

Rand Afrikaans

77

236

—

7

7 690

8 010

Rhodes

505

153

—

161

2 882*

3 701

Stellenbosch

30

446

—

10

13 360

13 846

Transkei

Breakdown according to race not available

3 988

UNISA

25 229

4 389

183

9 905

48 760

88 466

Venda

3 512

2

—

2

26

3 542

Vista

18 247

230

—

13

29

18 519

Western Cape

951

7 724

—

280

79

9 034

The witwatersrand

1 672

258

199

1 269

14 688

18 086

Zululand

4 157

2

13

13

19

4 191

Total

258 371

*

Chinese included

Of a total of 47 107 students in 1987 at the English-language universities of Cape Town, Natal, Rhodes and the Witwatersrand, 4 126 (9%) were African, 2 255 (5%) coloured and 3 693 (8%) Indian. The remaining 78% were white, making the student composition of the universities predominantly, though not exclusively, white. The five Afrikaans-language universities had 1 271 (2%) African, coloured and Indian students out of a total of 61899. The University of Port Elizabeth, a dual-language university, had 383 (9%) African, coloured, Chinese and Indian students out of a total enrolment of 4 364. At the University of Durban-Westville there were 1 622 (24%) African, coloured and white students out of a total enrolment of 6 646, the remainder being Indian. Of the 9 034 students at the University of the Western Cape, 1310(15%) were African, Indian and white, the remainder being coloured. The six African universities (excluding the universities of Bophuthatswana and Transkei for which a breakdown according to race was not available) had 675 (2%) coloured, Indian and white students out of a t

Student organisations

In May the student representative council (SRC) at the University of the Western Cape and the clubs and societies registered with the SRC voted unanimously to refuse permission to the **Azanian Students' Movement (AZASM)** to register as a student body. Permission was refused on the grounds that AZASM, a black consciousness organisation, did not adhere to the 'principles of nonracialism' while the SRC's constitution propagated nonracialism.¹⁷⁷ [¹⁷⁷ *South* 21 May] At its fourth annual congress in December in Cape Town, AZASM condemned the decision by some liberal universities, including the University of the Western Cape and the University of the Witwatersrand, to refuse to allow AZASM to operate on campus.¹⁷⁸ [¹⁷⁸ *The Star* 11 December] At its congress AZASM also called on pupils to return to school in 1988 and criticised the Department of Education and Training for not providing transport subsidies for African pupils.¹⁷⁹ [¹⁷⁹ *City Press* 13 December, *Sowetan* 14 December] Mr Thami Hlekiso was elected president.

Following a split in the **Afrikaanse Studentebond (ASB)** in 1986 (see 1986 *Survey* Part 2 p468), the organisation was disbanded in October. At the end of 1987 no new organisation had been formed to replace the ASB. In 1986 the 'verligte' students who had broken away from the ASB formed a new organisation. Youth for South Africa (YSA). The YSA, which was not specifically a student organisation, was open to anyone between the ages of 16 and 35 irrespective of race and language.¹⁸⁰ [¹⁸⁰ *The Citizen* 7 October, *Financial Mail* 16 October]

In April the **National Union of South African Students (NUSAS)** launched a 'one-person one-vote' campaign in response to the whites-only election which was held on 6 May.¹⁸¹ [¹⁸¹ *Eastern Province Herald* 2 April] In a referendum conducted on the campuses of Rhodes University and the universities of Cape Town, Natal (Pietermaritzburg and Durban), Stellenbosch and the Witwatersrand, 86% of the 13 835 students who voted were in favour of one-person one-vote in a unitary South Africa.¹⁸² [¹⁸² *The Star* 10 May]

In August referendums were held on the Pietermaritzburg campus of the University of Natal and at Rhodes University on the question of affiliation to NUSAS. Students at both universities voted in favour of affiliation.¹⁸³ [¹⁸³ *Ibid* 14 August] In 1983 students at Rhodes had decided to disaffiliate from NUSAS and at Pietermaritzburg they had agreed to affiliate (see 1983 *Survey* p465). In September the SRC at the University of Stellenbosch voted not to grant NUSAS recognition at the campus.¹⁸⁴ [¹⁸⁴ *City Press* 6 September]

In May the **National Students' Federation (NSF)** launched a week-long campaign to collect signatures for a petition to be sent to the offices of the African National Congress (ANC) demanding 'that the ANC abandon its campaign of calculated terror against innocent civilians'.¹⁸⁵ [¹⁸⁵ *The Star* 18 May] Students belonging to the NSF who were collecting signatures at the Durban and Pietermaritzburg campuses of the University of Natal and at the University of the Witwatersrand claimed that they were harassed by

fellow students and that their pamphlets and posters were destroyed.¹⁸⁶ [¹⁸⁶ *The Citizen* 20 May] In September the NSF called for the repeal of the Group Areas Act of 1966.¹⁸⁷ [¹⁸⁷ *Ibid* 1 October]

The annual congress of the **South African National Students' Congress (SANSCO)** in December at the University of the Western Cape was attended by 275 delegates representing 62 branches. The congress pledged to fight tirelessly against repression on campuses, especially at the University of the North (see *Incidents on Various Campuses* below). The congress also reaffirmed its commitment to strengthening its alliance with NUSAS, the Soweto Youth Congress, the Congress of South African Trade Unions and the National Students' Co-ordinating Committee. The congress adopted the theme 'Organise, Consolidate and Advance Towards People's Education'.¹⁸⁸ [¹⁸⁸ *City Press* 13 December, *The New Nation* 17-22 December] On 24 February 1988 SANSCO was banned (see chapter on *Security*).

Incidents on various campuses

Following unrest at the University of Bophuthatswana in 1986 (see 1986 *Survey* Part 2 p469) the university established a commission of inquiry to investigate charges made by the students against the campus registrar, Mr W Mosetlhi. In January the commission reported that the allegation that Mr Mosetlhi was a spy for the president of Bophuthatswana, Chief Lucas Mangope, was 'without any truth or substance'.¹⁸⁹ [¹⁸⁹ *The Star* 21 January]

In April four students at the University of Cape Town were 'severely reprimanded' and one of them was fined R250 for disrupting lectures given by a visiting Irish academic, Dr Conor Cruise O'Brien in 1986 (see 1986 *Survey* Part 2 pp470–472).¹⁹⁰ [¹⁹⁰ *Business Day* 15 April]

Also in April, Mrs Helen Suzman, a Progressive Federal Party candidate, was banned by the university authorities from speaking at the University of the Witwatersrand. The university claimed that the prohibition was in accordance with a policy of not allowing people to 'electioneer' on campus, an explanation which Mrs Suzman rejected.¹⁹¹ [¹⁹¹ *The Star* 4 March, *The Citizen* 22 April]

On 24 April the student residences at the **University of Bophuthatswana** were closed for three months after a number of students had disrupted preparations for an opening ceremony of a new building on the campus. The students, who burnt a makeshift platform, tents and seats, were protesting against an examination timetable which, they claimed, had been issued sooner than they had expected. The Bophuthatswana Police were called in to break up the unrest.¹⁹² [¹⁹² *Unibo News* July 1987, *Sunday Times* 26 April] Ten students were arrested and charged with public violence. At the end of 1987 the trial was still continuing.¹⁹³ [¹⁹³ *City Press* 25 October]

Also on Friday 24 April, 150 to 200 students at the **University of Cape Town** disrupted lectures and set fire to a vehicle following a lunchtime meeting to protest against the deaths and firing of members of the

South African Railways and Harbours Workers' Union (SARHWU) (see chapter on *Labour Relations*). The demonstration was broken up by members of the South African Police (SAP).¹⁹⁴ [¹⁹⁴ *Cape Times* 25 April, *The Star* 28 April] On Monday 27 April police used birdshot, teargas and sjamboks to disperse students who were protesting against the police action on the previous Friday and the raid by the South African Defence Force (SADF) in Zambia (see chapter on *Security*). About ten students received birdshot injuries. Seven students were arrested; two were released and five were charged with public violence. The following day 19 students were arrested and charged with attending an illegal placard demonstration when police, using sjamboks, dispersed a gathering on the campus.¹⁹⁵ [¹⁹⁵ *The Star* 28 April; *The Citizen* 29, 30 April; *The Natal Mercury* 30 April] On 30 April police again dispersed about 3 000 students protesting against the general election for the House of Assembly which was held on 6 May (see chapter on *Government and Constitution*).¹⁹⁶ [¹⁹⁶ *The Citizen* 1 May]

On 3 August a formal dinner on the campus hosted by the Moderate Students' Movement (MSM) and addressed by Dr Denis Worrall, a former National Party Senator and MP and also a former South African ambassador in Canberra (Australia) and London, was disrupted when about 120 black students marched into the dining room chanting pro-African National Congress slogans, forcing Dr Worrall to leave without delivering his speech. Four students were suspended for the rest of the academic year for disrupting Dr Worrall's speech, six were fined R250 each and 13 were fined R 100 each.¹⁹⁷ [¹⁹⁷ *The Star* 4, 6 August] The following day a lunchtime meeting organised by the MSM and addressed by Mr Tamsanqa Linda, co-president of the United Christian Conciliation Party, was disrupted by about 80 students who attacked Mr Linda with stones and bottles and broke the windows of the car in which he escaped. According to the vice chancellor of the university, Dr Stuart Saunders, the meeting had been postponed by the university authorities prior to its taking place as the organisers had not complied with rules laid down to prevent meetings which had the potential to evoke student or staff protest.¹⁹⁸ [¹⁹⁸ *The Citizen* 5 August] The chairman of the MSM, Mr Lance Terry, and the vice chairman, Mr Rafi Peer, were suspended for the remainder of the academic year for 'deliberately defying orders' to postpone the meeting. Two other students were suspended for disrupting the meeting. Messrs Terry and Peer brought an application in the Cape of Good Hope Provincial Division of the Supreme Court to have their suspension set aside. The court ruled that the two students should be reinstated.¹⁹⁹ [¹⁹⁹ *The Star* 6, 21 August]

At the beginning of September the 23 students who were suspended or fined for disrupting Dr Worrall's speech and the two students suspended for disrupting Mr Linda's speech were tried before the university court. One of the 23 students was rusticated for the remainder of the year and his expulsion suspended for the rest of his time at university, 13 students were given suspended rustication sentences, charges against two were dropped and the remainder were found not guilty.²⁰⁰ [²⁰⁰ *The Citizen* 2 September, *The Star* 2 September] Messrs Terry and Peer appeared before the university court at the end of September and received suspended rustication sentences until 31 December 1988.²⁰¹ [²⁰¹ *The Natal Mercury* 30 September]

In June students at the **Medical University of Southern Africa (MEDUNSA)** boycotted lectures for two days to protest against the arrest of two students. The two were arrested when students, who had

been staging a food boycott to protest against the quality of food served in the canteen, stormed the canteen, causing damage estimated at more than R30 000. The boycott ended when the charges of malicious damage to property against the two students were dropped and the university agreed to cancel its contract with the company responsible for the provision of meals on the campus.²⁰² [²⁰² *The Star* 25 June, *Sowetan* 24 June]

However, at the end of July students again began a boycott of classes which lasted five weeks, to protest against the quality of food served in the canteen.²⁰³ [²⁰³ *Sowetan* 31 July] According to the acting principal of the university, Professor E L Karlsson, although the university had cancelled its contracts with the catering company, the university was legally bound to serve a six-month notice period with the firm.²⁰⁴ [²⁰⁴ *Ibid* 4 August] The students returned to lectures in September after Professor Karlsson threatened to close the residences.²⁰⁵ [²⁰⁵ *Ibid* 8 September]

On 6 May students at the **University of Natal** boycotted lectures to protest against the whites-only election for the House of Assembly. Forty students from the Durban campus were arrested after holding a placard demonstration in the centre of Durban.²⁰⁶ [²⁰⁶ *The Star* 7 May] The following day, after a meeting to announce the university senate's decision to close the university on 8 May, students marched off the campus to protest against allegedly violent police action on South African universities and the arrest of the 40 students. The march was broken up by police using quirts. Seven students were injured and 19 were arrested.²⁰⁷ [²⁰⁷ *Ibid* 8 May] The 19 students were charged under the Internal Security Act of 1982 with attending an illegal gathering. (Sixteen students were subsequently found guilty and fined R300 suspended for five years, charges against two were dropped and one student failed to appear in court.)²⁰⁸ [²⁰⁸ *The Natal Witness* 13 October] The vice chancellor of university. Professor Peter Booysen, said the senate had decided 'to close the university on 8 May as a symbolic gesture of the strength of the university's feeling on the violence and conflict between police and students at various South African campuses'.²⁰⁹ [²⁰⁹ *The Star* 8 May]

Following unrest at the **University of the North** in 1986 which resulted in the SADF, the SAP and the Lebowa Police being brought in to patrol the main campus in Lebowa (northern Transvaal) (see 1986 *Survey* Part 2 pp475–476), 85% of students failed their final examinations written in December, the failure rate reaching 100% in some departments.²¹⁰ [²¹⁰ *Sowetan* 22 January] When the university reopened for the 1987 academic year students were forced to register outside the campus and those admitted to the university were driven on to the campus. The campus was patrolled on a 24-hour basis by security forces, and anyone entering the campus had to show identification.²¹¹ [²¹¹ *The Star* 5 March, *Varsity* 25 March] In February a confidential report drawn up by the university authorities and leaked to the *Sowetan* newspaper proposed strict control measures on the campus. The report's proposal recommended, inter alia: the use of 'existing state security institutions to ensure that no radical underground elements are admitted'; a briefing process for senior staff members on revolutionary activities; a ban on commemorations of 'national days' such as 21 March and 16 June; the erection of high fences on the campus and the installation of highmast lighting; the redrafting of the constitution of the student

representative council (SRC); the holding of regular meetings between the rector and the security forces to discuss campus conditions; and disciplinary measures to be taken against staff members or students 'who launch politically motivated actions and activities on campus'.²¹² [²¹² *Sowetan* 25 February]

In March the QwaQwa campus of the university was closed temporarily after 'some problems' were experienced. The reasons for the closure were not obtainable.²¹³ [²¹³ *The Star* 19 March] At the beginning of April the Lebowa campus was closed after students began to boycott lectures to protest against the presence of security forces. Both campuses were reopened on 21 April for the second semester.²¹⁴ [²¹⁴ *Ibid* 22 April] In October the university was closed for three days and students were ordered to leave the hostels following a one-day boycott to commemorate the October 1977 bannings of black organisations (see 1977 *Survey* pp 168–169).²¹⁵ [²¹⁵ *Sowetan* 21 October, *The Star* 24 October] At the end of the academic year security forces were still present on the campus.²¹⁶ [²¹⁶ *The Sunday Star* 8 November]

On 27 March about 250 students at **Rhodes University** marched on the university's administration building to protest against the university's bursary system which the students claimed was discriminatory. The students claimed that of the 127 bursaries administered by the university only 13 were allocated to black students, while such students comprised 22% of the students on the campus. Furthermore, the students claimed that none of the 36 sports bursaries available were awarded to blacks.²¹⁷ [²¹⁷ *Eastern Province Herald* 28 March] The principal of the university, Dr Derek Henderson, denied that the university discriminated in awarding bursaries. Dr Henderson said that in 1987 black students had received 43% of the bursary funds administered by the university.²¹⁸ [²¹⁸ *The Citizen* 6 April]

At the beginning of April about 300 black students staged a two-and-a-half hour sit-in in the administration building to demand the right for the Black Students' Movement (BSM) to have a representative on the university's senate. After a meeting between the university authorities and members of the BSM the university agreed to the BSM's demand. Some damage to the administration block was caused during the sit-in.²¹⁹ [²¹⁹ *The Weekly Mail* 3 April, *The Citizen* 4 April]

On 24 April a scuffle broke out at the **University of Stellenbosch** after a security policeman tried to arrest a shopsteward of SARHWU, Mr Morris Ndou, when he tried to address students on the campus. The incident resulted in the activities of NUSAS and the Black Students' Organisation of Stellenbosch being suspended temporarily by the university authorities.²²⁰ [²²⁰ *The Star* 28 April, *Sunday Times* 26 April]

In June the **Universities of the Transkei** was closed following lecture boycotts on the campus. The university reopened on 7 July.²²¹ [²²¹ *The Weekly Mail* 3 July] No further information was obtainable. On 25 September 57 students were arrested and eight students were injured when police broke up a commemoration service for Mr Batandwa Nondo, a former SRC member who was shot dead in 1985 (see 1985 *Survey* p406). The 57 students were released after they paid admission-of-guilt fines.²²² [²²² *The Star* 30 September]

On 21 April the entire student body at the **University of the Western Cape** began a boycott of classes in support of dentistry students at the university who had been boycotting lectures for three weeks. The students were demanding the resignation of the head of the Department of Conservative Dentistry, Professor J Cohen, after allegations of racism. The university established a commission of inquiry to look into the allegations. The students ended the boycott on 13 May after the commission found that although there was no substantiation for the allegations. Professor Cohen was not suitably placed at the university.²²³ [²²³ *Cape Times* 23 April; *The Citizen* 23 April, 13 May, 7 September; *The Star* 2 May] Meanwhile, on 1 May police broke up a march of about 500 students following a May Day rally on the campus.²²⁴ [²²⁴ *The Star* 1 May]

At the beginning of September police used teargas to disperse stone-throwing students who were protesting over the executions of Mr Moses Mnyanda Jantjies and Mr Mlamli Wellington Mielies, who had been convicted for killing a KwaNobuhle (Uitenhage) town councillor, Mr Tamsanqa Kinikini, in 1985 (see chapter on *Security* and 1985 *Survey* p88).²²⁵ [²²⁵ *Sowetan* 2 September]

On 19 March, following a service to commemorate the anniversary of the Sharpeville and Uitenhage shootings (see 1959–60 *Survey* pp57–58 and 1985 *Survey* p536), students at the **University of the Witwatersrand** attempted to march off the campus but dispersed when persuaded to do so by the university authorities. During the day several lectures were disrupted by a group of about 30 members of the Black Students' Society who demanded that students boycott lectures and attend the commemoration meeting.²²⁶ [²²⁶ *The Citizen* 20 March, *The Star* 20 March] On 30 April police used teargas to disperse hundreds of students who attempted to march off the campus. The students, who were protesting against the killing and firing of SARHWU members (see chapter on *Labour Relations*), had thrown stones and wood at police and civilian vehicles.²²⁷ [²²⁷ *The Citizen* 1 May, *The Star* 1 May] In August two students who had thrown missiles at the police appeared before a disciplinary hearing. One student was warned, reprimanded and fined R100 while the other was excluded from the university for one academic year, this sentence being conditionally suspended.²²⁸ [²²⁸ *Business Day* 10 August]

On 4 May 150 students were arrested and at least two were injured after police sjambokked and teargassed students on the campus when a meeting which was to be addressed by Mrs Winnie Mandela, wife of a jailed ANC leader, Mr Nelson Mandela, had been declared illegal by the chief magistrate of Johannesburg.²²⁹ [²²⁹ *Sowetan* 5 May]

HOUSING

Legislation

Constitutional Laws Amendment Act

The Constitutional Laws Amendment Act, which was gazetted on 8 July, amended several laws affecting Africans, and inter alia provided for African women to acquire ownership of property in the same manner as African men. The amendment act provided African women with full property rights for the first time. Provision was also made for the sale of land under leasehold to Africans even if such land had not yet been surveyed by a land surveyor, provided that the land was surveyed within a four-year period of the granting of leasehold.¹ [¹ *Government Gazette* no 10823, 8 July]

Housing Amendment Act

The Housing Amendment Act, gazetted in October, amended the Housing Act of 1966, and provided for the delegation of responsibility for the development of land for African housing by the minister of constitutional development and planning to the administrators of the provinces. In addition, the act allowed provincial administrators to exempt any local authority, housing utility company or person from any bylaw or regulation regarding the materials or general standards applicable in erecting a building for African use. The act also provided for the establishment of regional committees which would have the decision-making authority previously vested in the National Housing Commission.² [² *Government Gazette* no 11004, 23 October]

Professor Nic Olivier MP (Progressive Federal Party) said that although the PFP supported the passing of the act because it saw the necessity for machinery for providing African housing, the party was caught in a dilemma. The PFP believed that four separate systems for the legislation, administration, financing and supply of housing for the different racial groups were an absurdity. Professor Olivier said that South Africa should have one housing ministry, providing housing for all.³ [³ *The Citizen* 8 October]

Housing Act (House of Representatives)

In March the Housing Act (House of Representatives) was passed, providing for the minister of local government, housing and agriculture in the coloured chamber to appoint a housing board, which would provide housing for coloured people. A housing fund was also established, comprising part of the assets of the National Housing Commission and funds appropriated by the House of Representatives for this purpose.⁴ [⁴ *Government Gazette* no 10629, 4 March] (In 1986 a housing board for whites had been established—see 1986 *Survey* Part 1 p350.)

Housing Development Act (House of Delegates)

The Housing Development Act (House of Delegates), which was gazetted on 4 March, provided for a housing fund and a housing development board for Indians, to be appointed by the minister of local

government, housing and agriculture in the Indian chamber.⁵ [⁵ *Government Gazette* no 10631, 4 March]

Black Communities Development Amendment Bill

The Black Communities Development Amendment Bill was introduced in Parliament in October. It sought, inter alia, to provide a quicker and less cumbersome method for the opening of registers for African townships, without the usual consolidation and subdivision of the underlying farm portions. The bill would thus speed up the leasehold and freehold sale of land in African townships for housing and other purposes.⁶ [⁶ Memorandum on the objects of the Black Communities Development Amendment Bill] The bill was not passed during the period under review.

Promotion of Local Government Affairs Amendment Bill

The Promotion of Local Government Affairs Amendment Bill was introduced in Parliament in June. The bill sought to facilitate the collection of rent and service charges due to local authorities. (A similar bill concerning only Africans had been tabled in 1986 and had been subsequently withdrawn.) The proposed legislation was seen as aiming at 'breaking the rent boycott' in African townships, which had started in September 1984 (see *Rent boycotts* below).⁷ [⁷ *The Citizen* 10 June] The bill provided for a local authority to give 14 days' notice to any person who had failed to pay rent or service charges. Thereafter, if the debt remained unpaid, the local authority was empowered to file a statement of account with the clerk of a magistrate's court, which would have 'all the effects of a civil judgement lawfully given in favour of the local authority'. The local authority would be entitled to apply to the clerk of the court for a garnishee order against the defaulter's salary or wages. Any employer refusing to comply with the order would be liable to a fine of R2 000 or 12 months' imprisonment.⁸ [⁸ Promotion of Local Government Affairs Amendment Bill]

The PFP spokeswoman on black affairs, Mrs Helen Suzman, said that the bill was 'unwise at a time of unrest and poverty caused by widespread unemployment'. She suggested that the government should resolve the rent boycott by discussion with community representatives.⁹ [⁹ *The Citizen* 10 June] Members of the business community also strongly criticised the bill. The Association of Chambers of Commerce of South Africa (ASSOCOM) said that it would vigorously oppose the government's efforts, which it described as 'bypassing the normal judicial processes' and likely to exacerbate already tense industrial relations.¹⁰ [¹⁰ *Eastern Province Herald* 10 June] Mr Bill Hubbard, senior vice president of the American Chamber of Commerce in South Africa, said that if enacted, the bill would force foreign-owned companies into the political process, since they would be seen as agents in rent collection. He added that this would lead to renewed pressure in the United States for sanctions and the withdrawal of investment from South Africa.¹¹ [¹¹ *Business Day* 10 June] At the time of writing the bill had not been enacted.

General policy

Constitutional structure

There are currently nine government departments responsible for the provision of housing in South Africa. They are:¹² [¹² *South African Indicator* Autumn/Winter]

- the Department of Constitutional Development and Planning, responsible for African housing in white areas;
- the Department of Development Aid, which assists non-independent homelands with the provision of African housing;
- four housing ministries in the 'independent' homelands, viz Bophuthatswana, the Ciskei, Venda and the Transkei;
- the Department of Local Government, Housing and Agriculture (coloured own affairs);
- the Department of Local Government, Housing and Agriculture (Indian own affairs); and
- the Department of Local Government, Housing and Works (white own affairs).

Coloured housing

Speaking in Parliament in June, the minister of local government, housing and agriculture in the House of Representatives, Mr David Curry, outlined the official housing policy for coloured people. He pointed out that the central government could not itself provide all of the planned state housing. Local government structures, including coloured management committees, needed to 'take the initiative'. Mr Curry alleged that the Housing Board (for coloured people) had allocated funds to local management committees which had not been utilised. He said that a section to 'promote self-help housing' had been created by the Housing Board, and although this initiative alone would not eliminate the housing shortage, self-help schemes should be used 'to maximum advantage'. More coloured people were interested in participating in self-help schemes than available funds would permit, he added. Mr Curry said that the Housing Board also offered subsidies on housing loans to all households which earned less than R1 000 a month.¹³ [¹³ *Hansard (R)* 5 cols 933-938, 17 June]

Indian housing

The chairman of the Ministers' Council in the House of Delegates, Mr Amichand Rajbansi, said in April that the Housing Development Board (for Indians) would encourage local authorities to provide low-cost housing. He added that housing provision would be 'independent of political processes' and would 'give consideration to Indian customs and traditions'. However, he stressed the need for a national master plan for housing, saying that discussions were being held with members of Parliament and 'community-based

organisations' to formulate such a plan.¹⁴ [¹⁴ *The Star* 24 April]

Speaking in the Indian chamber in August, Mr Rajbansi suggested that the Group Areas Act of 1966 had hindered the purchase of land for Indian housing, as it had created an artificial shortage of land, and thus allowed landowners to charge inflated prices. He said that land shortage was a major constraint in reducing the housing backlog. Mr Rajbansi said that affordability and private sector involvement were important policy issues. He said that the Housing Development Board provided financial assistance to Indian homeowners in the form of a home ownership savings scheme, a 33,33% interest subsidy on loans for first-time home buyers, and differential interest rates on home loans, adjusted according to individual income.¹⁵ [¹⁵ *Hansard* (D) 10 cols 2080-2085, 17 August]

White housing

In June the minister of the budget and welfare in the House of Assembly, Dr Dawie de Villiers, said that it was not government policy to provide housing for all white people. He said that although housing was 'a basic need', the individual should provide housing for 'himself and his family'. In addition, the private sector should accept extensive responsibility for the provision of housing. Dr De Villiers suggested that the government should assist only those people who could not readily be helped by private enterprise. Nevertheless, he claimed, the government placed a 'high premium' on providing housing assistance to the lower-income groups. Dr De Villiers mentioned that assistance could take the form of 90% housing loans, a state-assisted home ownership scheme, an interest subsidy scheme for home loans and pilot construction schemes.¹⁶ [¹⁶ *Hansard* (A) 4 cols 1239-1241, 11 June]

In June the minister of local government, housing and works in the House of Assembly, Mr Annie Venter, said that the government was 'particularly concerned' with providing houses for elderly whites and the very poor.¹⁷ [¹⁷ *Ibid* cols 1400-1405]

African housing in white-designated areas

Speaking in September at the first meeting of the National Housing Commission on which Africans were represented, the minister of constitutional development and planning, Mr Chris Heunis, said that the presence of Africans on the commission showed that the government was serious about solving the African housing crisis. He added that African communities would have a greater say on the regional committees of the National Housing Commission, which had been established on 1 September. Mr Heunis saw the role of the regional committees established in terms of the Housing Amendment Act (see above) as initiating state housing projects, although the responsibility for funding would rest with the provinces.¹⁸ [¹⁸ *Sowetan* 15 September] The National Housing Commission would remain as a national policy-making body. Mr Heunis said that legislation would be introduced in 1988 to devolve authority for African housing in white areas from himself to the provincial administrators.¹⁹ [¹⁹ *Cape Times* 15 September]

Mrs Helen Suzman MP (Progressive Federal Party) said in September in Parliament that at the rate at which the government was building houses for Africans, the housing crisis would 'never be solved'. She claimed that the main issue, which she saw as the identification and production of land for site-and-service schemes for African squatters, remained unaddressed.²⁰ [²⁰ *The Star* 18 September]

In an article in *South*, Ms Vanessa Watson of the Urban Problems Research Unit of the University of Cape Town said that the housing crisis could be solved only if the state made more funds available, and housing was not treated as a 'commodity' sold for profit. She said that African housing should not be a form of influx control, pointing out that Africans who settled in white areas without formal housing were being prosecuted by the authorities for trespassing (see chapter on *Urbanisation*). Ms Watson said that the housing situation had worsened since 1982, when the government had decided that it would no longer take primary responsibility for the provision of housing. Since 1983 the central government had built no houses for Africans, and housing had thus become the responsibility of private developers. Ms Watson said that the state now saw its role as providing accommodation only for 'the very poor'. The government's priority was now to erect site-and-service schemes, and its emphasis had changed from rental to private ownership of houses. She added that the cost of building a house privately put it 'out of the reach' of most Africans.²¹ [²¹ *South* 27 August]

In July it was announced that the government would increase loans available for the erection of houses for full-time African farmworkers. The Agricultural Credit Board would accept applications from farmers for loans of between R8 000 and R14 000 per house erected for the accommodation of their workers.²² [²² *Sowetan* 29 July]

Squatters

According to the deputy minister of constitutional development, Dr Stoffel van der Merwe, in September there were more than 1,3m African squatters in South Africa: 300 000 in the Cape province, 156 715 in Natal and KwaZulu, 1 142 in the Orange Free State (OFS) and 850 000 in the Transvaal. (The figure for the OFS was incomplete as it included only eight of the 41 districts in the province.)²³ [²³ Ibid 8 September] *Social and Economic Update 3*, published by the South African Institute of Race Relations in October, said that these figures were too low, with the Durban City Council estimating that there were some 500 000 squatters living on land under its jurisdiction alone.²⁴ [²⁴ South African Institute of Race Relations (SAIRR) *Social and Economic Update 3*, Third Quarter] Hence an adjusted figure of 1,7m African squatters would be more realistic—representing a shortage of approximately 340 000 formal houses.²⁵ [²⁵ This figure is based on an average occupancy of five people a house, which is an estimate of the Built Environment Support Group, a group of architects and town planners at the University of Natal]

The housing and planning research consultant at the Council for Scientific and Industrial Research (CSIR), Dr E J Jamine, said in October that the arrest and removal of squatters and demolition of their structures would not resolve the squatter problem. He believed that if serviced land and basic building

materials were made available, squatter families could build their own houses. Many informal settlements could be upgraded into 'reasonably satisfactory living environments' (see chapter on *Urbanisation*).²⁶ [²⁶ *The Citizen* 28 October]

Housing shortages

At the end of 1987 the total housing shortage in South Africa (including the 'independent' and non-independent homelands and houses destroyed during the Natal floods) amounted to between 700 000 and 1,4m units. Details are given below.

During the year under review the housing shortages in the non-independent and 'independent' homelands were estimated at 161 344 and 125 150 respectively. In February the minister of education and development aid, Dr Gerrit Viljoen, supplied the following details for housing shortages in the non-independent homelands:²⁷ [²⁷ *Hansard* (A) 7 q cols 429-432, 29 July]

Housing shortage in the non-independent homelands: 1987

Gazankulu

4 255

Kangwane

12 439

KwaNdebele

1 314

KwaZulu

61 468

Lebowa

11 073

QwaQwa

481

South African Development Trust land

70 314

Total

161 344

The figures for housing shortages in the 'independent' homelands in December 1987 were as follows:²⁸
 [²⁸ Figures supplied by various homeland officials]

Housing shortages in the 'independent' homelands: 1987

Bophuthatswana

37 400

Ciskei

28 000

Transkei

56 000

Venda

3 750

Total

125 150

According to the minister of constitutional development and planning, Mr Chris Heunis, the shortage of houses for Africans in white-designated areas at the end of 1986 was approximately 342 000 units, compared to an estimated shortage in 1985 of 221 000 units.²⁹ [²⁹ *Hansard* (A) 5 q cols 226-227, 17 June] However, a researcher at the National Building Research Institute, Dr D T de Vos, said in March that the housing backlog for Africans could be as high as 832 000 units.³⁰ [³⁰ *Sunday Times* 29 March] This figure

included housing for an estimated 1 780 000 Africans who lived in single-sex hostels or as tenants of other families, and who were assumed to need formal housing of their own.

In June Mr Heunis identified the largest housing shortages for Africans in urban areas as those in Soweto (Johannesburg)—36 180 units; Katlehong (east Rand)—30 000 units; and Ibhayi (Port Elizabeth)—24 948 units.³¹ [³¹ *Financial Mail* 5 June]

The minister of local government, housing and agriculture in the House of Representatives, Mr David Curry, said in June that the official estimate of the coloured housing shortage was 90 000–100 000 units, compared to an official estimate of 52 000 for the previous year.³² [³² *Hansard* (R) 1 col 22, 18 May] In reply to a question in Parliament in August the minister of local government, housing and agriculture in the Indian chamber, Mr Soobramoney Naicker, said that the shortage of housing for Indians was 44315 units.³³ [³³ *Hansard* (D) 10 q col 186, 21 August]

In August the minister of local government, housing and works in the House of Assembly, Mr Amie Venter, said that reports indicating some 37 000 empty white houses or a surplus of as many as 83 000 dwelling units for whites, had to be questioned. He declared that his department had investigated the derivation of these figures and found that they did not take account of the ‘complexity’ of housing needs, ie a surplus of luxury housing, but a shortage of accommodation for elderly whites and subeconomic housing. However, Mr Venter added that only 1479 whites had registered with his department as having a ‘housing need’.³⁴ [³⁴ *Business Day* 6 August; *Hansard* (A) 11 q col 665, 25 August] Earlier, in June, Mr Venter had alleged that some 24 941 whites needed housing, of whom 74% were older than 60 years.³⁵ [³⁵ *Hansard* (A) 4 cols 1401-1402, 12 June]

During September and October floods in Natal left large numbers of people (mostly Africans and Indians) homeless, and destroyed squatter settlements as well as formal housing. Official estimates were that 50 000 people were left homeless. However, a survey conducted by the Built Environment Support Group at the University of Natal found that some 590 000 people were homeless, and that 118 000 housing units had been destroyed.³⁶ [³⁶ *Financial Mail* 9 October] The government budgeted R63m in housing aid for disaster victims—an average of R533 per housing unit, and hence insufficient to meet reconstruction costs. The effect of the floods was thus to worsen the housing backlog in Natal.³⁷ [³⁷ *Business Day* 18 November]

An executive director of the Urban Foundation, Mr Michael Ridley, said in October at a congress of the Institute for Housing in Cape Town that more than two million new houses needed to be built by the year 2000 in order to eliminate the housing backlog and meet the demand for new housing. Some 150 000 units a year were necessary just to keep pace with population growth and urbanisation. However, in 1986 only about 25 000 houses had been built by the government and the priv

Constraints on eliminating the housing shortage

The executive director of the Southern African Institute of Housing, Mr D Roelvert, said in March that the most severe constraint on eliminating the housing shortage was the 'limited availability of land' for African, coloured and Indian housing.³⁹ [³⁹ *South African Builder* 10 June] According to the executive director of the National Association of Home Builders, Mr Johann Grotsius, 80 000ha of land were needed for low-cost housing development for blacks in the Pretoria/Witwatersrand/Vereeniging (PWV) area.⁴⁰ [⁴⁰ *Financial Mail* 2 October] The Urban Foundation said that 60 000ha were needed in the central Witwatersrand alone by the year 2000, in order to eliminate the housing shortage.⁴¹ [⁴¹ *Sowetan* 2 March] Between 1 September 1986 and 31 October 1987 only 3 938ha of land in the PWV area had been proclaimed for African housing development.⁴² [⁴² *Financial Mail* 9 November] In December an article in *The Star* stated that no additional land was available for development in Soweto, which had the largest housing backlog in South Africa.⁴³ [⁴³ *The Star* 11 December]

Social and Economic Update 1, published in April by the South African Institute of Race Relations, saw the shortage of land for African housing as resulting from government's policy prior to 1986 of limiting African settlement in the cities by freezing or restricting the provision of houses. The government's deconcentration policy (see chapter on *Business*) also attempted to limit the allocation of land for African housing, as well as industrial development, in the major urban areas.⁴⁴ [⁴⁴ SAIRR *Social and Economic Update 1*, First Quarter]

The *Central Witwatersrand Draft Guide Plan* of 1986 (see 1986 *Survey* Part 1 pp334–335) allocated only a small portion of the land in the area for black housing, arguing that the balance would have to be found outside of it. The allocation of part of this land for African housing—the proposed 'Norweto' township—faced widespread opposition from environmentalists, local residents and politicians, and at the end of the year under review it was unclear whether it would be proclaimed for this purpose.⁴⁵ [⁴⁵ *The Star* 4 November]

In October Mr P J Coetzee, a town and regional planner, claimed that the Department of Constitutional Development and Planning was not initiating the search for land for African housing, but was leaving the task to private developers and local authorities. Developers were often unaware of where suitable land was situated, and had to seek 'professional advice'. Mr Coetzee said that potential land was also being withheld because consent for sale had to be obtained from holders of mineral rights concessions, which was very time consuming.⁴⁶ [⁴⁶ SAIRR *Social and Economic Update 3*, Third Quarter]

Local authorities in African townships faced allegations of favouritism and corruption in allocating land to developers. The deputy managing director of the South African Permanent Building Society, Mr Brian Kemmey, alleged that some local authority officials demanded bribes of R1 000 or more from developers before allocating land to them.⁴⁷ [⁴⁷ *The Star* 3 October] Developers also claimed that some local authorities insisted on 'unacceptable' minimum levels of service and infrastructure, which retarded township development. A spokesman for the South African Property Owners Association (SAPOA)

urged that housing land be sold directly to developers, rather than through local authorities, as the latter were not the 'ideal organisations' to administer housing development.⁴⁸ [48 *South African Property Owners Association (SAPOA) report on methods of increasing the involvement of the private sector in the provision of low-cost housing*, June]

In February it was reported that white local authorities were reluctant to assist black housing development, as they feared the creation of black ghettos near white areas.⁴⁹ [49 *Business Day* 11 February] An article in *South African Builder* in March said that despite the enactment of the Black Communities Development Amendment Act in 1986, which aimed to reduce substantially the time period required for township development, 'red tape' continued to hamper housing development.⁵⁰ [50 *South African Builder* March] Although the act was 'beautiful in theory', it left 'a lot to be desired' because the local authorities and government officials were not trained or qualified to cope with the bureaucratic procedures, and this led to delays. In June delegates to a SAPOA conference complained that the 'enormous bureaucratic system' was the 'biggest single obstacle' in the way of housing development.⁵¹ [51 *Business Day* 10 June]

In July *Social and Economic Update 2* said that African local authorities had considerable formal control over housing development, and yet were 'not sufficiently attuned to the housing needs of their constituents', especially those in the lower-income group (where the housing shortage was most acute).⁵² [52 SAIRR *Social and Economic Update 2*, Second Quarter]

In August the minister in the office of the state president responsible for the commission for administration, Mr Alwyn Schlebusch, criticised officials who believed that 'it was safer to maintain the status quo' than to bring about 'administrative renewal'. His criticism was seen as being directed largely at former development board officials who had been transferred to the provincial administrations, and who were, inter alia, responsible for African township development.⁵³ [53 *The Citizen* 5 August, *The Sunday Star* 13 August]

A further major obstacle in the allocation of land was racial land zoning in terms of the Group Areas Act of 1966 and the Black Communities Development Act of 1986.⁵⁴ [54 *Sowetan* 2 March] The paper *Backs against the Tide: An Evaluation of the President's Council's Report on the Group Areas Act* by Messrs Moosa Ebrahim and Steven Friedman, and Ms Claire Pickard-Cambridge of the South African Institute of Race Relations said that racial zoning had inhibited the freeing of land for low-cost housing and had contributed to the black housing shortage. The Group Areas Act had imposed 'far greater restraints' on the provision of black housing than only the reservation of existing areas for whites. Development of land could not begin until the authorities had allocated an area to a particular race. The paper said that white local authorities, which were invariably consulted about the freeing of land for black housing in their areas, were resistant to such development. The authors claimed that even if implemented, the recommendations of the President's Council for amendments to the Group Areas Act would not facilitate the development of land for coloured and Indian housing (see chapter on *The Group Areas Act*).⁵⁵ [55 Ebrahim M, Friedman S, and Pickard-Cambridge C, *Backs Against the Tide: An Evaluation of the President's*

Council's Report on the Group Areas Act, SAIRR, November]

Another consequence of racial zoning has been the existence of 'buffer zones' between African townships and areas declared for coloured, Indian and white occupation, which were not used for housing. According to government officials, some 100 000 African houses could be built on this vacant land. Nevertheless, white local authorities were resistant to the development of such land for black housing.⁵⁶ [⁵⁶ *The Star* 26 September]

Yet another constraint on the elimination of the housing shortage was the issue of affordability. According to the National Building Research Institute (NBRI) 84% of Africans, 50% of coloured people, 34% of Indians and 9% of whites could not afford housing without a subsidy. The NBRI added that only a quarter of the African population was able to make any contribution to housing costs at all.⁵⁷ [⁵⁷ *Business Day* 6 October 1986]

According to Mr James Crosswell of SAPOA, private developers were unwilling to build homes for people in lower-income groups who did not have a housing subsidy. He said that there was 'little incentive' for developers 'to take risks' in building low-cost homes, and that private developers preferred to build houses for the middle-income and higher-income markets.⁵⁸ [⁵⁸ *The Daily News* 8 April]

The South African Housing Trust identified affordability as a major constraint on African home ownership. Subsidies were available through the national housing commission, but over two-thirds of the R26m spent by the government in 1986 on subsidies to first-time home owners was allocated to whites, who were the least needy race group.⁵⁹ [⁵⁹ *The Star* 8 June]

Mr Mike Morkel, senior planner for the Urban Foundation, said in *Indicator South Africa* in May that the average size of housing loans granted to Africans was R30 000. He argued that this meant that 'only the top 10% to 20% of the African housing market' in terms of income earning ability was being financed.⁶⁰ [⁶⁰ *Indicator South Africa* Autumn/Winter] Affordability was also cited as an obstacle to African freehold title, since freehold ownership entailed additional transfer costs, which increased the price of the land.⁶¹ [⁶¹ *The Star* 3 October]

In November 1986 the Urban Foundation alleged that 'unreasonable constraints' prevented low-income black people from gaining access to 'formal home loan finance'. The article said that traditionally building societies did not lend money for housing if repayments exceeded 25% of the borrower's income. Societies required substantial deposits and insisted that the dwelling conform to 'stringent minimum standards'.⁶² [⁶² *The Sunday Star* 23 November 1986] The general manager of the Allied Building Society, Mr David Waugh, said at a housing symposium in June that building societies were reluctant to finance self-help core housing, unless they could be 'totally satisfied' with the supervision and quality of construction. He said that building societies could not engage in 'deliberately high-risk business' such as financing government-constructed houses without basic infrastructure for Africans.⁶³ [⁶³ Paper presented by

Mr David Waugh to a symposium on housing organised by International Compensation, 19 June]

In a survey of housing assistance practices conducted by FSA Remuneration and International Compensation, two firms of management consultants, some 37% of the 330 companies surveyed (employing some 450 000 Africans) were found to provide 'no housing assistance of any nature' to employees. A further 6% provided housing assistance 'but not to African employees'. The reluctance of many employers to assist African workers with housing was seen as placing an additional burden on government for the provision of low-cost housing.⁶⁴ [⁶⁴ *FSA Remuneration and International Compensation Special Report. A survey of housing benefit practices*, February]

Strategies to reduce shortages

In August Mr Colin Appleton, an area director of the Urban Foundation, suggested the creation of a special public and private sector 'task force' with delegated powers to identify suitable land for housing development around cities. Mr Appleton said that he believed this would help to 'short-circuit the lengthy procedures' involved in identifying land, and he urged that the role of urban guide plans in limiting land availability be reviewed.⁶⁵ [⁶⁵ *Business Day* 14 August] In the same month the chairman of the Central Witwatersrand Regional Services Council, Mr Gerrit Bornman, suggested that regional services councils should take over the identification of land for housing in their regions, in order to achieve co-ordination and eliminate 'unnecessary duplication and delays'.⁶⁶ [⁶⁶ *Ibid* 17 August] In October it was reported that the Department of Development Planning had commissioned a consortium of private consultants to identify land for African housing on the Witwatersrand.⁶⁷ [⁶⁷ *The Citizen* 12 October]

The President's Council's report on the Group Areas Act, published in September, recommended that developers should be allowed to develop new areas for all races if they wished, provided that any new development fell within the boundaries of a local authority. If implemented, this measure could speed up the provision of housing by eliminating racial zoning procedures.⁶⁸ [⁶⁸ *The Star* 29 September] Mr P Mountford, an official of the South African Housing Trust, said in June at a housing seminar that government subsidies of loans to home owners were insufficient, and suggested that they should be supplemented by lending institutions offering reduced interest rates to low-income home owners. He added that the trust had devised a 'think tank' to devise ways of meeting the needs of home owners who could not afford housing valued at more than R5 000.⁶⁹ [⁶⁹ Paper presented by Mr Peter Mountford at a housing seminar in Johannesburg, 4 June]

Provision

The minister of constitutional development and planning, Mr Chris Heunis, said in June that the state had built no houses for Africans in the white-designated areas during 1986, despite an estimated shortage of more than 342 000 units for Africans.⁷⁰ [⁷⁰ *The Daily News* 18 June]

Earlier in May, Mr Heunis had provided the following figures for the numbers of housing units built for Africans in white-designated areas in 1986 and 1987 by local authorities, private individuals and other organisations respectively:⁷¹ [⁷¹ *Hansard* (A) 2 q cols 19-33, 26 May]

Houses built for Africans in white areas: 1986 and 1987

1986

1987*

Local authorities

5 495

3 099

Private individuals

11 505

15 772

Other organisations

4 482

7 131

Total

21 482

26 002

*

Estimates

In August the minister of education and development aid, Dr Gerrit Viljoen, said that no houses for Africans had been built by the state in the non-independent homelands during the 1985/86 financial

year. However, Dr Viljoen provided details of the numbers of loans for self-building granted to Africans in the non-independent homelands during that period.⁷² [⁷² *Hansard* (A) 11 q cols 699-701, 27 August]

Housing loans for self-building in the non-independent homelands:1985/86*

State loans

Private sector loans

Number

Number

Gazankulu

192

N/A

KaNgwane

300

65

KwaZulu

926

309

KwaNdebele

N/A

N/A

Lebowa

105

89

QwaQwa

N/A

N/A

Other SADT land**

691

1 103

N/A:

not available

*

These figures include only urban areas of the non-independent homelands. Figures for rural areas are not available.

**

South African Development Trust

In July, in reply to a question in Parliament, Dr Viljoen said that the following numbers of houses had been built by Africans in the non-independent homelands in terms of self-build schemes:⁷³ [⁷³ *Hansard (A)* 7 q cols 429-432, 29 July]

Self-built houses in the non-independent homelands: 1986

Gazankulu

524

KaNgwane

N/A

KwaZulu

1 235

KwaNdebele

N/A

Lebowa

105

QwaQwa

N/A

Other SADT land

633

The following numbers of serviced sites were provided by the South African Development Trust (SADT) to Africans in the non-independent homelands in 1986:⁷⁴ [74 Ibid]

Serviced sites provided by the SADT in non-independent homelands: 1986

Gazankulu

2 499

Kangwane

N/A

KwaZulu

N/A

KwaNdebele

1 125

Lebowa

664

QwaQwa

N/A

Other SADT land

10 374

During 1986 the Department of Local Government, Housing and Agriculture in the House of Representatives built 3 115 houses for coloured people.⁷⁵ [⁷⁵ *Hansard* (A) 6 q col 509, 12 March 1986] The figure for the number of houses built for coloured people in 1987 was unavailable at the time of writing.

The minister of local government, housing and agriculture in the Indian chamber, Mr Soobramoney Naicker, gave the following figures for (a) houses built for Indians during the period 1 September 1984 to 31 December 1986, and (b) houses to be built for Indians during 1987:⁷⁶ [⁷⁶ *Hansard* (D) 9 q cols 172-173, 13 August]

Houses provided by the state for Indians: 1984-1987

(a)

(b)

Cape province

562

427

Natal

5 647

4 197

OFS*

—

—

Transvaal

663

604

Total

6 872

5 228

*

Orange Free State

The minister of local government, housing and works in the white chamber, Mr Amie Venter, said in Parliament in August that in 1987 his department had financed the erection of 'welfare housing' for whites which housed the following numbers:⁷⁷ [⁷⁷ *Hansard* (A) 10 q cols 615-617, 19 August]

Welfare housing provided by the state for whites: 1987

Number of persons accommodated

Cape province

1 817

Natal

734

OFS*

225

Transvaal

2 740

Total

5 516

*

Orange Free State

The Department of Local Government, Housing and Works (white own affairs) also provided the following numbers of dwelling units for whites during 1987:⁷⁸ [78 Ibid cols 617-618]

Dwelling units provided by the state for whites: 1987

Cape province

654

Natal

66

OFS*

167

Transvaal

1 214

Total

*

Orange Free State

Delivering the opening address at the biennial congress of the Institute for Housing in Southern Africa in October, the administrator of the Cape province, Mr Gene Louw, said that 37 000 serviced sites would soon be available for Africans at Khayelitsha (Cape Town). He said that 5 017 core houses had already been built there with state finance.⁷⁹ [⁷⁹ *Cape Times* 21 October] In August, in answer to a question in Parliament, the minister of constitutional development and planning, Mr Chris Heunis, had said that there was an official shortage of 34 700 houses for Africans in the western Cape. Mr Heunis had added that only 622 houses had been built for Africans in the western Cape in 1986, and a further 86 houses during the first seven months of 1987. He had been unable to say when the housing backlog for Africans in the region would be eliminated.⁸⁰ [⁸⁰ *Hansard* (A) 11 q col 681, 27 August]

During the period under review the Lekoa Town Council converted single men's hostels in Zamdela and Sebokeng (both near Vanderbijlpark, southern Transvaal) into family dwellings for Africans. The town council had taken the decision to convert the hostels in 1986, because many were empty. The hostels had previously been occupied by migrant workers, who had since been retrenched owing to the economic recession. Hostel rooms which had accommodated 16 single men (and in many cases, also illegally housed their families) were converted to provide shelter for two African families. Although council officials said that the scheme was 'working out fine', some residents complained about poor lavatory facilities, overcrowding and lack of privacy. The move was, however, seen as a means of relieving the housing shortage in the area.⁸¹ [⁸¹ *Sowetan* 30 November]

The deputy city planner for Cape Town, Mr Neville Riley, said in August that a new area for coloured housing was being developed on 109ha of land at Lavender Hill East, 25km from the centre of the city. Mr Riley announced that the Cape Town City Council would soon take possession of the land and begin construction of 2 000 dwelling units. The project would provide employment for 1 300 people. Coloured squatters, who were living in 174 shacks south of the land to be developed, would also be 'incorporated into the formal housing scheme'. Mr Riley said that the squatters would be provided with prefabricated wood-and-iron panels and encouraged to build their own homes. Each house for squatters would be 10 square metres in area and include a tap and a flush lavatory. The rent for such housing would be as low as R1,88 a month. The Cape Town City Council hoped to accommodate some 300 squatter families in this way.⁸² [⁸² *Cape Times* 18 August, 7 October]

In May the Durban City Council announced that it had approved two mass housing projects for Indians at Phoenix North. When completed, 280 flats and 1 448 houses would be available. Mrs Margaret Winter, chairwoman of the Health and Housing Committee of the Durban City Council, said that there

were over 20 000 Indians on the council's housing waiting list, of whom 60% earned less than R450 per month. Mrs Winter maintained that it was thus important that a new rent policy be established, to enable Indians in the lower-income group to afford accommodation in the new schemes. She said that the council had applied to the government in 1985 for a change to the formula for rent subsidies, so that the Indians who most needed subsidies could benefit. However, a reply was still awaited from the House of Delegates.⁸³ [⁸³ *The Daily News* 19 May] In November it was announced that the housing scheme would be taken over by Innova Homes, a private housing utility company. The deputy town clerk of Durban, Mr Eddie Morton, said that the decision was in accordance with the city's policy of 'privatisation', and had been taken in order to speed up production of the houses.⁸⁴ [⁸⁴ *Ibid* 11 November]

The minister of local government, housing and works in the House of Assembly, Mr Amie Venter, said in August that the government was considering the possible extension of the 33,33% subsidy scheme for first-time home owners. Mr A T van der Walt MP (National Party) urged the government to consider extending the subsidy to include the purchase of existing houses as well as new buildings. Mr Van der Walt argued that this measure would give younger white people the opportunity to buy houses closer to the centr

State expenditure

The Department of Development Planning budgeted to spend R 165,5m on African housing in the white-designated areas during the 1987/88 financial year, made up as follows:⁸⁶ [⁸⁶ Estimate of the expenditure to be defrayed from the state revenue account during the Financial year ending 31 March 1988, RP2 & 4 - 1987]

Budgeted expenditure for African housing in white areas: 1987/88

R

Provision for dwellings and infrastructure

164 075 000

Subsidies on home loans

1 396 000

Total

165 471 000

Dr Viljoen gave the following figures for expenditure on self-building loans to Africans in the non-

independent homelands during the 1985/86 financial year:⁸⁷ [⁸⁷ *Hansard* (A) 11 q cols 699-701, 27 August]

Self-building loans in the non-independent homelands: 1985/86

State loans

Private sector loans

R

R

Gazankulu

1 622 000

N/A

KaNgwane

1 192 487

285 000

KwaNdebele

N/A

N/A

KwaZulu

4 630 302

3 133 700

Lebowa

841 500

3 425 286

QwaQwa

N/A

N/A

SADT* land

2 488 500

25 150 000

*

South African Development Trust

The amount budgeted for coloured housing for 1987/88 by the Department of Local Government, Housing and Agriculture (coloured own affairs) was R1 14,5m, allocated as follows:⁸⁸ [88 Estimate of the expenditure to be defrayed from the state revenue account during the financial year ending 31 March 1988, RP9 - 1987]

Budgeted expenditure for coloured housing: 1987/88

R

Purchase of land

9 070 000

Construction

82 000 000

Subsidies on home loans

2 900 000

Community facilities

20 550 000

Total

114 520 000

The amount budgeted for Indian housing for 1987/88 by the Department of Local Government, Housing and Agriculture (Indian own affairs) was R72,6m, allocated as follows:⁸⁹ [⁸⁹ Estimate of the expenditure to be defrayed from the state revenue account during the financial year ending 31 March 1988, RP12 - 1987]

Budgeted expenditure for Indian housing: 1987/88

R

Purchase of land

3 390 000

Construction

42 150 000

Subsidies on home loans

2 500 000

Community facilities

24 550 000

Total

72 590 000

The Department of Local Government, Housing and Works (white own affairs) budgeted R127m for white housing for 1987/88, allocated as follows:⁹⁰ [⁹⁰ Information supplied by the Department of Local Government, Housing and Works in the House of Assembly]

Budgeted expenditure for white housing: 1987/88

R

Purchase of land and construction

50 000 000

Subsidies on home loans

60 000 000

Community faciliti

The South African Housing Trust

The South African Housing Trust (SAHT) was established in November 1986 as a private sector organisation which would provide finance for the construction of houses for underprivileged groups, and particularly for Africans (see 1986 *Survey* Part 1 pp366–367). The managing director of the trust, Mr J Taylor, said in an article in *South African Builder* in June that the trust hoped to raise ‘more than a billion rands in the short term’ to help eliminate the housing backlog. In November 1986 the trust had received R400m from the government, and it also planned to issue 800 million special housing bonds of R1 each to companies and individuals. Mr Taylor said that the trust intended to keep a ‘low profile’ and to avoid involvement in ‘political issues’, such as the disturbances in African townships and the shortage of land for black housing due to the Group Areas Act of 1966.⁹¹ [⁹¹ *South African Builder* June]

The chairman of the SAHT and chairman of Sanlam, Dr F du Plessis, said that in assisting people to build houses, preference would initially be given to people who had taken a training course with the Department of Manpower or who were working in the building sector.⁹² [⁹² *Ibid*] Delivering a paper at the annual congress of the building industry at the Wild Coast in October, Mr Taylor said that the trust hoped to focus on the financing and provision of infrastructure to produce serviced stands and on the construction of dwellings by ‘local entrepreneurs’. He believed that by offering bridging or development capital and long-term subsidisation of home loans, the trust could give the ‘necessary stimulus’ to provision of more housing for the underprivileged. Mr Taylor said that the public tender approach to housing had proved itself to be ‘a worldwide failure’ and that the programme of the trust which aimed to assist people to build their own homes was a viable alternative.⁹³ [⁹³ *Eastern Province Herald* 29 October]

In April it was announced that a R12,5m housing scheme in Motherwell (Port Elizabeth) would be funded by the trust. Mr D Cleary, chairman of Urban Villages, the local utility company which undertook the project, said that 500 houses would be constructed for lower middle-income Africans. An additional R2,5m would be spent on upgrading the area and providing electricity.⁹⁴ [⁹⁴ *Ibid* 28 April] In the second half of 1987, the trust made R5m available for the building of 1 700 houses for Africans in Thokoza (east Rand). The trust also lent R15m to the Mamelodi Town Council (Pretoria), of which R4m

was to be spent on the upgrading of infrastructure in the township and R11m on the construction of houses for Africans in the lower-income group.⁹⁵ [⁹⁵ *The Natal Witness* 27 November, *Sunday Times* 29 November]

In June Mr Taylor reported that the trust would set up eight 'project teams' in various regions to decide on the purchase of suitable land so that the trust could produce fully serviced sites at a cost of R4 000 each. A home of 50 square metres in area would be built on each site and sold for approximately R14 000.⁹⁶ [⁹⁶ *The Citizen* 10 June]

In September an article in *Business Day* alleged that less than R20m had been spent on building only 7 000 houses in the 15 months since the trust had been established. The article said that R7,5m had been paid out in loans to build 1 039 houses and provide 2 700 serviced sites. In addition, housing loans to the value of R12m were being considered.⁹⁷ [⁹⁷ *Business Day* 21 September] Critics of the trust maintained that about 53% of the houses were being built in the homelands, rather than in the white-designated areas where they were most needed. The trust was said to be investing in remote areas, where costs could not be recovered.⁹⁸ [⁹⁸ *Contact Report* 14 August]

Building societies

A senior planner of the Urban Foundation, Mr M Morkel, claimed that owing to the poor demand from whites for home loans, building societies were giving more attention to finance for African housing. Mr Morkel said that the average size of home loans to Africans was R30 000, which showed that in terms of earning ability only the top 20% of the African housing market was being financed. He said that 'traditionally conservative criteria' for loan eligibility were preventing building societies from assisting the lower-income groups.⁹⁹ [⁹⁹ *South African Indicator* Autumn/Winter]

It was reported in November that building society and bank loans to African home owners during the period April to July had increased by 272% over the same period in the previous year.¹⁰⁰ [¹⁰⁰ *The Star* 3 November] Nevertheless, a spokesman for the SAHT said in July that lending institutions were meeting only 13% of the demand for housing loans for Africans.¹⁰¹ [¹⁰¹ *Sunday Times* 5 July]

The managing director of the South African Permanent Building Society (SA Perm), Mr Bob Tucker, said in August that his society had granted more than R300m in housing loans to Africans during 1987.¹⁰² [¹⁰² *Financial Mail* 28 August] The SA Perm was the only building society offering loans for alternative construction methods, such as sisal huts. It also waived many of the usual conditions, such as the requirement for water-borne sewerage, provided that the area in which the house was to be built was 'upgradable' and unlikely to deteriorate into a 'slum'. Mr Tucker said that the SA Perm catered for the 'full spectrum of the market' in home loans.¹⁰³ [¹⁰³ *Business Day* 9 September] In October the deputy managing director of the SA Perm, Mr Brian Kemmey, welcomed the entry of the banking sector into the housing loan market. Mr Kemmey suggested that banks and other lending institutions should

concentrate more on 'spreading their lending load throughout all race groups', and not lend only to higher-income home owners. He said that building societies had R24bn on loan to home owners, and yet African home owners had difficulty in finding finance for home construction.¹⁰⁴ [¹⁰⁴ *The Daily News* 1 October]

Mr George Bowker, the senior general manager of the United Building Society (UBS), the building society in South Africa with the largest assets, said that it was not involved in the financing of low-cost housing, although the UBS was 'deeply committed' to 99-year leasehold schemes for Africans, and provided home loans corresponding to up to 30% of the joint income of home owners. He added that the UBS did not grant home loans for dwellings which failed to meet 'official requirements' as to size and definition of a structure, and that the risk to property in many African townships needed to be 'taken into consideration' before giving loans to Africans.¹⁰⁵ [¹⁰⁵ *Sunday Times* 5 July]

Other private sector initiatives

In January Mrs Sue Renton, public relations officer for Murray and Roberts (a construction company), said that the company was training unemployed Africans in building techniques. Mrs Renton said that 1500 people (including 28 women) were undergoing training in Prospecton (Durban) and a further 1 000 people were being trained at Richards Bay (northern Natal). Since 1985 Murray and Roberts had taught basic homebuilding skills to 21 000 Africans. In this way the company hoped to make a contribution towards eliminating the African housing backlog.¹⁰⁶ [¹⁰⁶ *The Daily News* 21 January]

The managing director of Time Housing, Mr Mike Graham, announced in March that construction of 33 000 homes for Africans at Thabong (Welkom) in the Orange Free State would begin before the end of the year. The project, funded by the private sector and costing R700m, would take five years to complete. Mr Graham said that a large proportion of home owners would be subsidised by their employers, and that Gencor and the Anglo American Corporation of South Africa (Anglo) had already earmarked 16 000 homes for their employees.¹⁰⁷ [¹⁰⁷ *Business Day* 26 March] While larger construction companies would be employed to build the more expensive housing units, African builders would construct the 'lower-income' housing.¹⁰⁸ [¹⁰⁸ *The Star* 23 March]

In July it was reported that the Thabong Town Council was to convert seven hostel complexes for single men into high density accommodation for African families. The existing structures would be demolished and replaced by some 3 000 housing units, which would include self-contained, semi-detached and double storey housing. The project's objective would be to use the available space 'to maximum benefit' and 'at the lowest possible cost'.¹⁰⁹ [¹⁰⁹ *Commentum* July/August]

In April the general manager of Innova Ikhaya, Mr Roy Heath, announced that his company would develop two major housing schemes for Africans at Inanda (Durban). The schemes would cost R60m and would make both serviced sites and homes available to 'thousands' of African families. As far as

possible, local workers would be employed in construction, in order to ‘benefit the local economy’ and to teach construction skills to members of the Inanda community. Lighting would be provided for all roads in the area and householders would have the option of having their houses electrified at their own cost. The houses in the two schemes would all be according to designs which allowed for additions. Mr Heath said that ‘every effort’ would be made to avoid the ‘monotonous symmetry’ of most African townships.¹¹⁰ [¹¹⁰ *Sunday Tribune* 12 April] It was announced in April that 461 self-help houses for Indians at Palmview (Durban) had been completed in the first phase of a self-build scheme. The scheme, run by the Durban City Council, was open to all Indian families on the council’s housing waiting list (which comprised 20 000 families in March).¹¹¹ [¹¹¹ *Post Natal* 19 April]

In September it was reported that two major mining houses, Anglo and Rand Mines, had announced housing schemes for African employees. A spokesman for Anglo said that the corporation would build 24 000 houses over a three-year period for married African workers. Subsidised home loans at a 5% interest rate would also be provided under the scheme. A spokesman for Rand Mines said that it had built a housing subsidy into its basic salary scales, which would give employees the opportunity to own their own homes. The spokesman argued that the subsidies were a move away from the ‘paternalistic’ practices of the past. The subsidy scheme would initially be implemented in the coal division, and would be available to 4 500 people. The National Union of Mineworkers claimed in a statement that it had not been consulted about the housing schemes, and that only a small proportion of the workforce would be accommodated.¹¹² [¹¹² *Sunday Tribune* 27 September]

During the period under review seven housing utility companies began construction on a new housing project for coloured people at Blue Downs (Cape Town), which would eventually accommodate 250 000 people in some 40 000 houses (see 1986 *Survey* Part 1 p368). Originally the development had been proposed by the Cape Town City Council, which had planned to build shell housing for the lower-income groups. However, their plans had been opposed by private land owners, developers and some MPs in the House of Representatives. The chairman of the Cape Housing Action Committee, Mr Wilfred Rhodes, claimed that the government had withdrawn financial support from the city council and transferred rights to the Department of Local Government, Housing and Agriculture in the House of Representatives. Mr Rhodes said that the emphasis had changed from rental of low-cost houses to private ownership of housing costing R40 000 or more. He argued that few coloured people could afford such prices, and that the project did not ‘even begin to address the coloured housing crisis’.¹¹³ [¹¹³ *Cape Times* 20 June, *South* 16 July]

The Urban Foundation’s annual budget for the 1987/88 financial year for housing and the upgrading of African urban areas was R 170m, an increase of 57% over the budget of the previous financial year. The foundation planned to develop 11 000 stands and 7 000 houses, and to upgrade shacks in informal settlements in Natal and the Cape province which housed 10 000 families. The executive director of the Urban Foundation, Mr Michael Ridley, said that projects needed to be scaled up dramatically (at a rate of over 300% over the following three years) for the foundation to make a ‘meaningful impact’ on the African housing shortage. The foundation’s emphasis was on providing homes for the lower-income

groups. Mr Ridley emphasised that the foundation did not build houses itself, but instead acted as a 'bridge' between the government and the private sector, by identifying and acquiring land for housing development through its five housing utility companies. Land servicing contracts were then put out to competitive tender and serviced stands were sold to developers.¹¹⁴ [¹¹⁴ *South African Builder* June, *The Star* 6 July]

Mr Matthew Nell, chairman of the Family Housing Association (FHA), the foundation's housing utility company in the Transvaal, said that his company was running seven self-help schemes for African housing during the period under review. These were at Dobsonville (west Rand), Khutsong (southern Transvaal), Mamelodi (Pretoria), Phola (eastern Transvaal), Katlehong, Tembisa and Thokoza (all east Rand). The schemes involved African families living in temporary shelters on their sites while they constructed permanent homes. When completed, the projects would provide housing for some 3 500 families. Mr Nell added that although the FHA had hitherto only been involved in the provision of housing for Africans, during 1987 it would begin construction on a housing project for coloured people.¹¹⁵ [¹¹⁵ *South African Builder* June]

Leasehold and freehold sales

The minister of constitutional development and planning, Mr Chris Heunis, said in Parliament in June that between 1 March 1983 and 30 April 1987 some 51 787 houses had been sold to Africans on leasehold.¹¹⁶ [¹¹⁶ *Hansard* (A) 4 q cols 141-142, 10 June] (This figure excluded sale of houses in the 'independent' and non-independent homelands.) In September a spokesman for the National Housing Commission said that 58 007 houses in African townships—ie 17% of the total housing stock—had been sold on leasehold.¹¹⁷ [¹¹⁷ *The Star* 16 September]

The minister of local government, housing and works in the House of Assembly, Mr Amie Venter, said in June that as at 31 May 3 610 houses had been sold under freehold to whites in terms of the state housing sale announced in March 1983, and that 7 216 houses for whites remained to be sold.¹¹⁸ [¹¹⁸ *Hansard* (A) 5 q cols 231-232, 18 June]

In the same month *Social and Economic Update 2*, published by the South African Institute of Race Relations, reported that the Department of Local Government, Housing and Agriculture in the coloured chamber was attempting to sell houses rented by coloured people. Some 25% of the coloured housing stock had been sold at that date. Since many of the occupants of rented houses could not afford to buy their homes, the Housing Board for coloured people had agreed to link owners' home loan repayments to their salaries rather than to house prices. The difference between the value of the housing loan and the repayments of the owner would in effect be subsidised by the board.¹¹⁹ [¹¹⁹ SAIRR *Social and Economic Update 2*, Second Quarter]

In May a new campaign by the state to sell houses to members of lower-income groups of all races was

announced by the Bureau for Information. The campaign, which was to take effect from July, proposed to sell some 730 000 houses which had been erected with national housing funds under the following conditions:¹²⁰ [¹²⁰ *The Natal Witness* 4 May, *Cape Times* 4 May]

- a discount of up to 65% of the purchase price would be offered on all houses with structural defects;
- any rental arrears incurred by a tenant could be included in the total price of the house;
- tenants who had paid rent regularly during the previous three years could purchase their homes without a deposit; in 'deserving cases' transfer costs could be included in government loans granted for the purchase of housing units; and
- the government would subsidise 33% of the interest on home loans for first-time home owners for any housing unit whose purchase price did not exceed R40 000.

It was reported in September that sales to whites and Indians had been significant, but that there had been a 'poor response' from the coloured and African communities to the new housing sale campaign.¹²¹ [¹²¹ *Finance Week* 10 September]

The Transvaal Provincial Administration provided the following figures for all races for houses sold by the state from 1 July 1983 to 31 December 1987:¹²² [¹²² Information supplied by the community services branch of the Transvaal Provincial Administration, January 1988]

State sale of houses to private individuals: 1 July 1983 - 31 December 1987

Numbers sold

Proportion sold

Balance available

Cape province

7 974

12%

56 898

Natal

1 186

12%

8 675

OFS*

4 908

29%

12 132

Transvaal

52 179

22%

188 786

Total

66 247

20%

266 491

*

Orange Free State

It was reported that the campaign to sell state houses was a measure primarily aimed at stabilising African and coloured townships and countering the rent boycotts (see *Rent boycotts* below). This view was supported by publicity for the housing sale, which focused on Soweto and the Vaal Triangle townships, where the rent boycott was the strongest.¹²³ [¹²³ *The Star* 26 September]

In September the town clerk of Soweto, Mr Nico Malan, announced that African houses in the township would be sold 'at erection cost'. He said that two-roomed houses would be sold on leasehold for as little as R153, with an additional charge of R400 if the buyer wished the sale to be registered under freehold tenure.¹²⁴ [¹²⁴ *Business Day* 1 September] The town clerk of Lekoa (southern Transvaal), Mr N Louw, said in the same month that 30 000 houses in the Vaal Triangle would be sold for as little as 25% of the prices at which they had previously been advertised.¹²⁵ [¹²⁵ *Sowetan* 4 September]

The executive director of Tencoro, Mr C Savage, argued that houses in African townships should be given away to tenants rather than sold. He claimed that taxpayers had to maintain a large stock of state houses which could not be sold, and that many of the tenants had paid for their houses several times over in rent.¹²⁶ [¹²⁶ *The Natal Witness* 4 April] His suggestion was supported by a spokesman for the National Committee of Local Government Associations, representing both black and white local authorities, who said that the government should give away houses to elderly African residents if they had occupied their homes for many years and if the value of the homes had depreciated.¹²⁷ [¹²⁷ *Business Day* 8 May]

The Black Communities Development Amendment Act of 1986 (see 1986 *Survey* Part 1 pp349–350) had extended freehold property rights to Africans. However, in answer to a question in Parliament in June, Mr Heunis said that no housing units had been sold to Africans under the freehold system.¹²⁸ [¹²⁸ *Hansard* (A) 6 q col 1313, 23 June] In August *Business Day* criticised the government for publicising the extension of freehold rights to Africans when in fact no freehold sales had been registered. The newspaper said that freehold sales could not take place until townships had been thoroughly surveyed, and that this would take considerable time to complete.¹²⁹ [¹²⁹ *Business Day* 1 September]

In March it had been reported that home ownership for Africans would receive a 'massive boost' with the completion of a survey of 450 000 erven throughout the country by members of the South African Institute of Land Surveyors. The survey, carried out over two years at a cost of R30m, was in addition to a survey of 100 000 erven in Soweto. A spokesman for the institute, Mr Scan Cavanagh, said that the survey would give 'complete security of title' and prevent litigation over land disputes. He added that African freehold title registration had been delayed because townships had to be surveyed and township registers opened before freehold ownership could be granted.¹³⁰ [¹³⁰ *Business Day* 11 March, *The Citizen* 16 March] In October Mr Heunis said that 58 000 plots of land had been surveyed countrywide, but that only 1 831 erven were then available for freehold sale.¹³¹ [¹³¹ *Cape Times* 3 October]

In November at a ceremony in Johannesburg, the registrar of deeds for Johannesburg, Mr C Wolfaardt, handed over the first freehold title deeds to Mr D Makhabela, a resident of Katlehong (east Rand). Mr Makhabela became the first African to own freehold property since freehold rights for Africans were abolished. A member of the executive council (MEC) for the Transvaal, Mr J Mavuso, said at the ceremony that the restoration of full property rights to Africans demonstrated the government's commitment to reform. The political implications of freehold ownership were 'enormous', he maintained.¹³² [¹³² *The Citizen* 13 November]

The chairwoman of the law review project. Professor Louise Tager, said that Africans distrusted the government's policy regarding freehold ownership. She said that freehold title-deed holders had in the past been stripped of their right to own property, and that Africans would thus be reluctant to buy homes. Professor Tager believed that many Africans, especially those who were unemployed, could not afford to buy their own homes. A lecturer in the Department of Political Science at the University of the Witwatersrand, Professor Alf Stadler, alleged that some township residents perceived the sale of African houses as an attempt to create a property-owning African middle class with a 'stake in the country', and thus a vested interest in maintaining the political status quo. Professor Stadler said that this belief had created suspicion and resistance to the purchase of property. Some Africans also saw the 99-year leasehold scheme, under which most houses had been sold to Africans, as inferior to the freehold system, under which all other race groups owned property.¹³³ [¹³³ *Business Day* 7 August]

Criticisms were made of the lengthy bureaucratic procedures involved in the freehold or leasehold sale of property to Africans. About 16 bureaucratic requirements had to be met before an African could buy land.¹³⁴ [¹³⁴ *Ibid* 16 November] The housing co-ordinator for the National Housing Commission, Mr A Weiss, maintained that more civil servants were needed to deal with the red tape of purchasing proper

Rent

In September the minister of local government, housing and works in the white chamber, Mr Amie Venter, gave the following figures for all race groups for (a) rent controlled housing units and (b) housing units where rent control had been phased out:¹³⁶ [¹³⁶ *Hansard* (A) 14 q cols 892-893, 15 September]

Housing units with continuing rent control and with rent control abolished: 1987

(a)

(b)

Cape province

26 192

1 789

Natal

7 889

—
Orange Free State

1 417

—
Transvaal

28 835

115

Total

64 333

1 904

The liaison officer for the Department of Local Government, Housing and Works in the House of Assembly, Mrs Christa Patterton, announced in March that rent control for all white properties had been lifted in February, with the following exceptions:¹³⁷ [¹³⁷ *Cape Times* 25 March]

- where the gross combined income of married tenants or tenants with dependants was less than R1 250;
- where single tenants without dependants had a gross monthly income less than R750; and
- where tenants were over 70 years of age and continued to occupy the same premises 'without interruption'.

In August it was announced that the houses of Representatives and Delegates had approved new rent formulas for coloured and Indian tenants of state-owned housing units. The minister of housing and chairman of the ministers' council in the House of Delegates, Mr Amichand Rajbansi, said that the new scheme would bring relief to thousands of people in the low income group, who would now pay rent calculated at 25% or less of their income. He added that the Housing Development Board (for Indians) would provide R140m in rent subsidies each year.¹³⁸ [¹³⁸ *Post Natal* 26 August]

In September owners of five rent-controlled buildings in central Johannesburg increased rents by up to

100% above the limits prescribed by the local rent control board. Tenants of the buildings included 225 black families living in the area in contravention of the Group Areas Act of 1966 (see chapter on *The Group Areas Act*). The black families elected committees to resist the rent increases and, after taking legal advice, they decided to pay only the amounts originally stipulated by the rent control board. Owners of the buildings threatened to evict tenants for non-payment of rent. The chief director of the Department of Local Government and Housing, Mr Frank Gerber, said in December that rent control boards had jurisdiction only in cases concerning 'legal white tenants'. He said that black families had no legal protection if property owners increased rents above legal limits. A spokesman for ACTSTOP, a Johannesburg-based organisation opposing evictions in terms of the Group Areas Act, said that rent control should apply to buildings regardless of the race of the tenants, and that evictions would be challenged in court.¹³⁹ [¹³⁹ *The Star* 26 November, *Business Day* 11 December]

In December black tenants reached an out-of-court agreement with Hillcrest Finance and Property Consultants, which owned three of the buildings, in terms of which rents would not exceed the limits set by the rent control board. Tenants were given seven days in which to make up arrears on rent payments for 1987. On 14 January 1988, 60 families were evicted for late payment of rent arrears. A spokesman for ACTSTOP said that the evictions were legal but 'surprising' in view of the fact that arrears had been paid, albeit lat

Rent boycotts

Rent boycotts involving the non-payment of rent and service charges had begun in African townships in the eastern Transvaal, Pretoria/Witwatersrand/Vereeniging (PWV) area and the northern Orange Free State in 1984, and by 1987 they had spread to about 55 townships countrywide (see 1986 *Survey* Part 1 pp372–373 and chapter on *Political Developments*).

The minister of constitutional development and planning, Mr Chris Heunis, said in Parliament in July that as at 30 April some R267m in rent and service charges had not been paid. This figure comprised outstanding amounts of R21,7m in the Cape Province, R2,8m in Natal, R10,9m in the Orange Free State and R231,6m in the Transvaal.¹⁴¹ [¹⁴¹ *The Star* 13 August]

In the same month the *Cape Times* suggested that rent arrears were as high as R290m, including an amount of R80m owed to the Soweto City Council.¹⁴² [¹⁴² *Cape Times* 1 July] An article in *The Weekly Mail* in November claimed that the boycott of rent and service fees had cost the authorities some R720m, and that 650 000 households were involved in the boycott.¹⁴³ [¹⁴³ *The Weekly Mail* 27 November]

The rent boycotts undermined the financial positions of the African local authorities, as revealed by the figures given by Mr Heunis in October for bridging finance provided to 82 African local authorities. Mr Heunis said that the government had provided some R100m to African local authorities since the rent boycotts began, including R33,5m to the Diepmeadow City Council (Johannesburg), R33,5m to local

authorities in the western Cape, R7,4m to the Ibhayi Town Council (Port Elizabeth) and R5,3m to the KwaNobuhle Town Council (Uitenhage) in the eastern Cape. The treasurer of the Soweto City Council, Mr James Veldsman, said in November that the council was losing revenue of R4m per month through the boycotts, and that it had a deficit of R122m. He claimed that the council had 'no more resources' and that it had to rely on the central government for bridging finance to continue operating.¹⁴⁴ [¹⁴⁴ *Business Day* 29 October, *The Weekly Mail* 27 November] The town clerk of Soweto, Mr Nico Malan, said in October that the council had borrowed R120m from the state and financial institutions since the boycott began.¹⁴⁵ [¹⁴⁵ *Sunday Times* 4 October]

In January the Bureau for Information launched an intensive advertising campaign in newspapers and on the South African Broadcasting Corporation (SABC) and Bophuthatswana television services to encourage Africans to pay rent and service charges. The advertisements claimed that housing, electricity and water were 'a bargain' and that 'even a bargain has to be paid for'.¹⁴⁶ [¹⁴⁶ *Sowetan* 8 December]

The Mamelodi Town Council (Pretoria) had increased rents in 1984, which had led to a rent boycott and the shooting of 13 Africans by police (see 1985 *Survey* p539). In February the rent increase was invalidated by a judgement in the Transvaal Provincial Division of the Supreme Court in Pretoria by Mr Justice M Roux, who ordered the council to refund rent increases paid by residents. However, the Mamelodi Town Council ignored the ruling and continued to charge increased rentals. Some residents claimed that they were being sent as many as five letters of demand for rent, as well as being issued with summonses delivered by messengers of the court accompanied by members of the South African Defence Force (SADF).¹⁴⁷ [¹⁴⁷ *The Weekly Mail* 16 October]

In a similar ruling in September, rent increases by the Tumahole Town Council (Parys) in the Orange Free State were declared invalid in the Orange Free State Provincial Division of the Supreme Court in Bloemfontein. The court found that rent increases in 1980 had not been gazetted, and that R500 000 should be refunded to Tumahole residents who had paid rent until rent boycotts had started in 1985. The Tumahole Town Council immediately announced new increases which were gazetted and made retrospective to 1 August.¹⁴⁸ [¹⁴⁸ *The Star* 18 September, *City Press* 20 September]

During the first quarter the Soweto Civic Association brought an action in the Witwatersrand Local Division of the Supreme Court opposing the eviction of three Soweto residents by the Soweto City Council for refusal to pay rent. In March the application was rejected, thus entitling the council to evict rent defaulters. However, by August only 127 families had been evicted, and some families had moved back into their houses illegally. Council officials turned off the electricity supply to tenants who had not paid service charges, but in many cases electrical terminals were immediately reconnected by members of local youth groups.¹⁴⁹ [¹⁴⁹ *South* 6 August]

In May the Soweto City Council served eviction notices on political leaders who had participated in the rent boycott, including the chairman of the Soweto Civic Association, Dr Nthato Motlana; the co-

president of the United Democratic Front (UDF), Mrs Albertina Sisulu; and Mrs Winnie Mandela, wife of Mr Nelson Mandela, the jailed African National Congress leader. Mrs Sisulu's eviction notice was declared invalid by the Witwatersrand Local Division of the Supreme Court in Johannesburg. Mrs Mandela declared that her house was registered in the name of her imprisoned husband, and hence that any attempt to evict her would require the presence of Mr Mandela in court. The Soweto City Council thereafter failed to take legal action against any of the political figures.¹⁵⁰ [¹⁵⁰ Ibid]

The housing sale announced by the Bureau for Information in May (see *Leasehold and Freehold Sales* above) was seen by many as part of the government's strategy to encourage Africans to buy their own homes and hence break the rent boycott. The sale made provision for rent and service charge arrears to be included in the total purchase price of the house.¹⁵¹ [¹⁵¹ *Business Day* 6 May] The Promotion of Local Government Affairs Amendment Bill, tabled in Parliament in June, was also seen as an attempt to halt the rent boycott by empowering local authorities to issue garnishee orders against employers for rent and service charges owed by their employees (see *Legislation* above).¹⁵² [¹⁵² *Cape Times* 15 June]

In June Mr Ephraim Tshabalala, former mayor of Soweto and president of the Soweto Sofasonke Civic Party, offered to collect service charges from Soweto residents who were boycotting payment of rents. Mr Tshabalala urged residents to pay service charges to offices of his party, and claimed that the money would then be deposited with the Soweto City Council. A newspaper report said in July that the Sofasonke Party was collecting as much as R3 000 a day from residents. However, the town clerk of Soweto, Mr Nico Malan, warned residents not to make payments to Mr Tshabalala, as he had not been appointed to represent the council. Mr Malan added that residents who paid Mr Tshabalala could still face eviction for non-payment of rent.¹⁵³ [¹⁵³ *Sunday Times* 5 July, 4 October]

In July Mr Steve Kgame, president of the Urban Councils Association of South Africa, called for the eviction of all rent boycotters, saying that there would be 'chaos' in the townships if people were provided with free services. Mr Tom Boya, president of a rival organisation, the United Municipalities of South Africa, said in reply that his organisation was against evictions. Mr Boya said that councillors should meet members of the community to discuss grievances and that tenants should be required to pay only service charges.¹⁵⁴ [¹⁵⁴ *Sowetan* 6 July]

In November it was reported that Soweto council officials, accompanied by members of the SADF and the South African Police (SAP), were going from house to house to warn residents to pay rent within seven days or face eviction. The director of housing in Soweto, Mrs Estelle Bester, claimed that the police and military presence was not intended to intimidate residents, but had been 'requested' by council officials who needed 'protection'.¹⁵⁵ [¹⁵⁵ *Business Day* 19 November]

Services and infrastructure

In June, in answer to a question in Parliament, the minister of constitutional development and planning,

Mr Chris Heunis, said that no electricity was supplied to 60 African townships. In a further 217 townships 85% or more of the residents had no electricity. Some 13 townships had electricity in 50% or more of the houses.¹⁵⁶ [¹⁵⁶ *Financial Mail* 5 June] According to figures supplied by Eskom, only 2m Africans, representing less than 10% of the total African population of South Africa (excluding the 'independent' homelands), were supplied with electricity in their homes.¹⁵⁷ [¹⁵⁷ Figures supplied by an Eskom official]

A study by researchers at the University of Cape Town showed that 5,3m tons of firewood were needed annually to meet the energy requirements of South African communities which had no access to electricity, yet only 420 000 tons of firewood were produced annually.¹⁵⁸ [¹⁵⁸ *The New Nation* 28 May]

In August the senior general manager of Eskom, Mr Ian McRae, outlined a plan to speed up electrification of African areas, with an initial focus on urban areas adjacent to electrified towns and cities. He said that traditional methods of supplying electricity were too costly to meet African consumers' energy needs. Mr McRae said that present 'first world' electrification practices favoured underground cabling, miniature substations and individual house metering. Electrification to these standards cost between R2 000 and R3 000 a house. Such 'over-design and over-regulation [would] significantly inflate costs in terms of both time and money', Mr McRae said. He described a new plan to electrify African townships which involved the use of pole-borne cables, conductors and transformers, eliminating the need for expensive technology and reducing the cost of electricity supply by five-sixths. Electrification of townships would also necessitate the 'deregulation and removal of red tape' and 'simplified town planning', Mr McRae envisaged joint finance for electrification by the state, regional services councils, development agencies and local authorities.¹⁵⁹ [¹⁵⁹ *The Star* 26 August]

In September the Central Witwatersrand Regional Services Council (RSC) agreed to spend R25m on electrification projects in African townships in the following year. The Soweto City Council was reported to have raised an additional R18,5m to complete electrification of its townships.¹⁶⁰ [¹⁶⁰ *Ibid* 16 September]

In July 81 non-African and 10 African local authorities were receiving central government subsidies for the provision of water to homes. The chairman of the Central Witwatersrand RSC, Mr Gerrit Bornman, said that only 30% of the 108 000 African homes in Soweto and Diepmeadow (both near Johannesburg) had access to running water within the home; the remainder relied on an outside water supply.¹⁶¹ [¹⁶¹ *Ibid* 8 July]

During the period under review the Development Bank of Southern Africa began promoting the introduction of 'water kiosks', ie central distribution points in rural African communities, where purified water could be sold to residents. A spokesman for the bank said that the kiosks ensured that water was made available at low cost, since they did not necessitate a piped water supply, and they also promoted conservation of water. By October some 100 water kiosks had been established in Natal.¹⁶² [¹⁶² SAIRR *Social and Economic Update* 3, Third Quarter]

In the 1987/88 financial year the Department of Agriculture and Water Supply budgeted R 14,5m to subsidise sewerage for white towns, and R8,6m for sewerage in African townships outside the homelands.¹⁶³ [163 Estimate of expenditure to be defrayed from the state revenue account during the financial year ending 31 March 1988, RP2 & 4 - 1987]

RELIGIOUS ORGANISATIONS

African Separatist Movements

Recent statistics are not available, but the membership of the African separatist churches appears to be increasing. Their leaders have maintained a low profile in socio-political matters.

Zionist churches

The Zionist group of churches is one of the largest of the separatist movements in southern Africa. Members are strongly discouraged from political involvement.¹ [1 South African Institute of Race Relations (SAIRR), *1949 Handbook on Race Relations in South Africa*, p567]

The best-known of these movements is the Zion Christian Church, centred at Moria, near Pietersburg, and headed by Bishop Barnabas Lekganyane. An estimated 2m people attended its annual convention at Easter, transported by special trains, more than a thousand buses and many hundreds of other vehicles.² [2 *The Star* 20 April]

Another very large group, centered in KwaZulu, is the Zulu Church of Nazareth (also known as the Shembe Church).

Ethiopian churches

Ethiopian, or separatist, churches are those that, at various times since 1884, have broken away from established churches to afford members self-government in religious matters. They retained most of the doctrines and methods of their parent bodies, but have been African nationalist in outlook. Various of them have formed federations such as the African Independent Churches' Association (a member of the South African Council of Churches), a conservative federation called the Reformed Independent Churches' Association, and a left-wing group named the Alliance of Black Reformed Churches in South Africa (ABRECSA). The general secretary of ABRECSA, who is also moderator of the Evangelical Presbyterian Church, is the Rev Jean-François Bill. He was detained in June 1986 when a state of emergency was proclaimed. On his release at the end of March 1987, severe restrictions were placed on

his activities.³ [³ *The Citizen* 27 March, *The Star* 11 May]

Dutch Reformed Churches

Membership of the Nederduitse Gereformeerde Kerk (NGK) has in the past been restricted to white persons, while three 'sister churches' catered for persons of other racial groups: the (coloured) NG Sendingkerk, the (Indian) Reformed Church in Africa, and the (African) NG Kerk in Afrika. Representatives of all four churches meet every two years in a federal council.

Nederduitse Gereformeerde Kerk (NGK)

A four-yearly general synod meeting of the Nederduitse Gereformeerde Kerk (NGK) was held during October 1986 (see 1986 *Survey* Part 1 pp313–314). By majority vote the synod adopted as a policy document a testimony entitled *Kerk en Samelewing*, translated into English under the title *Church and Society*. Among the conclusions in this document were the statements that 'racism is a grievous sin ... The church may not be restricted exclusively to one nation or group, neither may anyone be excluded on the basis of his origins, national allegiance, language, or culture ... No congregation may deprive anyone who so desires of the privilege of listening to the preaching of the Word ... The application of the policy known as apartheid as a political and social system cannot be accepted on Christian ethical grounds'. The decision on whether or not to admit black members lay with individual church councils, however. The dissension that resulted within the NGK as a result of the general synod's decision is described below.

At a meeting of the 11 regional synods of the NGK in 1987, only the South West African synod totally rejected the general synod's decision to adopt the view expressed in *Church and Society* that membership of the previously whites-only NGK should be opened to all races. The other synods suggested certain amendments to the document, none of which changed the essence of the decision.⁴ [⁴ *The Star* 28 October]

During July a special delegation from Pentecostal churches, led by Pastor Ray McCauley of the Rhema Bible Church, met leaders of the NGK to express their church's support for *Church and Society*. The message of support was endorsed by leaders of the Apostolic Faith Mission, the Assemblies of God, the International Fellowship of Christian Churches, and the United Apostolic Faith Mission.⁵ [⁵ *The Citizen* 4 July]

The moderator of the NGK, Professor Johan Heyns, visited England during January. He was reported to have said, in the course of a British Broadcasting Corporation (BBC) television interview, that he foresaw a clash between the church and the state if the government failed to dismantle apartheid.⁶ [⁶ *Ibid* 16 January]

During 1987 the church commented on various aspects of government policy. Its official mouthpiece, *Die Kerkbode*, said in an editorial in April that the state of emergency placed a big responsibility on the shoulders of government to act in a responsible manner because it lacked the normal external controls of the courts or the media.⁷ [⁷ *The Citizen* 22 April, *The Star* 22 April] While accepting that there were good reasons for the declaration of a state of emergency, *Die Kerkbode* said that the authorities had to ascertain, on a regular basis, whether the state of emergency was still necessary. Referring to detention without trial, the editor reminded the authorities of the need to differentiate between a 'revolutionary onslaught' and 'justified grievances'. People should be detained only for as long as was necessary, and it should be ensured that during detention no cause for 'further hardening of attitudes' should take place.⁸ [⁸ *The Star* 25 April] Subsequently, the western Cape synod of the church requested the general synod to call on the government to use detention and restrictions without trial only as an 'extreme measure' and not where merely peaceful protest was concerned. People should not be detained without a clear intention by the government to lay a charge and try the detainee in court within a reasonable period.⁹ [⁹ *Ibid* 19 October]

The NGK's western Cape synod also expressed concern over the difficulties that racially mixed couples experienced under the Group Areas Act of 1966. It recommended that further amendments be made to the Defence Act of 1957 to accommodate persons objecting to military service on religious grounds. The right of the church and individuals to talk to organisations such as the African National Congress (ANC) was acknowledged, but the synod considered that persons doing so should tread carefully because of the 'propaganda value of meetings with controversial political organisations'.¹⁰ [¹⁰ *The Citizen* 19 October, *The Star* 22 October]

During May the World Council of Churches convened a conference in Lusaka on the theme 'The Church and the search for justice and peace in Southern Africa' (see *World Council of Churches* below). Among the speakers were three prominent leaders of the ANC, Pan-Africanist Congress, and South West African People's Organisation, respectively.¹¹ [¹¹ *The Star* 5 May, *The Citizen* 12 May, *Die Burger* 15 May] Three ministers of the NGK accepted invitations to attend, going in their personal capacities. One of them, Dr Clifford Heys of Helderberg, said that he went because he wanted to plead for 'peace and reconciliation' and to meet representatives of other churches. In group discussions, he stated, the NGK ministers had opposed disinvestment and boycotts, and had made clear their total opposition to violence.¹² [¹² *The Star* 26 May]

Dissent within the NGK and formation of the Afrikaanse Protestantse Kerk

After the general synod meeting at which the document *Church and Society* was adopted, a few hundred members of the NGK met in Verwoerdburg (Pretoria) to discuss their objection to certain of the decisions recorded in this document. A church elder, Professor Willie J G Lubbe, was elected as chairman of a group appointed to co-ordinate action. The group held a meeting of 2 000 dissidents in Pretoria in November 1986. A Continuation Committee for Dissatisfied Members (CCDM) was elected, and an office opened in Pretoria (see 1986 *Survey* Part 1 p315).

It was reported that some members had left the NGK and joined the Nederduitsch Hervormde Kerk (NHK) instead 'because they did not want to worship with blacks'.¹³ [¹³ Ibid 2 February] Others were said to have withheld their tithes and paid them into a CCDM 'contingency fund' which might be used to found a separate church. It was disclosed later by Professor Lubbe that a sum of about R325 100 had been collected.¹⁴ [¹⁴ Ibid 3, 4 November]

Meetings were held in various parts of the country in attempts to heal the rift. A senior member of the NGK's executive, Professor Flip van der Walt, told a reporter that each congregation visited by him had been reminded that while the NGK was open, the concept of four different churches for Africans, Indians, coloured people and whites could not be done away with, because different people had different needs.¹⁵ [¹⁵ Ibid 29 January]

The CCDM issued a booklet entitled *Geloof en Protes* (Faith and Protest) in which it challenged decisions of the general synod relating to open membership of churches. It expressed opposition to the scrapping by the government of the Prohibition of Mixed Marriages Act of 1949 and Section 16 of the Immorality Act of 1957. A deadline of 27 June was set for the NGK to send a 'satisfactory' reply.¹⁶ [¹⁶ Ibid 6 June]

On 27 June a mass meeting of several thousand dissidents was held at Pretoria's Skilpadsaal, at which some 80% of those present voted to start a new church called the Afrikaanse Protestantse Kerk (APK). Professor Lubbe was elected chairman. A journal named *Die Bondgenoot* was founded.¹⁷ [¹⁷ *Sunday Times* 28 June, *The Citizen* 29 June]

The APK held its first synod meeting in Naboomspruit early in November. Of the 250 people who attended, 100 were delegates representing more than 100 congregations. Professor Lubbe told the meeting that the membership then was about 8 000 adults and 4 000 children.¹⁸ [¹⁸ *The Star* 3, 4 November]

About 20% of those present at the mass meeting in June refused to break away from the NGK. Their spokesman, Mr Chris Wagenaar, said they thought it would be better to remain in this church and work for revision of the document *Church and Society*, especially the decision on open membership. This group of dissidents met in Pretoria on 20 July and formed an organisation named the Nederduitsch Gereformeerde Bond. The organisation would oppose the liberal onslaught' which allegedly aimed at using the NGK for developments through which the 'uniqueness of the Afrikaner nation can be destroyed'. Professors S A Strauss and Carel Boshoff were elected chairman and vice chairman respectively.¹⁹ [¹⁹ *The Citizen* 17, 21 July; *The Saturday Star* 18 July; *The Star* 21 July]

Shortly afterwards, however. Professor Strauss resigned from the league after the moderation of the NGK in the Orange Free State (OFS) threatened to expel him from the theological department of the University of the OFS unless he did so. The moderation stated that 'no free societies within a church could be allowed'.²⁰ [²⁰ Ibid 31 July]

Early in September the executive of the NGK general synod told the league that it was not prepared to allow it to work as a free association within the church, causing polarisation between members. Further discussions would be held. This ruling did not render the existence of the organisation illegal, but meant that it had no official status.²¹ [²¹ *The Citizen* 1 September, *The Star* 3 November]

In March, and again in September, groups of NGK ministers, in their private capacities, toured African areas to make contact with African organisations and learn of the experiences of Africans in townships. One of the groups ended its tour by sleeping in the homes of African families in the township of Mamelodi (Pretoria).²² [²² *The Star* 1 October]

Nederduitse Gereformeerde Sendingkerk (NGS)

This is the ‘coloured’ NG church, its moderator being the Rev Allan Boesak.

The general synod of the Nederduitse Gereformeerde Sendingkerk (NGS) adopted the Belhar Confession in 1986 (see 1986 *Survey* Part 1 p315). Drafted at its assembly in Belhar in the Cape in 1982, the Belhar Confession rejected the theological and moral justification of apartheid as being a heresy. Reconciliation and continuous links between the Sendingkerk and the white NGK would be possible only if the latter ‘confessed its guilt for providing the moral and theological foundations for apartheid’, the document stated (see 1984 *Survey* pp905–906).

During May 1987 representatives of the NGK and the Sendingkerk met to discuss the issues raised in the Belhar Confession and the NGK’s manifesto *Church and Society*. Dr Boesak commented subsequently that while the two churches continued to hold divergent views on these matters, he hoped that further consultations would be held.²³ [²³ *Ibid* 20 May]

Nederduitse Gereformeerde Kerk in Afrika (NGKA)

The leadership of the Nederduitse Gereformeerde Kerk in Afrika (NGKA), which depends on the white church for more than 80% of its finances, has in the past been comparatively conservative.²⁴ [²⁴ *Ibid* 8 June] However, there was a movement to the left at a four-yearly synod meeting held in Umtata in June. About 500 congregations were represented. The Rev Sam Buti of Alexandra (Sandton) was elected moderator, while the Rev Dr Nico Smith became actuary (the latter had been involved in the drafting of the Kairos document—see below). In a press interview, Mr Buti said that he did not believe in the state president’s reform measures. ‘You cannot reform a sin’ (apartheid), he maintained. ‘I believe in transformation.’²⁵ [²⁵ *Ibid* 11 June] Dr Smith said at the meeting that there could be no political solutions to South Africa’s problems without a change of heart, which could be brought about only by the church.²⁶ [²⁶ *Ibid* 22 June]

A statement entitled *The Kairos Document: Challenge to the Church* (see 1985 Survey pp576–577) had been endorsed by 151 clergymen and laymen from a number of churches and Christian organisations. They argued that ‘Kairos’—the moment of truth—was upon South Africa and that the churches should seize this as ‘a time of grace and opportunity, a challenge to decision and action’. They recommended steps that they considered should be taken. The NGKA synod decided to refer certain aspects of this document to its ministers and church councils for study; but it rejected some of the more radical aspects.²⁷ [²⁷ Ibid]

On 18 May a joint meeting was held at Belhar of delegates from the NGK and the NGKA. It was reported in June that the discussions were frank and friendly, and that further such meetings would take place.

Moves towards a unified NGK

It was reported during May that the white NGK and the coloured NG Sendingkerk in Stellenbosch had become the first NG congregations in South Africa to form a joint ‘ring’ (synod). They worshipped together regularly, and had formed several committees on which members of both churches served—for bible study, charitable work and mission issues. The combined synod was not officially recognised by the governing bodies of either church, however. All decisions had to be ratified by the individual congregations before they could become binding under church law.²⁸ [²⁸ *The Citizen* 28 May]

In October the NGK’s western Cape synod passed a resolution favouring the unification of all NG churches into one denomination. Discussion among the different member churches would determine the form of this unity, the resolution said.²⁹ [²⁹ Ibid 24 October]

Earlier, a high-level meeting took place between delegations from the NGK and NG Sendingkerk to discuss possible unity. Asked to comment, the moderator of the NGK, Professor Johan Heyns, said that the talks had taken place in ‘good spirit’ although there were differences and common ground could not always be found. Further meetings would be arranged, and also meetings with the NGKA and the (Indian) Reformed Church in Africa.³⁰ [³⁰ *The Star* 20 May]

Inter-church conference organised by the NGK

The NGK invited 20 churches from across the ecumenical spectrum to a conference planned for 23 September to discuss and evaluate the reasons for polarisation between churches and to attempt to bridge differences. Its agenda was described as open-ended. Each church was asked to send two representatives and to prepare a document giving its views on why polarisation existed.³¹ [³¹ Ibid 9 July]

The coloured and African members of the NG family of churches announced later that they would not

take part in the conference. They were convinced that such a gathering should have been arranged by the non-denominational South African Council of Churches (SACC) (see *Ecumenical movements* below) rather than by an individual church. The NGK, they stated, could use the conference ‘for propagandist objectives’.³² [³² Ibid 11 September] When it was revealed that the SACC (of which the NGK is not a member) had not been asked to send representatives and that the two ‘black’ NG churches would not be attending, the Methodist, Anglican (Church of the Province of Southern Africa), and United Congregational Churches also declined the invitation (which the Methodists had earlier accepted) on the grounds that the conference would not adequately reflect the views of black Christians. Previous to this, the Presbyterian Church of Southern Africa had replied that it could not send representatives because its annual assembly would be in session at the date of the conference.

The churches that were represented included the Nederduitsch Herformde Kerk (NHK), the Gereformeerde Kerk, the Roman Catholic Church, the Greek Orthodox Church, the Hatfield (Pretoria) Baptist Church, the white Lutheran Church and the Rhema Bible Church. Altogether there were 58 delegates. No resolutions were passed, but delegates told the press that the talks had been fruitful, and that further interdenominational meetings would be arranged.³³ [³³ *The Star* 24 September, *The Citizen* 24 September]

Belydende Kring

The Belydende Kring (‘confessing circle’) was formed in 1979 under the chairmanship of Dr Allan Boesak. It is a radical movement, with members from all four churches of the NG family, but was recognised officially by only the NG Sendingkerk. It strives for structural unity between the churches concerned.

In a statement published at the end of May the movement rejected ‘totally’ the NGK’s policy document *Church and Society*, stating that this was regarded by it as being ‘deceptive and misleading witness, designed to perpetuate the apartheid state and to maintain the status quo of exploitation and oppression’.³⁴ [³⁴ *The Star* 2 June]

A new body called the National Assembly of Confessing Christians (NACC) was established in May under the auspices of the Belydende Kring. Organisers had previously distributed a circular setting out their belief in the duty of the church to ally itself with the ‘just struggle for the oppressed’. Invitations to send delegates to the inaugural meeting were sent to all congregations of the three black NG churches—but not to white NG congregations. However, the NGK, the Baptist, Anglican and Methodist churches, and the Institute of Contextual Theology were invited to send observers.³⁵ [³⁵ *Sunday Times* 24 May, *The Star* 28 May]

Churches of Mainly European Origin

Church of the Province of Southern Africa (CPSA)

A pastoral letter entitled *The State of the Nation*, drawn up by the synod of bishops of the Church of the Province of Southern Africa (CPSA), commonly referred to as the Anglican Church, was read to all church congregations on 31 May. The white general election on 6 May, the bishops claimed, had made it clear that most white people wanted the ‘security’ of guns rather than the security created by faith in God; and the ‘swing to the right’ indicated to black people that they were not cared for and not protected by the laws. After referring to the state of emergency in South Africa, alleged violence by agents of the state, internal violence in the black townships and the prevailing bitterness and resentment, the bishops called the people of God to cast away their fear, suspicion and mistrust, and to pray for each other even where the ‘other’ was seen as the enemy, to worship together and to speak together. ‘We are confident in God’, the bishops said, ‘not in the vaunted security of any cult of wealth, or programmes of change, any dispensation, ideology or system. Be confident with us’.³⁶ [³⁶ *The Star* 25 May, *The Citizen* 1 June]

The archbishop of Cape Town and head of the CPSA, the Most Rev Desmond Tutu, paid a number of visits to other countries during 1987. The United Church of Australia, based in Sydney, sponsored a 12-day tour during January.³⁷ [³⁷ *Ibid* 16 January] In March Archbishop Tutu visited Britain, where he received the Freedom of the City of Durham, preached in Westminster Abbey, and met the Archbishop of Canterbury and the British Foreign Secretary, Sir Geoffrey Howe. Thereafter he visited the United States.³⁸ [³⁸ *The Star* 9 March]

Towards the end of March Archbishop Tutu went to Lusaka for talks with the executive committee of the African National Congress (ANC) —a meeting which, according to his office, was taking place by mutual request. He is reported to have said, ‘The church I represent is keen that we keep contact with all parties that are of significance for the future of South Africa, and they include the ANC.’ He agreed with the aims of the ANC to achieve a nonracial democratic society in South Africa, but could not associate himself with the organisation’s strategy of waging an armed struggle. His meeting with the ANC’s president, Mr Oliver Tambo, and about ten members of the organisation’s national executive committee, was stated to have lasted nearly five hours. He told the press afterwards that the ANC’s commitment to violence was not a matter of principle, but of strategy. He had asked ANC leaders to review this strategy, and thereby throw the (political) ball back into the court of the South African government. The ANC had replied that some dramatic change in South Africa would be needed in order to justify a renunciation of violence to its supporters.³⁹ [³⁹ *Ibid* 21 March, *Sunday Times* 22 March, *The Citizen* 23 March, *Seek* April]

During June Archbishop Tutu visited Mozambique, which falls within his archdiocese. He told the press in Maputo that his church believed a time could come when it would be justifiable for a group to overthrow an unjust system violently. He would announce if and when he had reached the belief that such a time had come. At a mass meeting in Maputo he appealed to the international community to help bring down the apartheid system in South Africa, and added, ‘I think I am part of a diminishing, perhaps rapidly diminishing, minority who still believe that we may just have an outside chance of bringing

about change non-violently.⁴⁰ [⁴⁰ *The Citizen* 16, 26, 29, 30 June]

At an inter-church meeting in Lome (Togo) in August Archbishop Tutu was unanimously elected head of the All-Africa Conference of Churches.⁴¹ [⁴¹ *The Star* 24 August] During September he toured the Anglican diocese of Namibia, at the request of the head of that diocese, Bishop James Kauluma. At a press conference on his return the archbishop said that the church leaders, as represented in the Namibian Council of Churches, wanted the implementation of United Nations Security Council resolution No 435 of 1978 (see 1978 *Survey* p521), the withdrawal of South Africa, and the holding of free and fair elections.⁴² [⁴² *Seek* October]

In September the archbishop led a delegation from the World Conference on Religion and Peace (South Africa) which visited Lusaka for discussions with executive committee members of the ANC (see *World Conference on Religion and Peace* below).⁴³ [⁴³ *The Citizen* 19 September]

Early in June Archbishop Tutu recalled that the state of emergency would, on 11 June, have been in force for one year. He called on all parishes to toll church bells for ten minutes at noon on that day and on all Anglicans to wear black armbands.⁴⁴ [⁴⁴ *Ibid* 8, 9 June]

The 'Lusaka document' was drawn up at a conference convened by the World Council of Churches in Lusaka during May (see *World Council of Churches* below). A key section of the document read: 'While remaining committed to peaceful change we recognise that the nature of the South African regime which wages war against its own inhabitants and neighbours compels the (liberation) movements to the use of force along with other means to end oppression.' During July the South African Council of Churches (SACC) adopted this statement and referred it to member churches.

The provincial standing committee of the CPSA discussed the document at a meeting held in Modderpoort (near Ladybrand, Orange Free State) during November. The committee unanimously passed the following resolution:⁴⁵ [⁴⁵ *The Citizen* 25, 26 November]

- 'The provincial standing committee, understanding the pressures which have led the liberation movements to respond to violence with violence;
- aware that there is at present insufficient factual evidence on the effects of disinvestment to make an informal resolution on this issue or to use this issue as grounds for rejecting the Lusaka document; and
- recognising the commitment to peaceful change laid out in the Lusaka document, and acknowledging the urgent need to correct the church's current abysmal failure to bring about meaningful change and an end to aggression,

- * accepts the Lusaka document and stresses the need for further meetings with the ANC and Pan-Africanist Congress (PAC) to discuss the nature of the South Africa beyond apartheid to which we are committed;
- * implores its members to explore to the fullest, means by which it can show Jesus's third way as a positive non-violent way to change despite the high cost of this way; and
- * appeals in the strongest possible way to its members to pledge the church to learning about and adopting the third way of vital and active non-violent change.'

In a message read in all churches of his diocese on 29 November, the Anglican bishop of Johannesburg, the Rt Rev Douglas Buchanan, said that the provincial standing committee's acceptance of the Lusaka document was far from meaning that his church accepted violence. It meant that it understood how violence begets violence. In fact, the church had made the strongest call for non-violence that it had probably ever made. What it did do was to:⁴⁶ [⁴⁶ Ibid 30 November]

- call for negotiations between the various warring groups to build a better post-apartheid society;
- implore church members to look at Jesus's ways for non-violent change; and
- appeal to everyone to pledge themselves to follow these ways.

Action along similar lines was taken by the Rt Rev David Russell, bishop of Grahamstown; the Rt Rev Michael Nuttall, bishop of Natal; and the Rt Rev Richard Kraft, bishop of Pretoria.⁴⁷ [⁴⁷ *The Star* 7 December]

Shortly before the meeting of the provincial standing committee, a consultation called 'Partners in Mission' had been held between representatives of the CPSA and its 'partner provinces' in Africa, Europe, and North and South America. The standing committee decided to endorse a recommendation made at this consultation that 'our major task in the years to come must be the mobilising of the people of God for the breakdown of the apartheid system, its ideology and its destabilising effect on the region'.⁴⁸ [⁴⁸ *Seek* December/January]

During December Archbishop Tutu visited Nairobi for a meeting of the All-Africa Conference of Churches, in his capacity as chairman of that body. He was reported to have said, 'South Africa is noted, and rightly noted, for its vicious violation of human rights. But, sadly for a black African, I have an integrity to say that very many times there is now less freedom in independent African countries than there was under the much-maligned colonial system.' He repeated appeals for comprehensive mandatory sanctions against South Africa. 'We believe they provide us with a last chance for a reasonably non-

violent resolution of the crisis.⁴⁹ [49 *The Star* 18 December]

On his return, the archbishop went to Pietermaritzburg, where serious unrest in African townships was taking place (see chapter on *Political Developments*). He told the press that ‘the shocking carnage has to stop’, and he called on leaders of the United Democratic Front and Inkatha to urge their followers to halt violence.⁵⁰ [50 *Ibid* 28 December]

A number of Anglicans strongly opposed to the involvement of Archbishop Tutu in ‘political affairs’ formed an organisation called Anglicans Concerned with Truth and Spirituality (ACTS) in 1986, headed by Mr Alastair Macaulay (see 1986 *Survey* Part 1 p319).⁵¹ [51 *The Citizen* 22, 24 June; *The Star* 23 June]

On learning of the provincial standing committee’s resolution to endorse the Lusaka document, ACTS expressed its ‘dismay’. Even if the resolution was within the letter of the (church) canons, it stated, it ‘goes far beyond the competence of that body as an expression of the mind of the CPSA on so controversial a subject’. The governance of the church, it stated, was ‘being subverted by a small leadership group bent on politicising the church for its own ends’. ACTS challenged the provincial standing committee to seek a democratic test of opinion on the matter by a referendum at parish level.⁵² [52 *Ibid* 26 November]

Lutheran churches

The Evangelical Lutheran Church of South Africa (ELCSA), which has an ‘open’ membership—in practice mainly black—is a member of the Lutheran World Federation (LWF). (During 1984 the LWF terminated the membership of ‘white’ German- and Scandinavian-orientated Lutheran churches in South Africa until such time as they abolished apartheid in church life and moved ‘to visible unity’ with the black churches.)

During 1987 two overseas LWF groups planned a pastoral visit to South Africa, but the government refused to grant them visas.⁵³ [53 *Inter Nos* December]

Methodist Church of Southern Africa

At the annual conference of the Methodist Church of Southern Africa in October, Dr Khoza Mgojo was inducted as president. He had previously served for a year in this office. Dr Mgojo was also president of the Federal Theological Seminary near Pietermaritzburg. The Rev Stanley Mogoba, secretary of the Methodist Conference, the highest policy-making body of the church, became president-elect. He was also elected as president of the South African Institute of Race Relations during 1987.⁵⁴ [54 *The Star* 16 October, *Dimension* October] In his induction address Dr Mgojo spoke critically of the role of the church in

South Africa through the centuries. It had not been true to its calling, he said, which was to emphasize that all believers were one in Christ. In another address he was reported to have maintained that the church could no longer afford to confront the oppressed with a middle-class religion. No reconciliation would be possible in South Africa without justice. The land issue would have to be faced: there had been much thieving of land, which should be returned to its previous owners. Dr Mgojo also criticised the church for not always supporting non-violent strategies such as labour strikes, bus boycotts and stayaways.⁵⁵ [⁵⁵ *The Star* 19 October]

During June the Cape synod of the Methodist Church adopted a motion calling for the lifting of government bans on 'liberation movements' because:⁵⁶ [⁵⁶ *The Citizen* 8 June]

- they were South African movements which had consistently worked for the liberation of all South Africans;
- the option for armed struggle was taken reluctantly after fifty years of non-violent resistance had been met with systematic state repression; and
- no future for South Africa could be considered in isolation from the movements.

There were some differences of opinion between Methodist ministers when the 'Lusaka document' (see *World Council of Churches* below) was considered at a meeting of the South African Council of Churches (SACC) in July. These arose during discussion of the section of this document which read, 'While remaining committed to peaceful change we recognise that the nature of the South African regime ... compels the (liberation) movements to the use of force along with other means to end oppression.' Two of the Methodists contended that this statement could be understood as implying that their church justified the use of force; but others disagreed. The then president of the church, the Rev Jack Scholtz, said that his church remained opposed 'at this time' to violence as a means of achieving solutions. The Methodist annual conference in October referred the Lusaka document to its Christian citizenship department and its circuits for study.⁵⁷ [⁵⁷ *Dimension* July/August, *The Star* 7 December]

The Methodist Church opposed 'possible screening' by the South African Broadcasting Corporation of sermons broadcast by ministers, and supported a decision by the Inter-Church Committee on Chaplaincy to the Military that chaplains should not wear military uniforms or bear rank (see *Military Chaplains* and *Religious broadcasts* below).

At its meeting in Nairobi in June 1986 the World Methodist Conference decided to send an international delegation to South Africa to 'express our pastoral solidarity with those suffering in the present turmoil'. The conference represented more than 50m Methodists in 93 countries. A ten-man delegation arrived in South Africa during 1987, headed by Bishop Lawi Imathiu of Kenya and including members from the United States, Britain and Lesotho. After meeting prominent black and other personalities the delegation

was joined by three representatives from South Africa (among them Mr Mogoba) for an interview which the state president, Mr P W Botha, had agreed to grant them. Mr Mogoba was detained for about 24 hours shortly before the meeting with Mr Botha.

It was reported that the Methodist representatives made a number of requests to Mr Botha, asking him, inter alia, to release all political prisoners and detainees unconditionally, allow exiles to return, lift the state of emergency, withdraw the South African Defence Force from the townships, stop raids on neighbouring territories, abolish apartheid, and begin negotiations with representatives of all South Africans for a future in which all would participate with equal rights. Mr Botha is reported to have made it clear that he did not want foreigners to 'pressure' him, and to have said that South Africa would oppose 'with everything in its power' communism in all its forms. He denied that there were 'political' prisoners in South Africa, explained the treatment of offenders under the country's legal system, and described reforms taking place in various fields. The meeting ended in deadlock with an 'agreement to disagree'.⁵⁸ [*Dimension* October, December; *The Citizen* 7, 10 November; *The Star* 10, 11 November]

Mr Mogoba addressed the Interaction Council on Southern Africa and Apartheid in Harare in March 1988. The council consists of about 30 former heads of state who seek to use their influence on current world leaders to bring about change.

In his address Mr Mogoba said that negotiations were inevitable to resolve the South African situation. It would be naive to expect such negotiations to be anything but 'difficult and protracted', but a 'collective mediatorship', facilitated by the 'creative input' of world leaders, could facilitate a negotiation process that would involve the South African government and other key political actors in the South African question, including the Pan-Africanist Congress, the African National Congress, and other white and black opposition groups within South Africa.

Mr Mogoba specified three objectives for a collective mediatorship to consider.

- If negotiations were to succeed then there could be no preconditions to stand in their way. The only exceptions were the need for the acceptance of a ceasefire, the release of political leaders, and the return of exiled leaders, with the understanding that they would participate in negotiations, and the lifting of the ban on all banned political parties.
- Negotiations should not decide on the personnel of the future government of the country. That should be done by the people of South Africa.
- Negotiations should have as their objective the formulation of a constitution for South Africa. Such a constitution should embody the right of all people to participate in the government.

Mr Mogoba conceded that it could be asked why a collective mediatorship would succeed where the Commonwealth Eminent Persons Group (EPG) had failed. He suggested that the EPG had failed

because many of its members were politically tainted and were seen by the South African government to be seriously biased against it.

Mr Mogoba said a number of basic developments should be accepted by a collective mediatorship in enabling South Africans to find a solution:

- recent changes in South Africa, no matter how superficial, had weakened white political control;
- ferment existed in the National Party;
- South Africa was the regional power on the sub-continent;
- the South African government had every intention of remaining a regional power and was not about to surrender its power voluntarily; and
- South Africa's policy of apartheid was universally accepted as immoral.

Mr Mogoba also addressed calls for economic sanctions. He argued that the threat of sanctions had been far more creative in getting the South African government to change than the actual imposition of sanctions.

Mr Mogoba further emphasised that he could not subscribe to a school of thought that recognised that while violence was a fact at present, its continuation was inevitable.

'I am on record as saying that war is war. War can never be just and war can never be holy, and the same goes for violence, no matter what anyone else might say.'

An earlier interview on Mr Mogoba's views on violence in *Race Relations News* drew comment from a wide variety of newspapers, including the *Cape Times*, *Business Day* and *Die Burger*. The last of these noted that 'when an important spiritual leader such as the designated president of the conference of the Methodist Church of Southern Africa rejected violence unconditionally, he contributed to an atmosphere which was conducive to peaceful reform in the community'.

Mr Mogoba was due to be inducted in October 1988 as the first executive president of the Methodist Church for a three-year term.

Presbyterian Church of Southern Africa

At the general assembly of the Presbyterian Church of Southern Africa held in September, the Rev Patrick Montgomery succeeded the Rev Herbert Chikomo as moderator.

To indicate their opposition to racial classification in South Africa, Presbyterian Church leaders decided to adopt a nonracial birth register. They suggested that other churches should do so too.⁵⁹ [⁵⁹ *Sunday Times* 11 October] As recorded later in this chapter, the general assembly decided that military chaplains should, where possible, minister to persons engaged in military service of any nature, and not exclusively to members of the South African Defence Force.⁶⁰ [⁶⁰ *The Star* 24 September]

Roman Catholic Church

The question of socio-political action

The Southern African Catholic Bishops' Conference (SACBC) met in plenary session in Pretoria in January. During the opening ceremony an address was given by the apostolic delegate to Southern Africa of Pope John Paul II, Archbishop Joseph Mees. He was reported to have said it was the wish of the pope that dialogue between the South African government and the bishops should continue. The archbishop asked the bishops to 'work with patience and tenacity for a peaceful solution to strife caused by apartheid, while, in doing so, conforming to the law'. 'The church very wisely forbids its clergy from participation in politics', he said. Both the outgoing and the incoming president (the archbishop of Durban, the Most Rev Denis Hurley, and the bishop of Kokstad, the Rt Rev Wilfred Napier, respectively) challenged this statement, however, saying that no direct message on the issue of political action had been received from the pope; in fact, the conference had received a message from the Vatican 'supporting our struggle'.⁶¹ [⁶¹ *The Citizen* 26, 30 January; *The Star* 26 January; *South African Digest* 30 January]

Bishop Napier said, 'We certainly have no intention of getting involved in party politics. But I do not see how we as Christian leaders can avoid getting involved in the issues that affect our society. Life in South Africa is governed by politics, and we can't withdraw from life.'⁶² [⁶² *The Citizen* 29 January]

Towards the end of the year, Archbishop Mees was recalled to Rome. It was announced that the pope was planning to visit five southern African countries during 1988, but South Africa would not be included in his itinerary. According to a Vatican spokesman, such a visit would be 'inopportune'.⁶³ [⁶³ *Inter Nos* August] Shortly afterwards, during a visit to Rome by bishops from South Africa, the pope 'expressed full solidarity' with them. He was reported to have said, inter alia, 'During these past years, you have borne witness to hope in many ways, thus showing your people the relevance of Christ's paschal mystery for their lives. Year in and year out you have stood with your people in their needs, and, at the same time, you have withstood much unjust criticism in transmitting to them the message of the Gospel ... You have insisted on justice and the need for true reconciliation (and have) proclaimed the commandment of love.'⁶⁴ [⁶⁴ *The Southern Cross* 20 December]

In a statement issued prior to the World Day of Peace on 1 January 1988, the SACBC reiterated a call

for open, unconditional negotiations between the government and major black leaders as the only way to avoid the escalation of violence and open revolution. 'Any call by the government for negotiations', it said, 'must have credibility with black South Africans. This cannot be achieved if their organisations are banned and their leaders imprisoned'.⁶⁵ [⁶⁵ *The Star* 22 December]

The South African minister of foreign affairs, Mr Pik Botha, invited the pope to say mass at Jan Smuts Airport during his visit to Southern Africa in September 1988, but the invitation was turned down. A fund-raising office for the pope's visit to Lesotho was opened in Johannesburg.

Economic pressure and justice

On 1 May 1986 the SACBC convened a conference on 'Economic Pressure and Justice', at which it was resolved that drastic and extraordinary measures were necessary to end the misery of so many people in South Africa under the apartheid system. It seemed, it was said, that the most effective of available non-violent forms of pressure was increased economic pressure. This resolution was qualified, however, by the statement that 'intensified pressure can be justified only if applied in such a way as not to destroy the country's economy'. An advisory commission was appointed to study this matter.⁶⁶ [⁶⁶ *Sunday Times* 1 February]

This commission reported its findings at a plenary session of the SACBC, held in Pretoria during January 1987. They were as follows:⁶⁷ [⁶⁷ *The Citizen* 20, 30 January, 24 February; *Sunday Times* 1 February]

- sanctions had been counter-productive in changing the government's attitude. The government had retreated from meaningful, or for that matter, any reform. It had appeared to have directed inordinate energy to overcoming sanctions rather than to addressing the problems that had led to those steps in the first place;
- on the positive side, however, sanctions had resulted in a growing awareness of social responsibility in the private and business sector; and
- the South African economy would suffer grievously in the long term. An effective trade boycott was likely to be more detrimental than any disinvestment action. Export-orientated sectors which would be most vulnerable to trade boycotts were also the main employers of black labour. If boycotts were effectively applied, unemployment would increase, prices would rise in a market denied export scope, and inflation would rocket—all trends which would hit black workers and their families.

The commission recommended two 'main thrusts'—strong support for black initiative in all spheres, and spiritual, social and economic uplift of the majority of people, allied with a continued thrust to convert the white attitudes at which sanctions were aimed.

After considering this report, the conference of the SACBC reaffirmed its earlier stance—that it still subscribed to the view that economic pressure was morally justifiable and should be continued on condition that it should not destroy the country's economy and cause further suffering.⁶⁸ [⁶⁸ *The Citizen* 30 January, 24 February]

Use of violence

After bomb explosions outside the buildings of the Witwatersrand Local Division of the Supreme Court in Johannesburg in May, the SACBC issued a formal statement repeating the church's strongest possible opposition to the use of violence, regardless of the source or the intention. Again, in a statement issued prior to the World Day of Peace on 1 January 1988, the bishops deplored all forms of violence, whether institutional or retaliatory.⁶⁹ [⁶⁹ *The Star* 25 May, 22 December]

Attitude to parliamentary elections

The SACBC and the South African Council of Churches both called for the day of the white parliamentary election in May, and the preceding Sunday, to be days of special intercession for justice and peace in South Africa. The SACBC expressed its dismay that it was still only whites who would vote for what was supposed to be the effective law-making parliament of the nation. This attitude was backed by the Southern African Council of Catholic Laity, a body consisting of 26 affiliated organisations, which described the election as 'an expensive exercise in futility'. It stated, 'While some (white) Catholics will in conscience want to use this vote in the interests of their voteless brothers and sisters in Christ, one should never happily accept the unfair position imposed upon one of having to speak on behalf of others.'⁷⁰ [⁷⁰ *The Citizen* 19, 20 March]

Detention of prominent church members

The secretary general of the SACBC, Father Smangaliso Mkhathshwa, was detained under the emergency regulations on 12 June 1986. It was not until exactly a year later that he was formally indicted, appearing in the Pretoria magistrate's court on a charge of the illegal possession of a firearm. He was fined R500 for this and freed from detention. A few days later further charges were brought against him: of possessing prohibited material and weapons including a panga, a knife, and two axes. Meanwhile, he had instituted a claim of R50 000 against the state for alleged torture while he was in detention. These matters were subjudice at the time of writing.⁷¹ [⁷¹ *Inter Nos* June; *The Citizen* 13, 19 June; *The Star* 16 June]

Another prominent Catholic who was detained in June 1986 was Mr Zwelakhe Sisulu, editor of *The New Nation*, a secular newspaper published under the auspices of the SACBC, which has been highly critical of government policy. Mr Sisulu was released after 23 days, but was re-detained on 12 December 1986, and by June 1988, had still not been released. An application to the Witwatersrand Local Division of the

Supreme Court for his release had been dismissed (see chapter on *The Media*). In March 1987 Mr Sisulu was adopted as an honorary member of the PEN English Centre and in May 1987 he was the recipient of the 1987 Louis M Lyons Award of Harvard University.⁷² [⁷² *Inter Nos* June, December]

‘The New Nation’

During the period under review *The New Nation*, a weekly newspaper owned by the Catholic Bishops’ Publishing Company, became the first publication to be suspended for three months under the emergency regulations gazetted in terms of the Public Safety Act of 1953 (see chapter on *The Media*).

Lay opposition to socio-political action by the church

At the time of the SACBC’s conference in Pretoria during January, the general secretary of the South African Catholic Defence League, Mr Jan Roodbol, told the press that there was mounting unhappiness among grassroots Catholics about the bishops’ involvement in politics. He said that this league was one of several bodies of Catholic laity dedicated to opposing the increased preaching of the ‘social gospel’ and ‘liberation theology’.⁷³ [⁷³ *The Citizen* 26 January]

The bishops claimed that the league was unrepresentative. The SACBC’s information and press officer, Mr Noel Bruyns, sent a letter to the editors of South African newspapers stating that on a number of occasions the bishops had said that the league represented only an extremely small percentage of the Catholics in the country and had no official standing whatsoever in the Catholic Church. The SACBC entirely repudiated its activities. The officially recognised body of lay organisations was the Southern African Council of Catholic Laity, he said.⁷⁴ [⁷⁴ *litter Nos* December]

Jewish Organisations

The South African Jewish Board of Deputies, which is the official representative body of the South African Jewish community, has an old-established policy of not entering the party political arena, considering this to be the prerogative of individual Jewish citizens. But on a number of occasions the board’s national executive has affirmed its rejection of apartheid and urged that immediate steps be taken to dismantle unjust and oppressive laws based upon racial discrimination (see 1986 *Survey* Part 1 p323).

At a biannual congress of the board of deputies, held in Johannesburg early in April, this policy was reaffirmed. Apartheid was recognised as the principal cause of political violence in South Africa. Racial prejudice was stated to be contrary to the teachings of Judaism. The congress resolved that there was an urgent need for accelerated dialogue, negotiation and meaningful reform in South Africa, and recorded its dismay at the slow progress in this direction. Repression of freedom of speech and the press was

deplored, as was the detention of children. The congress expressed the hope that the state of emergency would be lifted, laws relating to detention repealed, and the rule of law re-established. Endorsement was given to the efforts of the board's national executive in seeking to maintain channels of open communication with all sections of the South African population.⁷⁵ [⁷⁵ *The Star, The Citizen* 7 April]

Earlier, during 1985, a number of Jews had considered that the board of deputies was being insufficiently activist in the quest for a just society. Two anti-apartheid organisations were then founded —Jews for Social Justice in Johannesburg, and Jews for Justice in Cape Town.⁷⁶ [⁷⁶ *Christian Science Monitor* 28 February] At a meeting of the Johannesburg body in October a guest speaker, Dr Beyers Naude, was reported to have said that South Africa had to prepare itself for an increase of pressure from the rest of the world and from blacks within the country to abandon its present policies. He believed, he said, that it was important that the Jewish community, on the basis of its long experience of human injustice, pain and suffering ('also brought about by us Christians') should give concrete witness on social justice. He pleaded for the Jewish community to help other people to understand better the Jewish religion, faith and history, 'for out of ignorance grows prejudice'. Rabbi Selwyn Franklyn of Cape Town said, 'Every Jew in this country should hear that there must be a gradual development in dialogue and negotiation ... that is the way of Abraham'.⁷⁷ [⁷⁷ *The Star* 7 October]

It was reported in August that about a year previously a Jewish Defence Organisation had been formed in response to what was perceived as a growing militant threat from the Afrikaner Weerstandsbeweging (AWB). Members were to receive training in weapons and martial arts.⁷⁸ [⁷⁸ *Business Day* 28 August]

During August a group of private citizens led by Dr W R Helm arranged a memorial service for the former Nazi leader, Mr Rudolf Hess, which was held at a Pretoria cemetery on 20 August. Flags bearing the swastika were displayed, members of the AWB wearing their swastika-like insignia attended, giving Nazi salutes, and it was reported that in some speeches offensive references were made to the Jewish community. All of this caused an outcry among Jews.⁷⁹ [⁷⁹ *Ibid* 26 August, *The Citizen* 27 August]

The Progressive Federal Party called for a parliamentary debate to consider this matter. The state president, Mr P W Botha, sent a message to all three houses of Parliament to the effect that there was no room in South Africa for either communism or neo-Nazism. 'The South African government stands irrevocably for religious freedom and the protection of communities and minorities,' he said. 'As long as this government is in power, there will be no hesitation to act against any elements which threaten or defame any of our communities or minority groups. Against this background, I want to tell the Jewish community of South Africa we appreciate your contribution to the economic, cultural and technological achievements of our fatherland. Any organisation in this country which wants to start an anti-Jewish campaign will be acting in conflict with the law and convictions of this country, and I, and the government, will not hesitate to oppose such actions.'⁸⁰ [⁸⁰ *Business Day* 26 August]

Antagonism emerged between Jewish and Muslim students at the University of Cape Town. On 20 May

members of the South African Union of Jewish Students tried to disrupt a meeting on the campus organised by the Muslim Students' Association.⁸¹ [⁸¹ *Muslim News* May]

The Union of Orthodox Synagogues of South Africa announced in September that Rabbi Cyril Harris from Britain had been appointed Chief Rabbi of South Africa. He would assume the post in January 1988.⁸² [⁸² *The Natal Mercury* 10 September]

Muslim and Hindu Faiths

At a general synod meeting of the Nederduitse Gereformeerde Kerk (NGK) in October 1986, a member of the synod and chaplain general of the South African Police, Dominee Stoffel Colyn, said that Islam was a 'false' religion which constituted a threat to Christianity in South Africa. Large numbers of young African and coloured people had begun embracing Islam as an ideology which furthered the 'freedom struggle'. he added.⁸³ [⁸³ *The Star* 24, 28 October 1986] The synod had then called on the NGK 'to witness to the gospel of Jesus Christ as the only answer to the onslaught of Islam', It recognised that Muslims had the right to exercise their faith in the light of the principle of freedom of religion, but stated that the NGK could not accept as a true religion any faith which did not recognise Jesus Christ as 'the saviour' (see 1986 *Survey* Part 1 p325).⁸⁴ [⁸⁴ *Ibid*]

Indignation and resentment resulted among Islamic organisations and Muslims in general.

In May 1987 leaders of the NGK led by the moderator, Professor Johan Heyns, met representatives of the Islamic Council of South Africa (ICSA) in Cape Town to discuss the matter. The president of ICSA, Sheik Abu-Baker Najaar, told the press that he was bound by an agreement not to disclose details of the meeting. Professor Heyns commented that the matter had been amicably resolved.⁸⁵ [⁸⁵ *Post* 20 May]

Both the July and the October editions of *Al-Qalam* (the official mouthpiece of the Muslim Youth Movement) were banned by the director of publications as being 'prejudicial to the safety of the state, the general welfare or the peace and good order'.⁸⁶ [⁸⁶ *The Star* 6 October, 18 December]

Molvi Farid Esack and Yasmine Sooka represented South Africa's Muslim and Hindu communities respectively at the meeting in Lusaka during July of religious leaders from South Africa with representatives of the African National Congress, under the auspices of the World Conference on Religion and Peace (see *World Conference on Religion and Peace* below).⁸⁷ [⁸⁷ *Business Day* 18 September]

Matters of Common Concern to Certain Groups

Military chaplains

In recent years some of the churches have urged that military chaplains should not wear military uniforms or bear badges of rank, and that ministers should not be called up except in their capacity as chaplains. Representations to this effect have been made by the United Board on Chaplaincy to the Military, representing the Presbyterian, Congregational and Baptist Churches, and by the Methodist and Anglican Churches. At a meeting in June of the bishops of the Church of the Province of Southern Africa, 23 of the 26 present gave their support to the efforts of the united board in this matter. At the time of writing, however, the Department of Defence had continued to insist that military uniforms should be worn.⁸⁸ [⁸⁸ *Seek* June]

The annual Methodist conference in October maintained that it was the responsibility of the church, and not the minister of defence, to decide how and under what conditions chaplains should minister to military personnel. The Rev Peter Storey, who moved the motion, said that the church should ensure that none of its actions could be construed as approval of the disposal of military forces.⁸⁹ [⁸⁹ *The Star* 22 October]

At an assembly of the Presbyterian Church of Southern Africa in September, the matter was taken further. Military chaplains, it was accepted, should, where possible, minister to persons engaged in military service of any nature, and not exclusively to members of the South African Defence Force. It was reported at the assembly that a Presbyterian chaplain already ministered to African National Congress members in Zimbabwe.⁹⁰ [⁹⁰ *Ibid* 24 September]

Religious broadcasts

It was reported at the Methodist conference that during August the director general of the South African Broadcasting Corporation (SABC), Mr Riaan Eksteen, had mentioned the 'possible screening' of ministers who were to broadcast sermons. English-language churches serving on the SABC's religious advisory committee had reacted strongly to such a suggestion. Representatives of the Anglican, Baptist, Congregational, Methodist and Presbyterian churches had signed a statement informing Mr Eksteen that they believed it was for the church 'to say who shall preach the Gospel and who shall not, and that [they] would therefore view very seriously any banning of ministers on any grounds other than their ability to master broadcasting skills'.

On the issue that services might be pre-recorded, the statement said that the churches would not 'tolerate any alteration to or deletion of the material'.⁹¹ [⁹¹ *Ibid* 22 October, *Dimension* November]

Detainees

On 10 April the Commissioner of the South African Police issued an order prohibiting public

participation in any campaign calling for the release of detainees who were being held under security legislation. This caused an outcry by leaders of a number of religious organisations. Three days later an ecumenical service, attended by more than 1 000 people, was held at St George's Cathedral, Cape Town, at which leaders urged that the order should be opposed. Those addressing the congregation included prominent representatives of the Anglican, Catholic, Jewish and Nederduitse Gereformeerde (NG) Sendingkerk faiths. Prayers were offered for detainees—although such action might be deemed by the authorities to contravene the police order. Archbishop Tutu read a message from the Archbishop of Canterbury, head of the Anglican church, expressing his support and prayers for opposition to 'the latest attempts to silence the church's pleas for justice and freedom'.⁹² [⁹² *The Star* 14, 15 April, *The Citizen* 14 April]

The general secretary of the Presbyterian Church of Southern Africa, Mr I C Aitken, stated that 'we see the regulations as an attempt to silence the voice of compassion and justice and to silence those who would speak on behalf of the voiceless. This denies our rights as citizens and our obligations as Christians'.⁹³ [⁹³ *The Star* 15 April]

The president of the Southern African Catholic Bishops' Conference, the Rt Rev Wilfred Napier, said in a press statement that the church would not tolerate government edicts dictating for what the church could or could not pray or hold services, or what the church might or might not do in its care for those in need. Six NG Kerk ministers in the Cape expressed their 'shock and concern' at any threat to the holding of organised protests calling for the release of people detained without trial. The Cape Town branch of the Quakers sent a telegram to the commissioner of police calling for the release of detainees and maintaining that detention without trial was contrary to the New Testament message of love.⁹⁴ [⁹⁴ *The Citizen* 14, 16 April; *The Star* 22 April]

The commissioner of police stated inter alia that the measures were 'not intended to prohibit prayers for the release of a detainee during a bona fide religious gathering' (see also chapter on *Security*).⁹⁵ [⁹⁵ *The Citizen* 14 April]

Ecumenical Movements

South African Council of Churches (SACC)

During 1987 the Rev Frank Chikane succeeded Dr Beyers Naudé as general secretary of the South African Council of Churches (SACC). At the annual conference which began at the end of June, the Rt Rev Manas Buthelezi of the Evangelical Lutheran Church was elected president for a second term, with Mrs Virginia Gcabashe as senior vice president and Mrs Sheena Duncan as vice president of the SACC. In his opening address, Bishop Buthelezi said that the church should play a healing role in the conflict among extra-parliamentary anti-apartheid forces.⁹⁶ [⁹⁶ *The Star* 30 June, 3 July] Before the elections for the House of Assembly on 6 May, both the SACC and the Southern African Catholic Bishops' Conference

(SACBC) called for countrywide days of intercession for justice and peace.⁹⁷ [⁹⁷ Ibid 1 May]

At its annual conference in July the SACC, by an overwhelming majority, adopted the 'Lusaka statement' (see *World Council of Churches* below) for reference to member churches and regional councils for 'urgent reaction'.⁹⁸ [⁹⁸ Ibid 2-6 July] (For individual churches' reactions, see *Churches of Mainly European Origin* above.)

At the annual conference of the SACC, consideration was given to a report by the council's division of justice and reconciliation, in which a strong argument was made for the use of civil disobedience, as a non-violent measure, to combat apartheid. Dr Wolfram Kistner, director of this division, said, 'Where laws are manifestly in contradiction to the will of God there can be occasions when Christians are under an obligation by virtue of their faith to disobey existing laws.' The conference recommended to member churches that they 'question their moral obligation to obey laws' such as the Population Registration Act of 1950, the Group Areas Act of 1966, the Black Land Act of 1913, and the Reservation of Separate Amenities Act of 1953.⁹⁹ [⁹⁹ Ibid 2-7 July, *Dimension* July/August]

Dr Kistner warned of a situation that could arise in the struggle for liberation where an oppressor's methods were so deeply imprinted on the oppressed that, after liberation, the latter adopted the former's methods. Away must be found of achieving liberation in such a way that the freedom and justice its proponents wanted could be retained and developed, and not lost.¹⁰⁰ [¹⁰⁰ *Dimension* July/August]

Shortly before he retired from the office of general secretary of the SACC, Dr Beyers Naude told the press that about 95% of the organisation's budget came from abroad. None of the donor organisations placed any condition on the use of their grants. The SACC had budgeted for an expenditure of R9m in 1986. Up to 80% of this amount would be spent on helping the victims of apartheid, providing them with legal defence, paying scholarships, supporting families of detainees and political prisoners, and helping to rebuild homes of families attacked by vigilantes and petrol-bombers.¹⁰¹ [¹⁰¹ *The Star* 1 May]

United Christian Action (UCA)

United Christian Action (UCA) is an umbrella body representing various groups which oppose 'liberation theology' and the preaching of the 'social gospel'. Its membership is stated to be mainly black. During June its director, Dr Edward Cain, was reported to have expressed opposition to the expenditure of money sent to the South African Council of Churches by overseas donors on such matters as the legal defence of persons accused of 'terrorist' activities.¹⁰² [¹⁰² *The Citizen* 27 June]

World Conference on Religion and Peace (WCRP)

A South African chapter of the World Conference on Religion and Peace (WCRP) was launched in

August 1984, its membership including Buddhists, Christians, Hindus, Jews, Muslims and others. The aim of the organisation was to promote unity, justice and peace through inter-religious discussion. A conference with the theme 'Religion and the South African Crisis' was held in Lusaka during September 1987 at which representatives from South Africa joined WCRP members from Australia, Britain, India and the United States to meet executive members of the African National Congress (ANC). The South African delegation, led by the Anglican archbishop of Cape Town, the Most Rev Desmond Tutu, consisted of representatives of the Christian, Hindu and Muslim faiths.

The Anglican Bishop of Johannesburg, the Rt Rev Duncan Buchanan, who was one of the delegates, told the press the WCRP believed the churches had a mediatory role to play. A Zambian official said the organisation hoped to convince the ANC that dialogue with Pretoria would be the best way of solving South Africa's problems.

Archbishop Tutu emphasised that the ANC formed part of the black community in South Africa. 'We as a church have declared that we minister to everybody,' he said.¹⁰³ [¹⁰³ *Seek* October, *The Citizen* 17 September]

In a statement issued after the meeting it was maintained that interfaith co-operation was essential in South Africa to focus on religious pluralism in society, to provide a platform for the continuous condemnation of apartheid, and to diminish interfaith tensions as being potentially divisive factors which the South African government sought to exploit.¹⁰⁴ [¹⁰⁴ *Inter Nos* December] True religion was a liberating force, it was said, and people of religion had an increasingly important role to play in the struggle for liberation.¹⁰⁵ [¹⁰⁵ *The Citizen* 19 September]

Archbishop Tutu told the press that the South Africans gained 'an overwhelming impression of the incredible humanity' of the ANC members who had been present. They had 'a deep longing to be home', and were 'not the monsters that they are depicted as being in a hostile press, radio and television'.¹⁰⁶ [¹⁰⁶ *Ibid*]

The meeting agreed that the ANC had 'exercised tremendous restraint in the struggle' and was not 'committed to uncontrolled violence'. Delegates recognised what they described as the centrality of the ANC to any solution to the South African conflict. The South African government, it was claimed, which at that stage was allegedly practising increasing repression inside the country and destabilisation outside, was blocking the possibility of a negotiated solution.¹⁰⁷ [¹⁰⁷ *Seek* October]

Prompt and strong measures to isolate the South African government were called for. A forthcoming Commonwealth summit was urged to impose comprehensive economic sanctions.¹⁰⁸ [¹⁰⁸ *Ibid*]

World Council of Churches (WCC)

South African member churches of the World Council of Churches (WCC) were the Anglican, Evangelical Lutheran, Methodist, Moravian, Presbyterian and United Congregational churches. The South African Council of Churches (SACC), to which these and some other churches belonged, was one of 30 councils affiliated to the WCC which helped to formulate policy in the awarding of grants in the various regions.

The WCC's Special Fund to Combat Racism (administered by its Programme to Combat Racism) reportedly had R1m available for grants in 1987. More than half of this went to groups operating in Southern Africa: R220 000 to the African National Congress (ANC), R70 000 to the Pan-Africanist Congress (PAC), R20 000 to the Congress of South African Trade Unions, and R230 000 to the South West African People's Organisation (SWAPO). Much of the remaining money was spent on grants to anti-apartheid groups in a number of countries, including the American Coalition for a New Foreign Policy, which aimed at halting United States aid to Mr Jonas Savimbi's União Nacional para a Independência Total de Angola (UNITA) movement in Angola.¹⁰⁹ [¹⁰⁹ *The Citizen* 3 November]

During May the WCC's Programme to Combat Racism organised a conference in Lusaka, the theme of which was 'The church and the search for justice and peace in Southern Africa'. Among the more than 200 delegates who were stated to have attended were about 40 church and community representatives from southern Africa. The aim of the conference was to enable leaders of the Christian church to meet representatives of liberation movements'. Dr Beyers Naudé, then general secretary of the SACC, was reported to have said, 'The presence of representatives of the liberation movements is regarded by the SACC as essential in view of our conviction that lasting peace can be achieved only after meaningful dialogue with, among others, bodies such as the ANC, PAC and SWAPO.' The speakers included Mr Oliver Tambo, president of the ANC, Mr Sam Nujoma, the leader of SWAPO and Mr Johnson Mlambo, the chairman of the PAC.¹¹⁰ [¹¹⁰ *The Star* 5 May, *The Citizen* 12 May, *Die Burger* 15 May]

The so-called 'Lusaka document' or 'statement', issued at the conclusion of the conference, read, 'While remaining committed to peaceful change we recognise that the nature of the South African regime which wages war against its own inhabitants and neighbours compels the [liberation] movements to the use of force, along with other means, to end oppression.' The WCC believed that civil authority was instituted by God to do good and that under biblical imperative believers were obliged to do justice and show special care for the oppressed and the poor. 'It is this understanding that leaves us with no alternative but to conclude that the South African regime and its colonial domination of Namibia are illegitimate.'

The document urged churches to strengthen ties with freedom movements and to exert increased pressure on their respective governments to impose extensive sanctions on South Africa.¹¹¹ [¹¹¹ *The Star* 11 May, *South African Digest* 22 May]

The attitudes to this statement adopted by various churches and church organisations are described earlier in this chapter.

SOCIAL SEGREGATION

Policy

In February, speaking in the no-confidence debate in the House of Representatives, the leader of the official opposition in the coloured chamber, Mr Dennis de la Cruz (Democratic Workers' Party), pointed out that over the years the House of Representatives had repeatedly called for the scrapping of the Reservation of Separate Amenities Act of 1953. He said that the denial to people of colour of facilities such as beaches, nature reserves and other recreational facilities had caused them 'much bitterness, humiliation and frustration'. Mr De La Cruz maintained that law enforcement officers and fences on certain beaches had aggravated the system. He said that coloured MPs participated in the 'highest forum of the South African Parliament' and yet were not allowed on certain beaches. In contrast to coloured people, 'even dogs' were allowed on beaches without being molested, prosecuted or chased away by police, he said. Mr De La Cruz reiterated that any law which restricted the use of certain facilities to whites only should be abolished.¹ [¹ *Hansard* (R) 1 cols 41-44, 1 February]

Speaking in the no-confidence debate in the House of Delegates in February, Mr Muthusami Thaver (National People's Party) called for the repeal of all discriminatory legislation, including the Reservation of Separate Amenities Act. He referred to the case of two coloured children in Port Elizabeth who had been charged with contravening the act because they had taken a ride on a train in an amusement park which was reserved for whites. A white visitor had complained and insisted that charges be laid, despite the fact that coloured people had used the park in the past. Mr Thaver said that another very hurtful aspect of petty apartheid was the continuation of segregated beaches. He called on the government to repeal all laws which prohibited the 'mingling of various communities'.² [² *Hansard* (D) 1 cols 95-97, 2 February]

In June, in reply to a question from Mrs Helen Suzman MP (Progressive Federal Party), the minister of constitutional development and planning, Mr Chris Heunis, declined to disclose if or when the Reservation of Separate Amenities Act would be repealed. Mrs Suzman said that it was 'depressing' to learn that there were no immediate plans to repeal such an outdated measure, which should really be known as the 'Reservation of Separate and Unequal Amenities Act'. She believed that the failure to repeal the act when the state president, Mr P W Botha, had indicated in 1986 that it should be repealed, was a sign that 'reform had been put on the backburner'.³ [³ *Cape Times* 24 June]

In August, speaking in the House of Delegates, Mr Botha asked for 'a calm and balanced approach' to the Group Areas Act of 1966, the Reservation of Separate Amenities Act and other legislation being considered by the committee for constitutional affairs of the President's Council (PC) (see *Report of the Committee for Constitutional Affairs of the President's Council* below). He said that the Reservation of Separate Amenities Act had 'never worked'. However, he said, 'there are times when one wants to be with people of one's own religion, own customs, own culture and own way of life'. He urged members

of the Indian chamber to be patient and to wait for the report of the PC's constitutional affairs committee before debating the act.⁴ [⁴ *Hansard* (D) 10 cols 2371-2375, 20 August]

Also in August, the leader of the Labour Party (LP) and chairman of the ministers' council in the House of Representatives, the Rev Allan Hendrickse, threatened to compel the state president to hold elections for Parliament in 1989, by refusing to pass an amendment to allow the elections to be postponed to 1992 unless the Reservation of Separate Amenities Act and the Group Areas Act were repealed (see chapter on *Government and Constitution*). Mr Hendrickse claimed that even a guarantee of partial moves away from the two acts would be acceptable, but said that he needed to know the government's timetable for changed.⁵ [⁵ *The Citizen* 21 August]

Report of the Committee for Constitutional Affairs of the President's Council

In September the report of the committee for constitutional affairs of the President's Council (PC) on the report of the technical committee, 1983 and related matters was published. The constitutional affairs committee's report was the outcome of a request by the state president in 1984 for it to advise him on the report of the PC's technical committee of inquiry into the Group Areas Act, the Reservation of Separate Amenities Act and related legislation (the Strydom committee) (see 1984 *Survey* pp470-474).⁶

[⁶ Report of the Committee for Constitutional Affairs of the President's Council on the Report of the Technical Committee, 1983 and Related Matters, September]

The constitutional affairs committee's report said that the Reservation of Separate Amenities Act had not often been used in practice. Before the act had been passed the use of public facilities had been regulated by private law, based on the principles of 'fairness, justice and reasonableness' applied as a universal norm to all citizens. The report claimed that differentiation of facilities for different groups was not invalid or unlawful, but that differentiation that resulted in unequal, unjust or oppressive treatment of any population group was not legally justifiable in terms of the principle of natural justice or the country's private law.⁷ [⁷ *Ibid* pp8-9]

The report pointed out that the Reservation of Separate Amenities Act was merely an enabling act, in that it did not itself identify public facilities for use by a particular race group, but merely empowered certain persons and authorities to do so. Thus most local authorities had used the act to provide certain facilities for the exclusive use of specific population groups. However, in recent years a few local authorities had begun to open amenities that had been reserved, even though the act was still in force.⁸ [⁸ *Ibid* p11]

The report mentioned that the provincial authorities in the Cape province, Natal and the Transvaal had also promulgated provincial ordinances in terms of section 3 of the act. These ordinances had empowered the administrators of the provinces concerned to direct local authorities to set aside any part of public premises or roads under their control, for the exclusive use of 'persons of a particular race or class'. In addition, every province had ordinances which empowered local authorities to provide and

maintain certain facilities, and to make bylaws for the reservation of separate amenities. Thus, while the central government and provincial legislation was largely enabling legislation, local authority bylaws were used to provide and set apart facilities for specific race groups.⁹ [⁹ Ibid p11]

The report said that the Group Areas Act had originally been promulgated to deal with permanent occupation of land by various race groups. However, an amendment to the Group Areas Act in 1957, together with Proclamations R228 of 1973 and R17 of 1986, had extended the act to regulate temporary occupation as well. Thus, the provisions of the Group Areas Act were made applicable to places of public entertainment and venues where refreshments were served. The report stated that this had implications for the provision and use of amenities.¹⁰ [¹⁰ Ibid pp12-13]

The findings of the Strydom committee were outlined in the report. The Strydom committee had found that 'most South Africans' were dissatisfied with regulations relating to the provision of amenities based solely on colour, but had said that the unqualified and uncontrolled opening of amenities was equally unacceptable (see 1984 *Survey* p360).

The constitutional affairs committee of the PC found that the opening of previously reserved facilities was a 'sensitive issue' which needed to be handled 'with discretion'. It suggested that discriminatory measures based on race or colour should be eliminated, as they were an affront to human dignity. The report said that the concepts of own and general affairs, as set forth in the South African constitution, needed to be taken into account in the provision and use of public amenities. The report made the following recommendations:¹¹ [¹¹ Ibid pp19-23]

- public amenities provided by any government body should be open to all races;
- government bodies should have the right and responsibility to determine their own standards for the public amenities they provided, and they should also have the right to transfer such powers to subordinate bodies and to the private sector;
- norms and standards applied in the provision of amenities should be aimed at upholding 'decency and civilised standards of behaviour' and preventing the 'misuse' of facilities. To prevent overcrowding, adequate facilities should be provided by both the public and private sectors;
- to promote the establishment of additional amenities, privatisation should be utilised where desirable;
- the provision of amenities should be backed by a national information and education campaign to ensure responsible use of these amenities;
- the entrepreneur's right to control admission to amenities which belonged to him or her had to be recognised;

- where a government body made a financial contribution to the provision and operation of amenities, or where a government body hired out amenities which it owned, that body should have a say in the running of such amenities;
- local authorities should be the managers of beaches and parts of the sea within their areas of jurisdiction, while the remainder of the coastal area should fall under the provincial administration concerned;
- the increased need for seaside resorts with adequate beach facilities was emphasised. Where necessary, privatisation should be utilised to obtain the necessary funding; and
- comprehensive planning of South Africa's coastal belt was necessary, and areas to be reserved for beach development should be identified in good time.

The committee for constitutional affairs felt that the Reservation of Separate Amenities Act no longer provided for contemporary needs, nor did it match the norms regarding provision of amenities. It was felt that since the introduction of this legislation 'circumstances and attitudes' had changed 'drastically', as reflected in amendments to existing legislation. Thus, the committee recommended the repeal of the Reservation of Separate Amenities Act.¹² [¹² Ibid p22]

The committee was of the opinion that no new legislation was needed to implement the proposed new policy and that the government should not formally lay down guidelines for the use of amenities. The report argued that the South African legal system 'with its independence and its built-in fairness to all' was fully capable of dealing with the provision and use of amenities. The report concluded that if no prescriptive action was taken, it would be possible to ensure that a system of forced integration did not come into being and that local circumstances would be considered.¹³ [¹³ Ibid p22]

In his address to Parliament in October, the state president, Mr P W Botha, outlined the government's response to the PC's report. Mr Botha said that the summary repeal of the Reservation of Separate Amenities Act would not automatically solve the problems being experienced with public amenities. He reiterated his view that the act had not proved satisfactory in practice, but said that alternatives would have to be carefully considered before 'adjustments' could be made to the act. Mr Botha believed that a careful balance would have to be struck between the provision of separate facilities for different communities, and the sharing of amenities which could not, or should not, be duplicated. He re-emphasised his belief that different groups were entitled to their own group life and hence that the law should recognise their right to their own institutions.¹⁴ [¹⁴ Address by the state president, Mr P W Botha, to Parliament, 5 October]

Hotels, restaurants and entertainment facilities

Hotels

The executive director of the Federated Hotel, Liquor and Catering Association of Southern Africa (FEDHASA), Mr Fred Thermann, said in September that since the repeal in 1986 of section 72 of the Liquor Act of 1977 (see 1986 *Survey* Part 1 p219) the opening of hotels to all races had generally taken place smoothly. He said that in isolated instances hoteliers had experienced ‘problems with their local market’ because they had opened their doors to South Africans of all races. In some areas white patrons had objected to the presence of blacks in hotels, despite the fact that such whites were dealing with people of all races on a daily basis without difficulty. Mr Thermann believed that it was ‘unfair’ to ‘victimise’ hoteliers who had opened their facilities to all races.¹⁵ [¹⁵ *The Natal Mercury* 29 September]

Mr Thermann said that a survey by FEDHASA had revealed that some 90% of its members had adopted an all-races policy. In this way the hotel industry had been able to adapt to ‘international norms’ and to offer its services to black people. He denied that the new policy had been an overnight decision brought about by the economic recession. Mr Thermann called on black people to use hotels in the knowledge that they would be accepted by the ‘majority’ of their fellow [white] South Africans.¹⁶ [¹⁶ *The Citizen* 29 September]

In October FEDHASA launched a national campaign to persuade local authorities and other organisations to open their facilities to all races. The president of FEDHASA, Mr Mike Kovensky, said that FEDHASA members throughout the country were being mobilised to change people’s attitudes to racial integration. FEDHASA’s lobby plan’ included putting pressure on the government to amend or repeal the Group Areas Act of 1966 and the Reservation of Separate Amenities Act of 1953, as well as approaching local authorities responsible for beaches and other facilities, clubs and businesses to help abolish restrictions on those who used local hotels. Mr Kovensky believed that the hotel industry was at the forefront of racial change, and that if races could mix freely at hotel level, they could mix freely elsewhere as well.¹⁷ [¹⁷ *Ibid* 27 October]

Mr Kovensky said that race restrictions were the reason for the under-utilisation of the 1 384 hotels in South Africa. He claimed that the hotel industry represented an investment of R5bn, and that an estimated R3bn of this could be lost unless the hotel and catering industry could go about its business in the tourist and holiday markets without the many restrictions which still applied. He called on the government to listen to FEDHASA and to make the necessary legislative changes. If these changes did not occur, the damage to the hotel industry would make the Natal floods of September 1987 look like a ‘picnic’ in comparison, he said.¹⁸ [¹⁸ *Ibid*]

During the period under review there were a number of racial incidents in hotels.

In February Mr Roy Goldin, the owner of a hotel in Amanzimtoti (Natal), complained that integration was responsible for his business becoming insolvent. He claimed that when Africans walked into his hotel, his white customers ‘walked out’. Mr Goldin said that an African who had entered one of the hotel bars for a drink had been attacked by some of the white customers. As a result of the incident, Mr

Goldin had decided to put up a 'whites only' sign and prevent blacks from using the bar. However, white customers were now reluctant to use the hotel. Mr Goldin said that another major cause of the slump in his business had been racial incidents on the desegregated beaches at Amanzimtoti during December 1986. He alleged that 12 of the hotel's 40 rooms had been vacated by white guests as a result of the 'race riots' on the beaches.¹⁹ [¹⁹ *Sunday Times* 8 February]

In July it was reported that the Honeydew Motel (north of Johannesburg) was quoting higher rates for black guests than for whites. Mr Preston Will, managing director of a publishing company, had telephoned the hotel to make a booking for visitors from Bophuthatswana. He said that the hotel receptionist had initially maintained that rooms were available at R40 per night per person, but when informed that they were African, she said that the cost would be R60 per person. Mr Will had subsequently cancelled his booking. When asked to comment about the incident, Mr Thermann said that FEDHASA did not interfere in member hotels' business practices, nor did it have a code of conduct to enforce non-discriminatory practices. He maintained, however, that it was official FEDHASA policy that there should be no racial discrimination in the hotel industry.²⁰ [²⁰ *Ibid* 5 July]

At the national congress of the Conservative Party (CP) in August there were calls for the reservation of hotels in white residential areas for whites only.²¹ [²¹ *The Star* 20 August]

Restaurants

In January the Rev Edward Manikkam MP (Solidarity), who was accompanied by his wife and family, was asked to leave a restaurant at Melkbosstrand (Cape Peninsula) because the owner claimed that he was willing to serve only whites. Mr Manikkam said that the owner of the restaurant, Mr S Lindeque, had refused to serve him and his family at a table, and had insisted that they buy 'take-away tea at the counter'. Mr Manikkam suggested that South Africa needed anti-race discrimination laws to prevent this kind of incident occurring. He maintained that South Africa's Indian and coloured ambassadors to the Netherlands and the European Community would have to explain how such discrimination could happen during 'an era of reform'. Mr Lindeque alleged that if he had served Mr Manikkam he would have run the risk of losing his white clients. He said that segregation was in line with the 'whites only' character of the beaches at Melkbosstrand, and that he would have refused to serve Mr Manikkam even if he had known that Mr Manikkam was an MP. Later it was reported that in response to newspaper accounts of the incident, more than 30 people had telephoned Mr Manikkam to express their 'disgust' at the treatment he had received.²² [²² *The Natal Witness* 28 January, *Eastern Province Herald* 28 January, *The Star* 2 February]

In October an African health and safety co-ordinator for the National Union of Mineworkers, Mr Hazy Sibanyoni, was refused service at a Mike's Kitchen restaurant near Witbank (eastern Transvaal). Mr Sibanyoni said that he had been told that the restaurant did not serve Africans, although he had had a meal in the restaurant two years previously. The manager, Mr B Malan, said that he would not serve Africans except in 'special circumstances'. He claimed that if white customers saw an African in the restaurant, 'they would all walk out'. Mr Gabriel Meenham, the general manager of Mike's Kitchen

Franchising (which controlled the franchise for the restaurant chain), said in response to the incident that the company's policy was one of nonracialism. He said that the incident would be investigated and that the franchise rights of the Witbank restaurant would be withdrawn if admission was again refused to Africans.²³ [²³ *Business Day* 26, 27 October; *Echo* 29 October]

It was reported in December that a group of delegates at a conference in Pietermaritzburg (Natal) was refused service at two restaurants in the city because one of their members was African. The delegates, who were from the University of Cape Town, were initially turned out of a restaurant which refused to serve Africans. The group then entered another restaurant where a white diner allegedly 'expressed in unpleasant terms his indignation at the presence of the African'. Although the white man had allegedly been the 'troublemaker', the delegates were asked to leave the restaurant. Following publicity in the local newspaper, the Pietermaritzburg City Council discussed the incidents. The deputy mayor, Mr Rob Haswell, said that discrimination was more widespread than the incidents indicated, and that it was difficult to attract people to Pietermaritzburg under such circumstances. The council passed a resolution expressing its disapproval of discrimination and disassociating itself from the behaviour of the restaurant managers.²⁴ [²⁴ *The Natal Witness* 15 December, *Echo* 17 December]

Cinemas and theatres

A spokesman for the Department of Constitutional Development and Planning said in January that the issuing of permits for multiracial cinemas had ceased to be a function of his department and had been devolved to the administrators of the provinces. However, in each case the provincial administrator would base his decision on the recommendation of the local authority concerned. The spokesman pointed out that central business districts (CBDs) had been opened to traders of all races and that cinemas in these areas were automatically licensed to admit patrons of all races (see chapter on *Business*). Only cinemas situated outside such CBDs required permits to admit all races. At the beginning of the period under review 353 of the 416 cinemas in 'South Africa' were open to people of all races.²⁵ [²⁵ *The Citizen* 28 January]

In November 1986 Columbia Pictures, an American film company, had informed its major local distributor, Ster Kinekor, that it would stop the supply of films to Ster Kinekor if the local company continued to provide films to segregated cinemas (see 1986 *Survey* Part 1 pp221–222). The marketing director of Ster Kinekor, Mr David Isaacs, said in January that the company was communicating with all the local authorities where cinemas remained segregated. He warned that if these cinemas were not desegregated 'within the next few months' Ster Kinekor would be unable to continue supplying them with American films and they would have to close down. The other major local distributor of American films, UIP-Warner, said that it would close four cinemas in Pretoria by 5 February if they were not opened to all races.²⁶ [²⁶ *The Star* 6 January, *Business Day* 6 January]

At the end of January the Krugersdorp Town Council (west Rand) debated the desegregation of its two

cinemas, but the voting resulted in a deadlock, the mayor, Mr Christo Peyper, refusing to use his deciding vote. The issue was then referred to the Department of Constitutional Development and Planning, but when no answer was received before the deadline set by Ster Kinekor, the cinemas were closed. In February a special council meeting agreed to open the cinemas to all races, following which four councillors who had opposed the decision staged a walkout. A member of the CP, Mr Clive Derby-Lewis, threatened to lay intimidation charges against Ster Kinekor on the grounds that the company was 'blackmailing' white South Africans by threatening to close all segregated cinemas.²⁷ [²⁷ *The Star* 4 February, *The Natal Witness* 5 February]

In February four UIP-Warner cinemas in Sunnyside (Pretoria) were closed after the mayor, Mr Steyn van der Spuy, refused to allow the Pretoria City Council to debate the issue of desegregation. He claimed that a motion on the issue, introduced by two Progressive Federal Party (PFP) councillors, was 'not correctly drafted' and had been submitted 'too late'.²⁸ [²⁸ *The Citizen* 3 February] Later in the month, the management committee of the city council recommended that the cinemas be opened to all races, and this decision was supported by the council. The Sunnyside cinemas were subsequently reopened.²⁹ [²⁹ *The Weekly Mail* 27 February]

In January the Pietersburg Town Council (northern Transvaal), which was controlled by the CP, recommended that the cinema in the town continue to be segregated. At the time the cinema was officially reserved for whites only, but Africans were allowed to enter it through a back entrance and to sit in a special gallery. The owner of the cinema, Mr Sydney Segal, drew up a petition calling for desegregation, which was signed by more than 1 000 residents.³⁰ [³⁰ *The Citizen* 15 January] In March the administrator of the Transvaal, Mr Willem Cruywagen, overruled the recommendation of the council and approved the opening of the cinema to all races.³¹ [³¹ *Ibid* 5 March]

The Roodepoort City Council (west Rand) agreed in February to open two drive-in cinemas to all races. A spokesman for the council said that the city's indoor cinemas had been desegregated for some time. In the same week the Potchefstroom Town Council (western Transvaal) decided to open its only two cinemas to all races.³² [³² *City Press* 8 February] The Vereeniging Town Council (southern Transvaal) had earlier agreed to allow cinema goers of all races to use the last remaining segregated cinema complex in the town.³³ [³³ *The Citizen* 31 January]

Mr Derby-Lewis said in February that the CP had a 'master plan' to fight the desegregation of white cinemas. He proposed that whites should start showing films in hired halls for whites-only audiences, and extending this service as audiences grew.³⁴ [³⁴ *Business Day* 3 February]

By April all Ster Kinekor and Metro cinemas and drive-in theatres in South Africa had been opened to all races. All remaining cinemas were independently owned, and it was not possible to establish whether all of them were desegregated.³⁵ [³⁵ South African Institute of Race Relations (SAIRR), *Quarterly Countdown* 5, First Quarter]

In July the Oudtshoorn Town Council (southern Cape) reaffirmed that its civic theatre would continue to be reserved for whites only. A spokesman for the Cape Performing Arts Board (CAPAB) said that the decision would mean that no CAPAB productions would be taken to Oudtshoorn, as the organisation performed only at desegregated venues.³⁶ [³⁶ *Sunday Times* 5 July] In December the East London City Council agreed to open the Orient Theatre to all races.³⁷ [³⁷ *Daily Despatch* 8 December]

Beaches

On 4 January the chairman of the ministers' council in the House of Representatives and leader of the Labour Party, the Rev Allan Hendrickse, led members of his party in a swim at King's Beach, Port Elizabeth (**eastern Cape**), which was reserved for whites. Mr Hendrickse said that the swim, which was in contravention of the Reservation of Separate Amenities Act of 1953, was to protest against apartheid laws, and he called on the government to repeal the Reservation of Separate Amenities Act and the Group Areas Act of 1966. After a confrontation with the state president, Mr P W Botha, Mr Hendrickse—who was also a member of the cabinet—issued a public apology for his action, saying that he had not intended to challenge Mr Botha's authority as state president (see chapter on *Government and Constitution*). In July the attorney general of the Cape province, Dr J d'Oliveira, announced that after considering the matter, it had been decided not to prosecute Mr Hendrickse and the other bathers for their contravention of the Reservation of Separate Amenities Act.³⁸ [³⁸ *The Cape Times* 22 January, *The Citizen* 23 January, *Eastern Province Herald* 8 July] Mr Hendrickse subsequently resigned from the cabinet.

In January seven African girls aged between 12 and 17 years appeared in the Port Elizabeth magistrate's court on charges of public indecency. The charges related to incidents on New Year's Day on Humewood beach (Port Elizabeth), which was reserved for whites. The girls were alleged to have swum in their underwear or clothes and to have used a public shower while stripped to the waist. Testifying in court, Sergeant Ashley Brandt said that he had arrested four of the seven accused after receiving a complaint from a white bather. He added that there were more than 200 Africans on the beach that day, and that they were all 'very scantily clad'. The case was postponed to 28 July.³⁹ [³⁹ *Sowetan* 7 January, *Eastern Province Herald* 27 May] No information was available about the outcome of the case.

In February a city councillor for Port Elizabeth brought an application in the South Eastern Cape Local Division of the Supreme Court in Port Elizabeth for an order to show that the city's beaches had never been legally racially demarcated. Mr Richards's application was backed financially by the Institute for a Democratic Alternative in South Africa (IDASA). Mr Richards said that he hoped to have the beaches declared open before Christmas. The respondents, who were the administrator of the Cape province and the minister of constitutional development and planning, indicated that they required more time to respond to the application, and the case was postponed to 3 February 1988. At the time of writing the outcome was not available.⁴⁰ [⁴⁰ *Sunday Times* 8 February, *The Natal Mercury* 3 December]

In March ten African teams withdrew from a volleyball competition at King's Beach after it had been announced that Africans could play on the beach but that they could not swim in the sea. The Port Elizabeth City Council had decided that Africans could use the beach, but that a rope marker should be hung two metres from the water to mark the limit of the temporarily multiracial beach. However, it was reported that some of the African participants had swum in the sea in violation of the law.⁴¹ [⁴¹ *Sunday Times* 29 March, *The Cape Times* 6 April]

On 21 August a notice in the *Government Gazette* withdrew the right to allocate beaches to particular race groups from local authorities in the Cape province. The administrator of the Cape province assumed full responsibility from that date for future control of beaches. A provincial circular claimed that the change was necessary because of 'undesirable fragmentation of control' and because the committee for constitutional affairs of the President's Council had not yet presented its report (see *Report of the Committee for Constitutional Affairs of the President's Council* above).⁴² [⁴² *Eastern Province Herald* 10 October, *The Star* 6 November]

In December it was reported that the police in Port Elizabeth would only react to complaints about Africans on the city's white beaches if complainants were prepared to lay formal charges and appear in court as witnesses. The procedure differed from that previously followed, where complainants could remain anonymous. A police spokesman said that the police would maintain a 'low profile', and that they would only make an arrest if African bathers who had been 'politely requested' to leave a white beach refused to do so. A regional organiser of the Herstigte Nasionale Party, Mr Attie Loock, threatened to take 'every possible step' to ensure that African bathers on white beaches were prosecuted.⁴³ [⁴³ *Eastern Province Herald* 24 December, *The Natal Mercury* 24 December] In the same month ten Africans on Orient Beach (East London), which was reserved for whites, were ordered to leave after a complaint had been made to the police.⁴⁴ [⁴⁴ *Eastern Province Herald* 28 December]

In January violence on crowded beaches in **Natal** resulted in one death and the injury of nine people. At Winklespruit, south of Durban, a crowd stoned a train and an Indian was stabbed to death. A group of 60 youths among a crowd of 8 000 Africans on the Umgababa beach, south of Durban, chanted African National Congress songs before ransacking a cafe. On Durban beaches crowds repeatedly looted kiosks and a restaurant. Police used teargas and fired birdshot to disperse the looters, and injured nine people. Two lifesavers on the African beach in Durban had to be rescued by police after they were threatened by bathers.⁴⁵ [⁴⁵ *The Star* 2 January, *The Natal Witness* 3 January]

In February the Amanzimtoti Town Council decided to levy a charge of 50c per person for admission to the Inyoni Rocks swimming pool. The decision was seen by some black political leaders as an attempt to keep out black people. It followed racial fights during December 1986 on the beaches of the town.⁴⁶ [⁴⁶ *The Natal Mercury* 18 February]

In April Mr Morris Fynn, the Natal leader of the People's Congress Party, was sentenced in the Durban

magistrate's court to a fine of R100 or 30 days' imprisonment for cutting down a 'coloureds only' sign on a segregated beach. Mr Fynn chose to go to prison rather than pay the fine, but several of his supporters paid the fine the following day and had him released. Mr Fynn, who had previously been fined for cutting down beach apartheid signs and for protesting against racial discrimination in state pensions, said that he was 'unrepentant' about his actions. He threatened to cut down more signs when he regained his hacksaw, claiming that his protest was a 'form of nonviolent action' which was preferable to violence.⁴⁷ [⁴⁷ *The Weekly Mail* 13 March, *Natal Post* 16 September]

In December the Durban City Council agreed to open all but two of the city's beaches to all races. Two beaches, South and Addington beaches, remained reserved for whites only. The chairwoman of the council's amenities committee, Mrs Ros Sarkin, said that only 12 objections had been received to the plans for desegregation. The decision came after months of disagreement between council members about beach policy, with a number of councillors in favour of opening all beaches to all races. The decision taken was believed to be a compromise to ensure that the province's executive committee would endorse the council's plans. Mr Peter Miller, the member of the executive committee (MEC) for local government, urged the council to ensure that proper security arrangements and crowd control measures were undertaken to prevent violence on desegregated beaches.⁴⁸ [⁴⁸ *The Citizen* 29 October, *Sowetan* 11 December]

The mayor of Durban, Mr Henry Klotz, maintained in December that the desegregation of all but two of Durban's beaches had been an 'overwhelming success'. He said that over 80 000 people of all races had used the city's beaches over the holiday season 'without incident'.⁴⁹ [⁴⁹ *The Natal Witness* 19 December] However, in January 1988 it was reported that some conservative white holidaymakers from the Orange Free State and the Transvaal had been 'upset' about the presence of Africans on previously 'white' beaches. A local hotelier, Mr Tommy Smit, claimed that his white middle class and working class guests had been 'frightened off' by open beaches and that they would not return to Durban unless more beaches were once again reserved for whites. He alleged that whites had been offended by Africans dropping litter on the beaches and by their 'indifference' to nudity and their 'lack' of personal hygiene. A spokesman for the Federated Hotel, Liquor and Catering Association of Southern Africa (FEDHASA) conceded that beachfront facilities had been inadequate to deal with the increased crowds on the beaches, and requested that the remaining white beaches not be desegregated until additional facilities had been built.⁵⁰ [⁵⁰ *Financial Mail* 22 January 1988]

In February 1988 the minister of home affairs, Mr Stoffel Botha, maintained that control measures on desegregated beaches in Natal had been 'weak' and that facilities had been 'inadequate'. However, he repudiated claims by the CP that 'immorality which cannot even be described' had occurred on open beaches.⁵¹ [⁵¹ *The Citizen* 12 February 1988] Mr Botha made it clear that some beaches would have to remain segregated. Also in February, National Party (NP) members of the Durban City Council issued a statement endorsing Mr Botha's policy statement on continuing segregation of some beaches and voiced their concern at 'unacceptable, offensive and anti-social behaviour on the open beaches'. Mr Klotz, a member of the NP, declined to sign the statement because, he said, he objected to the clause that existing

white beaches should be preserved.⁵² [⁵² Ibid 19 February] In May 1988 it was reported that Mr Klotz had had his membership of the NP suspended over his involvement in the opening of Durban's beaches to all races. The chairman of the NP in Natal, Mr Jurie Mentz MP, said that the NP had taken this decision because Mr Klotz had acted 'disloyally or contrary to the interests of the party' in not associating himself with Mr Botha's statements on the retention of some beaches for whites only. In reaction to his suspension Mr Klotz said that he was 'duty bound to act in the interests of all the citizens of our fair city and I shall do so for as long as I am able'.⁵³ [⁵³ Ibid 12 May]

In January 'whites only' signs on the Gordon's Bay beach (**western Cape**) were defaced with spray-painted slogans calling for an end to 'racist municipalities'. The Gordon's Bay, Strand, Bloubergstrand and Melkbosstrand beaches were the only beaches in the Cape Peninsula where segregation remained in force.⁵⁴ [⁵⁴ *Cape Times* 23 January]

In June the last debate of the Cape Divisional Council before it was dissolved to make way for the Western Cape Regional Services Council (RSC) ended in a deadlock on the issue of whether or not the remaining segregated beaches in the area should be opened to all races. The chairman of the council, Mr Louwtjie Rothman, who had voted against desegregation, declined to use his casting vote to break the deadlock. Mr Hilary Langley, a member of the council, said that he expected the RSC to desegregate the remaining beaches 'at about its second meeting'.⁵⁵ [⁵⁵ Ibid 30 June] At the time of writing the beaches continued to be reserved for whites.

Municipal facilities

It was reported in February that Africans and coloured people had been barred from using the municipal swimming pool in Nirvana, the Indian suburb of Pietersburg (northern Transvaal). According to the local consultative committee which was responsible for the administration of the suburb, it had been decided that only the local ratepayers and Indians from other areas would be allowed the use of the pool. Africans and coloured people from nearby townships who had previously used the facilities would in future be refused admission. Whites had never used the pool because they had several of their own in white areas.⁵⁶ [⁵⁶ *Sowetan* 2 February]

In February an Indian family was barred from visiting the Wonderboom Nature Reserve in Pretoria which contained the historic 'Wonder Tree', although it was alleged that Indians had visited the park in previous years. A spokesman for the Pretoria City Council, Mr Fanus Bothma, said after the incident that black people were barred from using the reserve and two parks in the city.⁵⁷ [⁵⁷ *Business Day* 12 February, *Natal Post* 18 February]

In March Mr Les Dishy, a Progressive Federal Party (PFP) city councillor, put forward a motion in the Johannesburg City Council that all public amenities should be opened to all races. The motion was defeated.⁵⁸ [⁵⁸ *The Star* 1 April]

In November 1986 the Pietermaritzburg City Council had agreed to forward an application to the Natal executive committee for the desegregation of all municipal swimming pools in the city. Consideration of the application was delayed until the end of the swimming season in April, when the committee approved it. The associate town clerk, Mr Derek Wicks, said that during 1986 two petitions containing 1 033 signatures in support of desegregation had been received, while 13 petitions containing only 72 signatures opposing the proposal had been submitted. Mr Wicks said that he would give immediate instructions for all races to be admitted to the municipal pools. During the period between the council's decision and ratification by the Natal executive committee, a number of embarrassing incidents were reported to have occurred, in which blacks were turned away from pools.⁵⁹ [⁵⁹ *The Natal Witness* 21 January, 10 April; *Cape Times* 10 April]

In May an African couple, Mr and Mrs Robert Mnculwana, were arrested by police on a trespassing charge while sitting in a park in a white suburb of Germiston (east Rand). They were held overnight in police cells, convicted the following day in the Germiston magistrate's court and fined R100 each. It was alleged that the magistrate had not questioned Mr and Mrs Mnculwana before convicting them, and that they had not understood the charges.⁶⁰ [⁶⁰ *Sunday Star* 31 May, *Sunday Times* 31 May] In June, in a review judgement in the Witwatersrand Local Division of the Supreme Court in Johannesburg, Mr Justice Gert Coetzee set aside the conviction and sentence of the couple, and ordered their fines to be repaid to them. He strongly criticised the officials involved in the case, saying that the actions of the Germiston City Council, the police and the officiating magistrate 'bedevilled every effort to achieve racial harmony'. Judge Coetzee pointed out that the parks in Germiston had been desegregated in February 1986, and that Mr and Mrs Mnculwana had thus committed no offence, despite the presence of a 'whites only' sign. He asked why the police had arrested the couple instead of asking them to leave the park. Judge Coetzee also found the magistrate's sentence unnecessarily harsh. The acting town clerk of Germiston, Dr Cora Erasmus, said that the offending sign in the park where Mr and Mrs Mnculwana had been arrested would be removed.⁶¹ [⁶¹ *The Star* 10 June, 2 July] In November it was announced that the couple were to sue the council for R20 000 damages arising from their arrest.⁶² [⁶² *Ibid* 12 November]

On Kruger Day (10 October) two people died and nine people were injured in racial incidents in Bezuidenhout Park and Rhodes Park (Johannesburg). It was reported that the violence arose from a clash between white rugby spectators leaving the Ellis Park Stadium and Africans who had picnicked in Bezuidenhout Park and were returning to the townships. Later in the day, members of the South African Police (SAP) confronted Africans in Rhodes Park who were allegedly drunk and who threw stones and bottles at the police. The violence spread to the neighbouring white suburb and several residents were injured. The police used teargas to disperse the crowds and arrested 17 people, of whom all but three were later released. A spokesman for the SAP said that the three would be charged with public violence, assault and murder. Confrontations between police and Africans also occurred at Emmarentia Dam and Zoo Lake (both in Johannesburg) and at Wemmerpan (east Rand).⁶³ [⁶³ *The Weekly Mail* 16 October, *The Citizen* 17 December]

In November the Johannesburg City Council decided to fence off three large parks, ie Pioneer's Park

and the two parks where violence had occurred, and to charge R2 per adult and 50c per child for admission to the parks on public holidays and during school holidays. Some 32 wardens would be appointed to ensure order in the city's parks and to contact the SAP if violence occurred. The chairman of the council's cultural and recreation committee, Mr Danie Malan, maintained that residents living near the parks would be able to apply for permits which would entitle them to free admission. He believed that in this way 'unruly behaviour' by non-residents would be 'stamped out'. The decision was opposed by PFP councillors. The leader of the PFP on the council, Mr Sam Moss, said that it was a plan which enforced covert racial discrimination, since only local residents (who were mainly white) would be able to obtain free admission. He pointed out that the root cause of the problem was the lack of parks and recreational facilities in the African townships, which resulted in large numbers of Africans using Johannesburg parks on public holidays, and which led to overcrowding. (A Soweto parks officer was quoted as saying that there were only two parks in the township.) Mr Moss said that many of the people who used the parks were least able to pay an admission fee. Mr Moss said that the council's solution was only of 'short-term' value and that it failed to address the underlying problems. He maintained that the government should provide more recreational facilities as a matter of urgency.⁶⁴ [⁶⁴ *Business Day* 2 December, *The Star* 4 December, *The Citizen* 23 December]

In December it was reported that police and members of the South African Defence Force had launched an extensive security campaign in Johannesburg to prevent a recurrence of the Kruger Day violence. The campaign included the use of police dogs, mounted police and traffic officers in the city's parks. No racial incidents were reported during the month.⁶⁵ [⁶⁵ *The Star* 14 December]

The Pretoria City Council refused to allow the Pretoria Technikon to hold a multiracial fashion show in the city hall in October. However, in November two council functions in the same venue hosted guests of all races. A council spokesman said that the reason for not allowing the fashion show was that it was open to the public, whereas the council functions were for private guests.⁶⁶ [⁶⁶ *The Citizen* 5 November]

Hospitals

In April it was reported that a coloured woman who had been treated at Tygerberg Hospital (western Cape) for a leg fracture sustained in a car accident had to leave the hospital prematurely because no beds were available in the coloured section of the hospital. The woman said that she had been offered a trolley on which to sleep, which she had declined. It was alleged that while the white wards of the hospital were never more than 25% full, wards for black patients were 'usually overflowing', which resulted in some black patients sitting up overnight in chairs.⁶⁷ [⁶⁷ *South* 29 April]

The director of hospital services in the Cape province, Dr Niklaas Louw, confirmed in April that the new Groote Schuur Hospital (Cape Town), which was to open in 1989, would be racially segregated 'in accordance with government policy'. He said that it was the policy of the government and the province that there should be separate wards for different races. At the new hospital 75% of the ward space would

be allocated to races other than white, instead of the 50% share originally allocated. It was reported that Dr Louw's announcement had angered medical administrators, doctors and medical students, as the old provincial hospital at Groote Schuur had been 'quietly and unobtrusively' desegregated for some time.⁶⁸ [68 *Sunday Tribune* 24 May]

The chief minister of Lebowa, Dr Cedric Phatudi, was admitted to a private ward in the white section of the provincial hospital in Pietersburg (northern Transvaal) in May. Dr Willie Snyman MP (Conservative Party) condemned Dr Phatudi's presence in the white ward and called for his removal. Dr Snyman said that the CP believed in separate facilities for different races, and claimed that patients preferred to be cared for by 'their own people'. The local chairman of the National Party, Mr Lodewyk Snyman, said that the CP's stand was 'political bigotry'.⁶⁹ [69 *The Star* 11 May, *Sowetan* 12 May]

The minister of health and population development, Dr Willie van Niekerk, said in July that 70 hospitals had been designated white own affairs hospitals, 43 had been allocated to coloured people and eight to Indians. All other public hospitals were general affairs hospitals (ie they would admit Africans), he said. Dr Van Niekerk said that there were 38 private hospitals registered as 'not integrated', most of which were reserved for whites.⁷⁰ [70 *The Citizen* 2 July, *Business Day* 30 July]

In September an Indian couple, Mr and Mrs Monga, accused the Vereeniging Hospital (southern Transvaal) of being 'colour conscious', following the death of their five-year-old son after he had allegedly been refused admission to the hospital. According to Mrs Monga, their son had been rushed to Vereeniging Hospital after the family doctor had advised them that the boy needed urgent medical treatment for dehydration and a suspected renal abscess. Mrs Monga claimed that although she had previously been informed that a bed was available at the hospital, on arrival she was told that her son could not be admitted. He died on arrival at a clinic in Lenasia (Johannesburg) two hours later.⁷¹ [71 *The Sunday Times* 13 September, *The Star* 14 September]

In September students and staff at the Medical School of the University of the Witwatersrand formed a committee to campaign against segregated hospitals and segregated training of health workers. It was reported that although black medical students had access to the Johannesburg and JG Strydom hospitals (for whites), they were denied access to the obstetrics and gynaecological wards of these hospitals.⁷² [72 *The Star* 3 September]

In October Dr Louw ordered an investigation into the death of a man who was refused admission to the white section of Somerset Hospital (Cape Town) after being critically injured in a road accident. The man was found at the scene of the accident by an off-duty doctor, who took him to the entrance of the hospital's casualty section for whites, where he was refused admission and redirected to the 'non-white' entrance. The patient later died.⁷³ [73 *Cape Times* 19 October]

Public Transport

Buses

During the period under review separate bus services were provided for Africans and whites in Johannesburg, while Indians and coloured people were allowed to use both services. In December 1986 the Johannesburg City Council had launched a trial bus desegregation project on three routes in Craighall Park, Parkhurst and Parktown North. The 'African' and 'white' bus services were extended to all races, although different fares still applied, ie fares on the previously African service continued to be lower than the fares on the previously white service. The two services also stopped at different places and buses were marked in different colours. In September it was announced that the two services would share the same bus stops.⁷⁴ [⁷⁴ SAIRR, *Quarterly Countdown* 5, First Quarter; The *Star* 21 September]

Although it was reported that there had been no incidents of racial friction on the desegregated routes, in November the transportation committee of the Johannesburg City Council refused to recommend that all buses in the city should be desegregated. A representative of the Progressive Federal Party in the council, Mrs Claire Quail, claimed that the council was paying 'lip service' to the ideal of promoting good human relations between race groups while continuing to enforce discriminatory measures.⁷⁵ [⁷⁵ The *Star* 5 November, 9 November]

During the period under review Johannesburg buses reserved for whites were unofficially permitted to carry African passengers at the discretion of the bus drivers. A number of incidents occurred in which African passengers who tried to board white buses were prevented from doing so by bus drivers. In July Mrs Quail accused the council management committee of cowardice because, she said, it refused to take a stand on bus segregation. She alleged that the committee was hiding behind its drivers, who were left to make sensitive decisions about the colour of a passenger's skin, and whether or not to allow particular passengers to use the 'white' service.⁷⁶ [⁷⁶ Ibid 11 July, 9 November]

In February three members of the South African Defence Force (SADF) were refused permission to travel together on a bus in Pretoria because one of them, Seaman Nicholas Narayansamy, was an Indian. The public relations officer of the Pretoria City Council, Mr Jan Bezuidenhout, said that the council policy stipulated that municipal buses were for whites only.⁷⁷ [⁷⁷ *The Daily News* 4 February]

In February 30 white schoolchildren were allegedly assaulted by African passengers on a South African Transport Services (SATS) bus travelling to Magaliesburg (central Transvaal). After the assaults the bus driver allegedly told the children to get off the bus and left them stranded at Krugersdorp (west Rand). A SATS spokesman said that an investigation had been launched and one charge of assault had been laid.⁷⁸ [⁷⁸ *The Citizen* 18 February] No further information was available at the time of writing.

Trains

In February the minister of transport affairs, Mr Eli Louw, said in the House of Representatives that he was willing to take 'whites only' signs off railway carriages as a 'test' of whether 'people' (presumably whites) would use trains which were desegregated. However, the following day it was reported that Mr Louw's statement had been an off-the-cuff reply to an interjection and had not been intended to be an undertaking.⁷⁹ [⁷⁹ Ibid 17 February, *The Star* 17 February]

Speaking in the House of Assembly in February Mr Ferdinand van Heerden MP (Conservative Party) claimed that whites were being jostled at stations by members of other race groups because certain forms of segregation, including segregated railway platforms, had been removed. He said that the CP was very concerned about integration taking place at railway stations.⁸⁰ [⁸⁰ *The Star* 13 February]

In June an Indian, Mr Ronnie Moonsamy, claimed that he had been threatened by a train conductor that he would be locked up if he did not vacate the first class coach in which he was travelling from Johannesburg to Lenasia. Mr Moonsamy said that he had a first class ticket and that he had seen no sign on the coach stipulating that it had been reserved for a particular race group. He alleged that rather than get involved in an unpleasant confrontation he had changed coaches. The deputy director of the SATS public relations division, Mr Tienie van den Berg, said that if Mr Moonsamy reported the incident, it would be investigated. He pointed out that each suburban train had a first class coach reserved for whites and another for all races. According to Mr Van Den Berg, SATS staff were discouraged from behaving in any way which might be offensive.⁸¹ [⁸¹ Ibid 15 June]

On 7 June 1988 it was announced that first class carriages on suburban trains in the western Cape were to be opened to all race groups as from that day. This announcement marked the end of all racial discrimination on trains in the western Cape as other carriages were opened in September 1985 (see 1986 *Survey* Part 1 pp227–228). A spokesman for the Department of Transport, Mr Leon Els, said that the desegregation of trains would be extended to the rest of the country as soon as practically possible. He said that the process of desegregation started in Cape Town as the demand for desegregation had been much greater in Cape Town than in other centres. In July 1988 it was announced that racial restrictions on suburban train services in the rest of South Africa had also been lifted. Mr Els said that in future the only difference would be in the price of first and third class tickets. Commenting on the opening of carriages, the regional manager of SATS in the western Cape, Mr Berrie Heckroodt, said, 'In reality we have progressed from racial classification to economic classification.' Mr Els said that no decision had yet been reached about the desegregation of inter-city main line trains.⁸² [⁸² *Business Day* 13 July]

SPORT

International isolation

The chairman of the United Nations Special Committee Against Apartheid (UNSCAA), Major General Joseph Garba, stipulated four condition for South Africa's readmission to international sport: abolition of the homelands. a unitary education system, equal access for every citizen to public and private sports facilities, and the end of economic apartheid.¹ [¹ *The Times* (London) 18 May]

South Africa's sporting links with the international community continued on a downward trend during 1987 as shown by the following figures:² [² Department of National Education, *Annual Reports*: 1984 figures, RP37-1985 p51; 1985 figures, RP24-1986 p50; 1986 figures, RP54-1987 p28; 1987 figures, personal correspondence Mr Theron, Department of National Education, 21 January 1988.]

Sportsmen, sportswomen and coaches

Foreign visitors to South Africa

South Africans travelling abroad

1984

2 972

961

1985

2 807

1 691

1986

1 324

858

1987

1 103

846

Boxing, golf and squash were particularly affected by the isolation campaign in 1987 (see also *Particular Sports* below). Three members of the South African National Boxing Board of Control were dismissed from their positions on the executive of the World Boxing Association (WBA). Their dismissal resulted from the tightening of conditions associated with South Africa's suspension from the WBA in 1986 (see 1986 *Survey* Part 1 p301).³ [³ *Sunday Tribune* 10 May, *The Weekly Mail* 15 May] South African professional golfers were the focus of anti-apartheid movements (AAMs) worldwide. South African golfers travelling on foreign passports were singled out by the Dutch AAM. Protests were staged at the Irish Open championship and the identities of South Africans competing in the Scottish Open were withheld from the public. A South African golfer, Mr Mark Wiltshire, accused the promoters of the Scottish event of being 'narrow-minded and insulting in making us stateless'.⁴ [⁴ *Business Day* 9 July] In January the International Squash Players' Association removed South Africa's grand prix tournament status.

In August the South African Non-Racial Olympic Committee (SANROC) a London-based anti-apartheid sports organisation, was accorded observer status by the Association of National Olympic Committee of Africa (ANOCA). The chairman of SANROC, Mr Sam Ramsamy, said 'South Africa now has no earthly chance of getting back into the Olympic movement while apartheid continues.'⁵ [⁵ *The New Nation* 13 August] Outlining SANROC's strategy, Mr Ramsamy said, 'Not every South African sportsman and woman will be barred from the International arena in the near future. There are too many loopholes. Our focus will continue to be Olympic sports

The third international conference against apartheid in sport was held in Harare (Zimbabwe) during November. The conference was organised by SANROC, the Supreme Council for Sport in Africa, ANOCA, the Union of African Sports Confederations, the Zimbabwe Olympic Committee and the UNSCAA. Mr Ramsamy, who acted as conference co-ordinator, said that the conference would 'study South African strategies to circumvent the sports boycott, examine ways in which these may be countered, and discuss the intensification of the isolation campaign'.⁷ [⁷ *SACOS Sport* No 1, March] The three-day conference was attended by more than 300 delegates from 50 countries.

The conference expressed satisfaction with the progress made in isolating South Africa from international sport. It was claimed that South Africa is now excluded from at least 90% of world sports activities.⁸ [⁸ *City Press* 15 November] The prime minister of Zimbabwe, Mr Robert Mugabe, said at the conference that Zimbabwean passports used as documents of convenience by former Rhodesian sportsmen living in South Africa would be withdrawn.⁹ [⁹ *Business Day* 6 November]

Total isolation of South African sport is dependent upon the implementation of the United Nations' 1985 international convention against apartheid in sports. The convention prohibits direct sporting contacts with South Africa and urges 'third parties' not to compete against sportsmen and women who have competed against South African athletes. By November 1987 the convention had been ratified by 22 of 71 signatories. It is opposed by many western countries (notably the United Kingdom and the United

States, which together accounted for two thirds of sporting exchanges with South Africa).¹⁰ [10 United Nations Special Committee Against Apartheid, *Register of Sports Contracts with South Africa*, 87-15430]

At a special meeting of the International Cricket Conference (ICC) in June, a West Indian proposal to impose life bans on players and coaches maintaining contact with South Africa was drastically amended. In its place a resolution proposing an investigation was unanimously accepted and a select committee appointed to undertake the task. The select committee's report was not expected until March 1988.

The decision by the ICC ensured that the 1987 World Cup, hosted jointly by India and Pakistan in October/November, was not disrupted. For two years fears that contact with South Africa would cause a racial division between the 'white' and 'black' members of the ICC had plagued international cricket (see 1986 *Survey* Part 1 pp291–292).¹¹ [11 *Business Day* 18 January, 31 March, 9 June; *The Argus* 6 February-, *Sunday Tribune* 5 April, 12 July; *The Age* (Melbourne) 14 May] The English Test and County Cricket Board reinforced its policy of non-interference in team selection early in 1987 when it warned the United Arab Emirates (UAE) that England would withdraw from a four-nation tournament in Sharjah if English players were refused visas because of their links with South Africa. The UAE did not pursue the issue and the tournament was played as scheduled. Australia and New Zealand also appeared to have adopted England's policy of non-interference.¹² [12 *The Natal Witness* 14 April, *Cape Times* 15 April]

Commenting on the appointment of the select committee, the president of the South African Cricket Union (SACU), Mr Joe Pamensky, said. 'It is abundantly clear the select committee was a ploy to defer a decision which, if voted upon then, would have resulted in the international cricketing world being placed in a state of turmoil and with the South African issue being a disruption to the forthcoming world cup.'¹³ [13 *Sunday Tribune* 30 August] The president of the South African Cricket Board (SACB), an affiliate of the anti-apartheid South African Council on Sport (SACOS), Mr Krish Mackerdhuj, said that he was not surprised that England was opposing the West Indies' proposal. He added, 'England has always betrayed attempts to achieve a democratic South Africa. England will do everything in its power to see apartheid South Africa back in the international sporting arena.'¹⁴ [14 *The New Nation* 25 June]

The South African Rugby Board (SARB) retained membership of the International Rugby Board (IRB) despite threats of expulsion. A report presented to the IRB meeting in March by the New Zealand Rugby Union (NZRU) found no evidence of payments to the New Zealand rebel team which toured South Africa in 1986 (see 1986 *Survey* Part 1 p305). The president of the SARB, Dr Danie Craven, then reaffirmed his board's 'unconditional and irrevocable' undertaking that there would be no more rebel rugby tours.¹⁵ [15 *The Daily News* 26 March] England consequently lifted its ban on the SARB and sanctioned a ten-match tour of South Africa by the Felbridge Juniors (Sussex), which took place during July and August.

However, the SARB hosted a 13-match tour by a rebel South Pacific team comprising players from Fiji (22 members), Tonga and Samoa during September and October. England, Scotland and Wales

immediately suspended playing relations with South Africa. At a special meeting in November, the IRB showed considerable leniency towards South Africa. It ruled that all discussion of future tours to South Africa would be suspended until March 1988 (see *Rugby* below). The president of the IRB, Mr Albert Ferasse, said the rules concerning a maximum of seven players from one country joining a composite tour party only applied to full IRB members and Fiji had only recently applied for associate membership.¹⁶ [¹⁶ *Sunday Times* 6 September]

Calls were made during 1987 to readmit certain South African sports and/or sportsmen and women to the international arena conditionally. The president of the European Athletic Association (and member of the Jeeps Committee which visited South Africa in 1980, see 1980 *Survey* p595). Sir Arthur Gold, said that the sports isolation campaign penalised black South Africans. ‘Where there has been full integration’, Sir Arthur said, ‘that sport should be allowed back into the Olympics. Sports which aren’t fully multiracial should be kept out.’¹⁷ [¹⁷ *Athletics Today* June] Athletes from several countries petitioned the International Amateur Athletic Federation and the African Amateur Athletic Confederation to amend their ban against South Africa to permit blacks to participate on an individual basis in international meetings.¹⁸ [¹⁸ *South African Runner* August] The chairman of the South African Road Runners’ Association (SARRA), Mr Mick Winn, said, however, that the wording of the petition was unacceptable. ‘We don’t differentiate on a racial basis in our sport and if we allowed just our black runners to go overseas it would not be fair on our other athletes of different racial groups.’¹⁹ [¹⁹ *The Daily News* 10 August] The former editor of *Cricketer* magazine, Mr Christopher Martin-Jenkins, said that the SACU should be admitted to the ICC as an associate member in recognition of its efforts to integrate sport.²⁰ [²⁰ *The Star* 1 May]

South African attempts to counter isolation

In the 1986 *Survey* three strategies to counter sports isolation were identified: rebel tours, opposition to government policy, and efforts to convince the world that South African sport was multiracial. In 1987 there were noticeably fewer efforts in this third category. The managing director of the SACU, Dr Ali Bacher, said, ‘It is a harsh reality that sport is mixed with politics.’²¹ [²¹ *The Citizen* 27 February; *The Allied Book of South African Sport and Sports Records*, 1987]

An unidentified international hockey team²² [²² *The Allied Book of South African Sport and Sports Records*] toured South Africa in June. Explaining why the identity of the team would not be made public, the president of the South African Men’s Hockey Association (SAMHA), Mr Alan Corrigan, said that international tours of South Africa had to be kept ‘low key’ because of the risk of South Africa’s expulsion from the Fédération Internationale de Hockey and to protect the visitors who had aspirations to compete in the 1988 Olympic Games.²³ [²³ *The Natal Mercury* 21 May, *Business Day* 10 June] In April Spanish tennis players arrived in South Africa to play in a tournament but returned home before taking to the court. A spokesman for the Spanish Tennis Federation, Mr Gabriel Guix, said that the players were ‘victims of a South African ploy’. He said, ‘They were invited as individuals but were billed as the Spanish national

team to play beneath a Spanish flag in a quadrangular match with South Africa, Paraguay and Israel.’²⁴
[²⁴ *The Star* 14 April]

South African sportsmen and women travelling abroad generally kept low profiles. Mr Winn announced during the year that the South African Road Runners’ Association would mount ‘cloak and dagger style operations’ to send South African runners overseas. He said, ‘The first thing anyone will know about it is after they’ve competed.’²⁵ [²⁵ *The Daily News* 28 September] Details of a tour of France, Spain and Portugal by the Springbok surfing team during August were given to the media only upon the team’s return. Canoeists with foreign passports and aspirations to compete internationally allegedly entered local competitions using fictitious names to prevent being ‘blacklisted’ by the United Nations Special Committee Against Apartheid (UNSCAA).

A number of professional sportsmen and women received payments to compete in South Africa. The Squash Rackets Association of Southern Africa (SRA) increased the prize money in the South African Open from R100 000 to R140 000 after the event lost its grand prix status. The national director of the SRA, Mr Owen Ernsly, said the future of the country’s squash circuit depended upon making it ‘financially irresistible’.²⁶ [²⁶ *Business Day* 21 January] A British golfer, Mr Phil Harrison, summed up the view of some of the visitors: ‘With R2,5m up for grabs (on the Sunshine Circuit), it really has become financially viable for British players to come. I don’t think anyone fears the United Nations’ blacklist.’²⁷
[²⁷ *The Daily News* 18 November] Similarly, an American boxer, Mr James ‘Quick’ Tillis, said, ‘I’m just here to slug it out and fill my pockets; to me apartheid makes no difference.’²⁸ [²⁸ *City Press* 14 June]

Foreign sportsmen were not, however, always well received. Complaints of below standard and/or mismatched competition in boxing, golf, hockey, rugby and tennis were raised during 1987. The problem was attributed to the effects of the isolation campaign. For instance, intense criticism was levelled at the poor performance of four opponents of the South African heavyweight contender, Mr Johnny Du Plooy.²⁹ [²⁹ *The Weekly Mail* 13 February; *Sunday Times* 14 June, 9 August; *The New Nation* 18 June, 30 July, *City Press* 26 July, 2 August; *The Daily News* 28 July; *The Natal Mercury* 30 July] At the beginning of the 1987/88 Sunshine Circuit, South African golfers accused the Professional Golfers’ Association (PGA) of trying to counter the isolation campaign by inviting non-accredited American college golfers—‘guys who can’t play pro-golf anywhere else in the world’—according to one golfer.³⁰ [³⁰ *Sunday Times* 10 January 1988] Despite assurances by Mr Corrigan that the unidentified hockey side ‘would not be a Mickey Mouse team’,³¹ [³¹ *Business Day* 3 June] the visitors were beaten in six tests by 37 goals to nil. The American under-21 tennis team which competed in South Africa in September was outclassed, as was the rebel South Pacific rugby team. The latter were well beaten by the Springboks in both unofficial tests.

During the year there was increased coverage of international sport on television. The South African Broadcasting Corporation (SABC) progressively increased sports coverage to 30 hours a week from the beginning of 1988. The introduction of subscription television, with its emphasis on international sport, provided even more viewing. The potential for television exposure, combined with the government’s tax

deductions for sponsors of sporting events (see 1986 *Survey* Part 1 p299) attracted private sector sponsorship, particularly of rebel tours. Between R75m and R85m was estimated to have been spent on new sponsorships during 1987.³² [³² *Ibid* 5 October] The South African Council on Sport (SACOS) resolved at its October conference that such sponsorship of rebel sport would not be tolerated and that SACOS would counter it with the assistance of other organisations.³³ [³³ *SACOS Sport* No 1, March]

Developments in South Africa

Proposed new national sports body

The South African Sports Federation (SASF) steering committee, investigating government involvement in sport (see 1986 *Survey* Part 1 p295), recommended in December that a new national sports body, the Confederation of South African Sport (CSAS), be established to provide equal opportunities for all sportsmen and women in the country. The chairman of the steering committee, Mr Hugo Olivier, said that South African sport was finally responding to demands to 'get its house in order'.³⁴ [³⁴ *Sunday Times* 6 November] The final decision on the establishment of the confederation was expected in 1988 after sport and recreation bodies had studied the proposals. The public relations officer for the National Soccer League (NSL), Mr Abdul Bhamjee, said that the CSAS was 'basically the old story of white organisations telling everyone what to do and how to do it, even when it comes to being nonracial'.³⁵ [³⁵ *Ibid* 1 March]

Government policy change on school sport

The government changed its school sports policy during 1987 following a spate of widely publicised incidents in which white schools refused to play multiracial sport. Incidents were reported at Boksburg, Empangeni, Newcastle, Pretoria, Vryheid and Witbank. For example, Dr E G Jansen High School (Boksburg) declined two invitations to compete in multiracial fixtures. The secretary of the school's managing council, Mr Karel Rautenbach, said, 'It is not a real reform to have kids competing against blacks at school level. If whites are so concerned about mixing why don't they take their servants with them on holiday?'.³⁶ [³⁶ *Sunday Times* 22 February]

The issue surfaced in February when the Menlo Park High School (Pretoria) management council banned an African Durban and District Schools' athlete, Nkululeko Skweyiya, from an athletics meeting because of his race (see 1986 *Survey* Part 1 p296). Mrs Sayo Skweyiya said that the event was important to her son and added, 'This proves the apartheid monster cannot be reformed, only eradicated.'³⁷ [³⁷ *The Daily News* 12 February]

Following the banning of Nkululeko the Sport Foundation of South Africa withdrew its sponsorship of the meeting; an estimated 20% of athletes and 40% of parents boycotted the event; senior pupils at the school refused to attend classes on one day and staged a short sit-in on the school grounds; and two members of the management council, Dr Chris Stals and Mrs Marie Spruyt, resigned their positions.

Parents formed an ad-hoc committee and at a meeting passed a motion (by 755 votes to 155) calling upon remaining members of the council to resign. The committee said that unless the council resigned within a week they would ask the minister of education and culture (white own affairs), Mr Piet Clase, to intervene.

During the parents' meeting, flag-waving members of the Afrikaner Weerstandsbeweging (AWB) gathered in support of the school council. The Transvaalse Onderwysersvereniging said that the decision to ban Nkululeko was 'technically correct',³⁸ [³⁸ Ibid 9 April] and both the Herstigte Nasionale Party (HNP) and the Conservative Party (CP) supported the decision in Parliament.³⁹ [³⁹ *Hansard* (A) 3 q cols 880-956, 16-20 February] A second delegation of parents expressed their confidence in the council to Mr Clase.

The state president, Mr P W Botha, said, 'The government does not interfere in sport affairs in South Africa. This is a matter for sports administrators and parents.'⁴⁰ [⁴⁰ Ibid col 1120] Mr Clase, however, urged the council to 'resign of its own volition to demonstrate its goodwill towards the school and its community',⁴¹ [⁴¹ *The Citizen* 6 March] He said that in terms of existing legislation he could not dissolve school councils.⁴² [⁴² *The Daily News* 6 March] The Progressive Federal Party (PFP) spokesman on education, Mr Roger Burrows, said that the National Party's sports policy had 'handed a loaded gun to every racist in South Africa and now they are squealing because that gun has gone off'. He added, 'Menlo Park is not the first incident of this kind, neither will it be the last.'⁴³ [⁴³ *Hansard* (A) 3 q col 954, 16-20 February] The school council refused to resign and in March it issued a directive banning the playing of all multiracial sport on the school's property. Three more council members consequently resigned.⁴⁴ [⁴⁴ Dr Wilhelm Holzapfel, Mr Willie Lubbe, Dr P L Wessels]

Mr Clase discussed the government's school sports policy during the budget debate on white education. 'The government has delegated the decision for or against participation in school sports meetings to the headmaster and the management body,' he said. 'They must decide whether to accept invitations or who they want to invite. This decision must be taken on the basis of the opinion of the parents and the community so as to ensure that the school is not destabilised. There is nothing to prevent a school community competing against other groups or individuals. On the other hand a school has the right to withdraw from a meeting if the parents prefer. The relevant regulations concerning management councils will be amended in such a way that a checkmate position cannot develop in a school again. The management council should represent the majority of parents.'⁴⁵ [⁴⁵ *Hansard* (A) 5 cols 2964-2966, 7 March 1988]

In November Mr Clase confirmed press reports that provincial education councils were considering a new draft school sports policy, but refused to elaborate. According to press reports, the draft proposals stipulated that schools which did not wish to compete in multiracial fixtures had themselves to withdraw. Current policy required the multiracial team to withdraw if objections to its presence were raised.

The South African Council on Sport (SACOS) described the proposed changes as yet another attempt to

reform apartheid. The president of the South African Senior Schools' Sports Association (SASSSA), Mr Raymond Uren, claimed that the Department of Education and Culture (white own affairs) was still far from accepting nonracial sport. 'We do not want a few token blacks sprinkled in private schools to bluff the world,' he said, 'We want totally integrated schools under one department.'⁴⁶ [⁴⁶ *The New Nation* 5 November]

The leader of the CP, Dr Andries Treumicht, condemned the new policy as 'forced integration'. The PFP welcomed it as 'a real advance'.⁴⁷ [⁴⁷ SAIRR, *Quarterly Countdown* 8, Fourth Quarter]

Sport at African schools

The Department of Education and Training was accused of using sport to 'cloud the real issues in schools' by pupils from the eastern Cape during 1987. The Eastern Cape Students' Congress (ECASCO) called on pupils to boycott sports events organised by the department. A spokesman for ECASCO urged pupils to 'form discussion and debating societies in preparation for the end of year examinations rather than waste their time on sport'.⁴⁸ [⁴⁸ *The New Nation* 8 October] Another spokesman said: 'We are not prepared to take part in the department's sports programmes because they contradict our nonracial, democratic policy. Students want to be part and parcel of decision making on sports policies.'⁴⁹ [⁴⁹ *Ibid*]

In May pupils and teachers from Langa High School (Uitenhage) who competed in a Department of Education and Training sponsored multiracial tournament in Durban were assaulted by other pupils and a teacher upon their return to Langa.⁵⁰ [⁵⁰ *Cape Times* 13 May]

Government spending

Budgetary allocations to sport by the departments of National Education and Education and Training, as shown in the state revenue account, are given below.

Expenditure on sport by department

1986/87

1987/88

R

R

Department of National Education Facilities and apparatus

1 865 000

255 000

Total

9 694 000

8 160 000*

Department of Education and Training Facilities and apparatus

20 000 000

31 065 000

Total

20 500 000

32 200 000

*

Includes, in addition to expenditure on facilities in white-designated areas, expenditure on administration (approximately R4m) and grants-in-aid to some 200 sports/recreation/hobby controlling bodies (approximately R4m).

However, in September the minister of education and development aid, Dr Gerrit Viljoen, said that the total expenditure on sports facilities, apparatus and teacher training in sport in the Department of Education and Training during the 1986/87 Financial year was only R6 590

Municipal councils

Several white municipal councils banned multiracial sport at facilities under their jurisdiction during 1987. The chairman of the Witbank and District Cricket Association, Mr Peter Klein, said the Middelburg Town Council's stance forced his association to change venues if visiting sides had black members.⁵² [⁵² *Evening Post* 6 February] The Pretoria City Council banned the use of a sports ground in the white suburb of Wonderboom South for a fun run because the event was multiracial. It was alleged that the vice chairman of the management committee, Mr Servaas Venter, said he would 'not allow a white

suburb to be blackened'.⁵³ [⁵³ *Pretoria News* 28 January]

Criticism of government policy

Prior to the election for the House of Assembly on 6 May, various South African sportsmen and women criticised the National Party (NP) and expressed support for the 'reform alliance'—a loose alliance between the Progressive Federal Party (PFP), the New Republic Party, and Independents. The president of the South African Rugby Board (SARB), Dr Danie Craven, was among those who signed a 'Stellenbosch statement' which said, 'We Stellenbosch sportsmen and women will support and encourage others to support those in party-political contests, including independent candidates, who are united in a common search for sincere and urgent initiatives to ensure a normal and peaceful life for all South Africans.'⁵⁴ [⁵⁴ *Sunday Times* 3 May] Messrs Daan Nolte and Boetie Malan resigned from the SARB executive after being asked to declare publicly their support for multiracial sport. Their resignations followed their announcement that they intended to represent the Conservative Party (CP) in the elections. Dr Craven said, 'The code of sport is that we don't mix politics and sport.'⁵⁵ [⁵⁵ *Cape Times* 9 January]

A former Springbok rugby captain, Mr Tommy Bedford, urged sportsmen and women to vote against the NP. He said, 'The Verwoerds, Vorsters and those many others within the Broederbond-dominated hierarchy of the National Party have done incalculable harm to South Africa in sport, not to mention every other field of human endeavour or relations.'⁵⁶ [⁵⁶ *Sunday Tribune* 3 May] The leader of the PFP, Mr Colin Eglin, described the public stand taken by sportsmen and women as 'an exciting and positive development'.⁵⁷ [⁵⁷ *Ibid*]

A former Springbok cricketer, Mr Eddie Barlow, urged South Africans who wanted to end the international isolation campaign to 'stand up and be counted and make loud protests when blatant racism is practised'.⁵⁸ [⁵⁸ *The Daily News* 14 August] He said that administrative bodies had to distance themselves from government policy and added that 'integrated sport meant nothing if equal opportunities and freedom of speech and of association did not exist in all fields'.⁵⁹ [⁵⁹ *Sunday Tribune* 16 August]

Prompted by the Menlo Park affair, Mrs Lolly MacKenzie initiated the 'never again' campaign. She launched a petition throughout the country calling on whites to proclaim publicly their support for nonracial sport. Describing herself as 'an ordinary housewife', Mrs MacKenzie said the petition was 'not a political but a moral commitment'. She said, It stands for nonracialism and equality in sport and its purpose is to establish a moral base of common decency and justice on which reform be built.'⁶⁰ [⁶⁰ *The Daily News* 19 March] By January 1988, 29 000 signatures had been collected.⁶¹ [⁶¹ Personal correspondence with Mrs Lolly MacKenzie, 9 January 1988]

The minister of national education, Mr F W de Klerk, said that rung administrators should restrict their arguments to those issues which affected sport directly. He warned, 'If sports administrators and

sportsmen take to the broad political field, sport will again be the victim.’⁶² [⁶² *Business Day* 3 March]

The South African Council on Sport (SACOS)

The seventh biennial general meeting of the South African Council on Sport (SACOS) was held in April. At the meeting the Rev Arnold Stofile, who had helped to stop the All Blacks rugby tour of South Africa in 1985 (see 1986 *Survey* Part 1 pp304–305), was made a patron of the organisation. Mr Stofile was convicted on terrorism charges in May and sentenced to 11 years’ imprisonment. In a press statement he said, ‘I have been honest in my quest for justice for all and I am going to jail with a clean and satisfied conscience.’⁶³ [⁶³ *The New Nation* 28 May] At the conference SACOS rescinded its policy of not using ‘multinational’ hotels and expressed support for the living wage campaign’ of the Congress of South African Trade Unions (COSATU).

SACOS’s policy of political non-alliance was reviewed during 1987. In an analysis of sport in South Africa, the sport and cultural section of the United Democratic Front (UDF) wrote that sport had an important role to play in bringing about the end of apartheid. SACOS was urged to tackle this problem by formally organising ordinary people in the townships. It was suggested that this would be facilitated if SACOS established links with the UDF and COSATU.⁶⁴ [⁶⁴ *City Press* 25 October] At SACOS’s October conference the president of the South African Rugby Union, Mr Ebrahim Patel, said that SACOS’s membership was ideologically orientated towards the UDF-COSATU alliance, and he suggested that it made sense for SACOS to move politically in that direction.⁶⁵ [⁶⁵ *Post Natal* 28 October]

Mr Thabo Lekalakala, publicity secretary for the South African Tertiary Institutions Sports Council (SATISCO) (see 1986 *Survey* Part 1 p298), said during 1987 that SATISCO would probably seek affiliation to SACOS. He said, ‘It is the only umbrella of nonracial sport and we would be irresponsible not to work within its ranks.’⁶⁶ [⁶⁶ *The Weekly Mail* 2 October]

Mr Tatius Sondlo, president of the Frontier Rugby Union (a SACOS affiliate), was released in June after spending a year in detention under the state of emergency regulations. In October 87-year-old Mr Sondlo died. The president of SACOS, Mr Frank van der Horst, said that Mr Sondlo had ‘contributed richly to the arsenal of ideas in our struggle for freedom’.⁶⁷ [⁶⁷ *Ibid* 9 October] Other SACOS sportsmen held in detention during the year included Messrs Ihron Rensburg and Hope Malgas. SACOS delegates refused passports during the year included Mr Van der Horst, to travel to the Harare (Zimbabwe) conference, and Dr Errol Vawda, president of the South African Table Tennis Board, to attend the annual general meeting of the International Table Tennis Board in New Delhi (India).

It was alleged during 1987 that the South African Broadcasting Corporation (SABC) had imposed a radio and television ban on the coverage of sports events organised by SACOS. The SABC refused to comment on the allegation. Mr Van der Horst said. ‘It is ironic that while the government should claim that sport has been normalised, it has decided to cover only sport played within the apartheid scheme.’⁶⁸

[68 *The New Nation* 26 November]

An anti-apartheid sports activist, Mr Valence Watson, who was convicted of arson and fraud early in 1987 (see 1986 *Survey* Part 1 p298), had the conviction set aside on appeal in August. Mr Watson said that he expected 'the psychological warfare and attempts on our [his family's] lives will continue'.⁶⁹ [⁶⁹ *The Natal Mercury* 29 August] In May an attempt was made to murder Mr Ronnie Watson, brother of Mr Valence Watson, in Botswana. Botswana police subsequently charged Mr Stephen Burnett, who alleged that he was an employee of the British intelligence service and working in conjunction with the South African authorities.⁷⁰ [⁷⁰ *The Daily News* 27 May]

Particular sports

A survey of 123 national sports controlling bodies, undertaken by the Development Studies Unit at the University of Natal, found that a large number of controlling bodies were constitutionally multiracial. However, it claimed, they had failed to initiate programmes to encourage black participation, develop facilities, or teach skills in black areas. The unit claimed that only six organisations were making a positive contribution to the desegregation of South African sport, namely, the South African Cricket Union and the Squash Rackets Association of Southern Africa and to a lesser degree the South African Amateur Gymnastics Union, the South African Men's Hockey Union, the South African Amateur Swimming Union and the South African Amateur Volleyball Union.⁷¹ [⁷¹ Douglas Booth, Development Studies Unit, University of Natal]

Athletics

Three of South Africa's top athletes, a middle distance runner, Mr Johan Fourie; a cross country and marathon runner, Mr Mark Plaatjes; and a javelin thrower, Mr Chris De Beer, emigrated to Swaziland during 1987 with the intention of becoming Swazi citizens so as to compete internationally. Mr Geoff Reed, treasurer of the Swaziland Olympic and Commonwealth Games Association, warned, however, that 'Swaziland had to consider world opinion and wouldn't compromise its position in the international sporting community by making allowances for Fourie, De Beer and Plaatjes'.⁷² [⁷² *Sunday Times* 11 October] In December Mr Reed announced that under Swazi immigration laws the three would not be eligible to represent Swaziland at the 1988 Olympic Games in Seoul (South Korea). Mr Fourie said that he was disappointed,⁷³ [⁷³ *Business Day* 29 December] while Mr Plaatjes informed the Transvaal Amateur Athletic Association that he would be resuming his career with Transvaal.⁷⁴ [⁷⁴ *Ibid* 4 January 1988] Mr Plaatjes subsequently emigrated to America to pursue his athletics career there, but was prevented from doing so after the Zola Budd case (see below) raised the question of South Africans running under 'passports of convenience'.

In October the British Amateur Athletic Association (BAAA) announced that it would investigate how many British runners had competed in South Africa since 1976. Earlier in the year the BAAA ruled that

any runner who had raced in South Africa would be barred from the annual London-to-Brighton road race. At least three British-born runners had applications for the race rejected. Mr Vic Gutteridge, whose application was rejected, defied the organisers and ran alongside the official route wearing a T-shirt printed with the word 'ostracised'. Mr Gutteridge claimed the majority of runners were 'totally disgusted' by the ban.⁷⁵ [⁷⁵ Ibid 13 October]

Mr Mathews Temane set an unofficial world record for the half-marathon (21,1km) in July. The chairman of the South African Road Runners' Association, Mr Mick Winn, said that South Africa's expulsion from the International Amateur Athletics Federation (in 1976) made it 'extremely improbable' that the run would be officially recognised.⁷⁶ [⁷⁶ *The Natal Mercury* 28 July]

In early 1988 Miss Zola Budd, a South African-born athlete who had been granted a British passport in 1984 to run in the Olympic Games that year, was suspended from competing for a year by the International Amateur Athletics Federation (IAAF). Miss Budd had Hoped to represent Britain in the 1988 Olympic Games in Seoul. The IAAF claimed that she had broken IAAF rules by being present at certain athletics meetings in South Africa. Miss Budd had spent many months each year in South Africa, giving rise to complaints in Britain and internationally that she was using her British passport as a 'passport of convenience' and that she did not really consider herself British. The BAAA said it would launch its own investigation into Miss Budd's alleged attendance at athletics meetings in South Africa before replying formally to the IAAF, but stopped this after Miss Budd returned to South Africa, announcing that she had temporarily stopped her athletics career.

Boxing

In an article on amateur boxing *The Weekly Mail* claimed that blacks and whites could not join multiracial clubs, or compete with each other until interprovincial or national level. Black gyms were poorly equipped, nearly 80% of sponsorship went to the white association (which comprised only 10% of registered participants), and the sport was plagued by allegations of biased judging decisions favouring white boxers, the article further alleged.⁷⁷ [⁷⁷ *The Weekly Mail* 2 October]

The South African Boxing Board of Control appointed two black judges to officiate at a national title fight for the first time during the year. The fight was between bantamweights Messrs Simon Skosana and Fransie Badenhorst.⁷⁸ [⁷⁸ *The New Nation* 22 October]

Amid rumours that he would be stripped of his World Boxing Association (WBA) junior lightweight title, Mr Brian Mitchell, South Africa's only fighter ranked by the WBA, said in September that he would 'give serious consideration to changing citizenship'.⁷⁹ [⁷⁹ *Business Day* 25 September] The president of the WBA, Mr Gilberto Mendoza, denied that Mr Mitchell would forfeit his title. He said, 'Our position on racial matters is clear, but that is a long way from demanding that one of our boxers change his nationality to keep the title.'⁸⁰ [⁸⁰ Ibid 30 September] Mr Mitchell successfully defended his title overseas

four times during the year. Two boxers ranked by the WBA, Messrs Rickey Parkey and Mike Weaver (see 1980 *Survey* p603 and p234 for details of Mr Weaver's previous visit to South Africa), were deleted from the association's rankings after competing in South Africa. The WBA accused the men of being 'traitors to their race'.⁸¹ [⁸¹ Ibid 18 November]

The Universal Boxing Association (UBA), the fourth world boxing sanctioning body, was launched during 1987. The vice president of the UBA, Mr Chuck Sayre, said, 'Politics has no place in boxing' and the UBA rated five South African boxers: Messrs J du Plooy, F Rafferty, S Horn, H Volbrecht and W Ncita.⁸² [⁸² *Sunday Tribune* 19 November]

A limpet mine exploded during the fight between the South African heavyweight champion, Mr Pierre Coetzer, and the American fighter, Mr Bernard Benton, at Ellis Park (Johannesburg) in September. The African National Congress (ANC) would not confirm responsibility for the blast but a spokesman said. 'It is a well known fact that the ANC want all sporting links with South Africa severed.'⁸³ [⁸³ *The Weekly Mail* 2 October]

Cricket

The South African Cricket Union (SACU) launched a ten-year development programme in October 1986. In 1987 children throughout the country were taught a modified game of cricket known as mini-cricket. By September more than 10 000 children in the major African townships had received coaching in the game. A multiracial mini-cricket festival, held in October in Johannesburg, was attended by some 1 000 children from 80 primary schools. The coaching of African schoolteachers to assume the role of cricket coaches was also an integral element of the programme. A national coaching academy was established and by September 1 000 teachers had completed various courses. An added incentive to teachers to participate was provided in the form of education bursaries. Teachers displaying talent as coaches were offered bursaries to enable them to further their academic careers with the aid of cricket.⁸⁴ [⁸⁴ South African Executive Cricket Club, *Report of Activities*, 10 October]

The SACU also formed the South African Executive Cricket Club (SAECC) as a fundraising body. The SAECC was made up of 20 leading South African businessmen, each of whom was set the target of raising R50 000 per annum for the next ten years. The chairman of the SAECC, Mr Mervyn King, said, 'By taking cricket to the children in the townships we can do a great deal towards making South Africa a better place to live.'⁸⁵ [⁸⁵ *Business Day* 24 March] Announcing Form-Scaffs sponsorship, Mr Jeff Liebesman, chief executive of the company, said, 'Sport is a great leveller and can transport the underprivileged into new areas of opportunity.'⁸⁶ [⁸⁶ *The Natal Mercury* 2 October] The chairman of the Alexandra Schools' Sports Council, Mr Edwin Baloyi, said, 'Cricket is being used as a forceful medium for change. It is no longer viewed by blacks as a novelty but as a way of attaining a better way of life.'⁸⁷ [⁸⁷ Ibid]

The second leg of the Australian rebel cricket tour ended in 1987. The SACU calculated the tour had

cost R14m.⁸⁸ [⁸⁸ *Business Day* 21 January] Mr Kim Hughes, who captained the Australians, described the tour as the 'happiest of my life'.⁸⁹ [⁸⁹ *Sunday Times* 1 February] During the second leg Mr Omar Henry was selected as the first coloured cricketer to play for the Springboks. Mr Hughes praised the selection of Mr Henry, saying that it was 'a form of communication between white and coloured in the country'.⁹⁰ [⁹⁰ *Ibid*] The Archbishop of Cape Town, the Most Rev Desmond Tutu, said that 'Australians should treat Kim Hughes and his lot as pariahs'.⁹¹ [⁹¹ *Business Day* 28 January]

Cycling

Among the ten teams competing in the 1987 *Rapport* Tour during October were teams from Italy, Portugal and Switzerland and a black South African team sponsored by Gold Fields of South Africa.

Darts

Delegates from the South African Darts Board of Control (SADBOC) were refused visas to attend the general meeting of the World Darts Federation and the world cup tournament Denmark. SADBOC is only one of two SACOS affiliates to be officially recognised by a world controlling body (the other being the South African Table Tennis Board). Consistent with SACOS's moratorium on sporting contact with South Africa, SADBOC does not compete in international competitions, but delegates attend international events to maintain communication. Commenting on the decision of the Danish authorities not to issue visas, a spokesman said, 'We are comforted by the fact that this decision demonstrates support for the wide call that apartheid must be abolished in its entirety.'⁹² [⁹² *SACOS Sport* No 1, March]

Equestrian sports

An American on contract work in South Africa, Mr Daulat Rai, was refused entrance to the Sunbird Riding School at Noordhoek (Cape Town) in October. The owner of the stable, Mrs Llewellyn Lewis, said, 'If I allow one coloured in, the whole of Mitchell's Plain will arrive and my other customers will stop coming.'⁹³ [⁹³ *Sunday Times* 25 October] Mr Rai said, 'I knew something of what I was getting into when I came to this country, but the incident still left a bitter taste.'⁹⁴ [⁹⁴ *Ibid*]

Mrs Gonda Betrix won the world show jumping championships in October. It is the only world event in which South African riders are allowed to compete.

Golf

A number of coloured people and Indians had applications to join golf clubs rejected during the year.

The Ixopo Golf Club (Natal) rejected an application by a prominent Ixopo businessman, Mr Cassim Badat. Mr Badat, who had played at the club as a guest since 1985, said that he believed the decision stemmed from racial prejudice.⁹⁵ [⁹⁵ *The Natal Mercury* 3 June] The Pretoria Golf Club rejected four applications in March. The president of the Transvaal Golf Union (TGU), Mr Eddie Luckhoff, said that the TGU felt strongly about the issue and refused to hold provincial or national tournaments at clubs which practised discrimination.⁹⁶ [⁹⁶ *Sunday Times Extra* 28 July] Queenstown Golf Club (eastern Cape) refused membership to Mr George Philips. Mr Philips said, 'We are good enough to caddie for white golfers but are not good enough when it comes to membership.'⁹⁷ [⁹⁷ *Weekend Post* 7 February]

Rugby

The South African Rugby Board (SARB) introduced a new multiracial competition during the period under review to bridge the standard between subunions (ie the South African Rugby Federation for coloured people and the South African Rugby Association for Africans) and Currie Cup provincial teams. Teams comprising eight black and seven white players were registered as 'feeder' unions. Dr Craven said that the feeder teams were the 'apostles of better relationships and the pioneers to produce a better type of rugby'.⁹⁸ [⁹⁸ *Business Day* 10 July] The feeder union concept was also introduced into secondary schools during the inaugural friendship week, a prelude to Craven week for provincial primary and secondary schools. Friendship week was played as part of the South African High Schools' Project, a development initiative sponsored by the Chamber of Mines of South Africa (worth R1m over three years).

A black team represented the eastern Cape in the Craven week tournament for primary schools for the first time in 1987. Dr Craven said he welcomed the participation of black teams.⁹⁹ [⁹⁹ *The Natal Mercury* 17 April]

Dr Craven relinquished his right to act as chairman of the International Rugby Board (IRB) in 1987 because of South Africa's non-participation in the world cup.¹⁰⁰ [¹⁰⁰ *Sunday Tribune* 28 June, *The Weekly Mail* 3 June]

The Australian Rugby Football Union (ARFU) declined the SARB's invitation to tour South Africa and refused the SARB permission to invite more than eight Australian players to tour as individuals (see *International Isolation* above).¹⁰¹ [¹⁰¹ *Sunday Times* 9 August] The president of the ARFU, Mr Roger Vandefek, said, 'An official tour of South Africa under a Labor government would be impossible.'¹⁰² [¹⁰² *The Natal Mercury* 7 July] Mr Andrew Slack was relieved of his captaincy of the Australian team after lending support to a tour of South Africa. Rumours of a rebel rugby tour by Australian players were rife in June and July, and in August Messrs Slack and David Codey, the current Australian captain, visited South Africa to negotiate a rebel tour. They claimed 30 players were prepared to defy the threat of life bans by the ARFU. Amid threats of expulsion from the IRB and promises of a British tour in 1989, the

SARB refused to sanction the visit despite being petitioned by Springbok players. The vice president of the SARB, Professor Fritz Eloff, said that the SARB had to remain affiliated to the IRB to 'secure our future'. He said, 'The SARB might be able to organise one or two (rebel) tours but after that we would be in the wilderness and get nothing.'¹⁰³ [¹⁰³ *Ibid* 18 August] Mr Slack said that the SARB's decision 'showed a two-faced and gutless attitude' and said that he hoped there was 'never another tour of South Africa'.¹⁰⁴ [¹⁰⁴ *The Weekly Mail* 14 August] The IRB's secretary, Air Commodore Bob Weighill said that the IRB was 'delighted a crisis had been averted'.¹⁰⁵ [¹⁰⁵ *The Natal Mercury* 14 August] Upon their return to Australia, Messrs Slack and Codey were banned by the ARFU for 12 months but the ban was lifted after protests by other Australian players.

The Fijian government and the Fijian Rugby Union condemned the rebel South Pacific tour of South Africa and suspended the Fijian players pending an official inquiry. Two of the players were dismissed from their jobs with the Fijian navy. The manager of the team, Mr Arthur Jennings, a former New Zealand international, had been excluded from touring South Africa with the New Zealand team in 1967 because of his race. The tour was sponsored by the First National Bank (FNB), each player allegedly receiving R100 000.¹⁰⁶ [¹⁰⁶ *The Daily News* 8 August] Accusations were made that FNB sponsored the rebel tour to gain favour with the Afrikaner community following the Chris Ball/Munnik commission affair (see chapter on *Business*).¹⁰⁷ [¹⁰⁷ *The Weekly Mail* 11 September] The general manager of the FNB, Mr Jimmy McKenzie, said, however, that the bank sponsored the tour to acknowledge the 'good work the SARB was doing to intergrate blacks'.¹⁰⁸ [¹⁰⁸ *Ibid*] Mr Frank van der Horst, president of the South African Council on Sport, said the visit 'gave respectability to the evil apartheid system'.¹⁰⁹ [¹⁰⁹ *Ibid*] Mr Jennings was banned for life from the IRB for his role in organising the tour. He said, 'I feel like an unwanted child. What hurts is that the IRB does not seem interested in the purpose of the tour. That was to foster multiracial rugby in South Africa.'¹¹⁰ [¹¹⁰ *Sunday Times* 22 November]

Students from the University of the Witwatersrand disrupted a training session for the South Pacific team at the university. The use of the field by the rebel players was described by one student as an 'act of provocation'.¹¹¹ [¹¹¹ *The Weekly Mail* 9 October]

Following the match between South Africa and the South Pacific team at Ellis Park two spectators were killed by gangs of youths and the South Pacific team's bus was stoned. At a bail application hearing for those accused of one of the murders the prosecution alleged that the crimes were politically orchestrated and aimed at disrupting the tour.¹¹² [¹¹² *The Natal Mercury* 13 October] A police liaison officer. Lieutenant Pierre Louw, said, however, that the police could find no evidence to support the contention that the violence was political.¹¹³ [¹¹³ *The Weekly Mail* 16 October]

Soccer

In January the National Soccer League (NSL) cancelled National Panasonic's R125 000 sponsorship of

the Champion of Champions tournament allegedly because of National Panasonic's sponsorship of the rebel Australian cricket tour. Mr Abdul Bhamjee, public relations officer of the NSL, said that the NSL was not apolitical and had to take cognisance of its social responsibilities and political obligations.¹¹⁴ [¹¹⁴ *Sowetan* 25 February] Sponsorship contracts were subsequently signed with The South African Breweries (R525 000 over three years) and Adidas. Both companies declared they would not support rebel tours during the duration of the sponsorship. Deflecting criticism of Adidas's co-sponsorship of the rebel Australian cricket tour, the company's managing director, Mr Alain Rone, said that he had merely 'inherited a situation which had been greatly embarrassing'.¹¹⁵ [¹¹⁵ *The Citizen* 22 January]

An indoor soccer team from Portugal played a five-match series against a South African team during July. The tournament's organiser, Mr Andre Bruyns, said that the visit by Portuguese players was 'not a rebel exercise—the game being played is not football as defined'.¹¹⁶ [¹¹⁶ *The Weekly Mail* 10 July] The president of the South African Soccer Federation, Mr Rama Reddy, said, 'The issue is not indoor or outdoor, but the fight against apartheid.'¹¹⁷ [¹¹⁷ *Ibid*]

Squash

The multiracial junior development programme of the Squash Rackets Association of Southern Africa (SRA), which was sponsored by Royal Beech-Nut and Slazenger and began in 1983, continued to expand during 1987. By mid-1987 the SRA claimed that more than 18 000 children were involved in the programme at 450 clubs or schools countrywide. During 1987 the SRA divided the country into 42 regions and appointed regional administrators whose tasks included promoting the game among children in the townships.¹¹⁸ [¹¹⁸ Squash Rackets Association of Southern Africa, *Super C Junior Squash: Four years ahead*, undated circular]

Tennis

The South African Tennis Union announced a multiracial development programme sponsored by PG Glass Holdings (R250 000) and National Panasonic during the year. The programme included the building of 90 tennis centres throughout South Africa and hosting multiracial school championships.

Volleyball

A multiracial volleyball tournament was played on a whites-only beach in Port Elizabeth in April but black competitors were warned that they would not be allowed to swim at the beach. The town clerk, Mr P K Botha, said, however, that 'black competitors would be allowed to use the whites-only showers and lavatories during the event'.¹¹⁹ [¹¹⁹ *Cape Times* 25 March]

EMPLOYMENT

The Cost of Living

The inflation rate in 1987, as measured by the rate of increase in the consumer price index, was 16,1%, compared to a rate of 18,6% in 1986.¹ [¹ Central Statistical Service (CSS), Statistical news release, *Consumer Price Index*, P0141.1, December] The downward trend was a result of a decreasing production price index, a stronger rand, a stable fuel price and low home bond rates. Rising food prices still put upward pressure on the rate, however (see chapters on *Business* and *The Economy*).

The director of research at the Bureau of Market Research at the University of South Africa (UNISA), Professor Johan Martins, said in February that inflation had brought the average standard of living of white South Africans below what it had been in 1960. He referred to information supplied by the Central Statistical Service (CSS) which showed that a single person who earned R200 a month in 1960 had to earn at least R2 000 a month to maintain the same standard of living in 1987. The cost of education was 16 times higher in 1987 than in 1960, and to maintain a household was 14 times more expensive. A basket of food which cost R35 in 1960 cost R400 in 1987. Books were 18 times more expensive in 1987 than in 1960, which made the rise in the price of books higher than that of any other consumer article. Professor Martins said that between 1960 and 1970 prices had shown a moderate increase, but thereafter they had risen sharply.² [² *The Citizen* 9 February]

The Institute for Planning Research at the University of Port Elizabeth calculated the monthly household subsistence levels (HSLs) for an African family of six and a coloured family of five as follows:³ [³ Potgieter J F, *The Household Subsistence Level in the Major Urban Centres of the Republic of South Africa*, Institute for Planning Research, University of Port Elizabeth, September 1987]

Household subsistence levels

African HSL

Increase over

Coloured HSL

Increase over

September

September

September

September

1987

1986

1987

1986

R/month

R/month

Benoni

407,62

12,6%

-

-

Bloemfontein

439,62

13,4%

456,67

14,5

Boksburg

464,13

24,6%

-

-

Brakpan

456,31

20,4%

-

-

Brits

422,15

13,5%

-

-

Cape town

460,41

20,9%

471,10

19,6

Durban

441,45

18,0%

463,06

8,1

East London

432,38

20,7%

439,89

16,9

Germiston

464,57

21,5%

-

-

Johannesburg

474,73

21,6%

517,47

15,0

Kimberley

440,67

17,1%

483,31

19,5

King William's Town

408,53

20,2%

432,58

16,9

Krugersdorp

451,32

19,4%

-

-

Peddie

379,90

18,7%

-

-

Pietermaritzburg

197,78

14,8%

-

-

Port Elizabeth

434,83

17,1%

475,58

25,5

Pretoria

425,86

8,8%

542,80

16,3

Queenstown

439,45

21,8%

465,97

23,9

Springs

458,54

15,6%

-

-

Uitenhage

430,84

14,4%

343,32

22,2

Umtata

439,64

-

-

-

Vaal Tr

The institute defined the HSL as ‘an estimate of the theoretical income needed by an individual household if it is to maintain a defined minimum level of health and decency in the short term’. It was calculated at the lowest retail cost of a budget of necessities, including food, clothing, fuel, lighting, washing, cleansing, rent and transport. The institute made it clear that although the HSL indicated the cost of a theoretical budget, it did not suggest an adequate income because in practice one third would be diverted from the specified items to other immediate essentials. A more realistic minimum income level was the household effective level (HEL), which was 150% of the HSL.⁴ [⁴ Institute for Planning Research, *Background and Interpretation of the Household Subsistence Level*, University of Port Elizabeth (publication not dated)]

Industrial Relations Information Surveys released a survey in February 1988 which showed that a monthly income of R810 was needed to support a black family of five at a modestly low standard of living. According to the survey, the monthly amount of R810 allowed for the following: food R257,64, personal hygiene R16,53, household cleaning materials R16,86, fuel R13,21, rent R60, medicine R25, clothes R102,38, school R50, transport R62.62, hire purchase instalments R85 and discretionary income, for example, savings, insurance, sport, recreation, alcohol, tobacco and magazines, R120,48. The survey had covered 1000 wage earners living in 20 African, coloured and Asian townships throughout South

Africa.⁵ [5 Information supplied by Mr S Pennington, Industrial Relations Information Surveys, 15 March 1988]

Wages and incomes

According to the Central Statistical Service (CSS) the average monthly earnings of the different population groups in June 1985 and June 1986 in the non-primary sectors (ie excluding agriculture, domestic service and the mining sector) were as follows:

Average monthly earnings

African R/month

Asian R/month

Coloured R/month

White R/month

Everyone R/month

1985

423

765

552

1 531

809

1986

500

912

634

1 732

928

According to a study by the Actuarial Society of South Africa, published in October 1986, only 11% of South African households earned more than R1 400 a month, while 56% earned less than R400 a month.⁶ [6 The Actuarial Society of South Africa, *The Realities of Social Security in South Africa*, October 1986] Figures for 1987 and 1988 were not available.

Although the economics committee of the President's Council found that the average real wage of African workers had grown by 99,1% between 1970 and 1984, it also found that the average annual growth of the South African economy was 'so low' that the gross domestic product (GDP) per person dropped by 1,4%.⁷ [7 *Cape Times* 21 May]

UNISA's Bureau of Market Research reported that the 1,2m 'African single households' working in the metropolitan areas of South Africa earned R9 407m and spent R8 926m in 1985. Their income made up 59% of the total income and their cash spending 54% of the figure for all Africans in the country's metropolitan areas, although they represented only 29% of all Africans. According to the bureau, most of these 'single African households' were migrant labourers who were 'financially independent'. In 1985 the average annual income of African single households was R4 715 in the Pretoria/Witwatersrand/Vereeniging (PWV) area and R4 368 in other metropolitan areas.⁸ [8 *Eastern Province Herald* 19 October]

The Bureau for Economic Research (BER) at the University of Stellenbosch said in January 1988 that personal disposable income in the period from 1980 to 1987 had increased by an average of 1% a year, with a high of 8,2% in 1980 and a low of -4,1% in 1986. The bureau also said that if it was assumed that there was an average increase of 2,3% in the population every year, real personal disposable incomes had declined by an averaged 1,3% a year, 1980 having been the only year to show a substantial increase and 1986 being the worst year, with a decline of 6,3%. According to BER estimates, consumers had more money to spend (in real terms) during 1987 after a 'torrid time during the period beginning in 1981 and ending in 1986'. It anticipated that consumers would have even more money at their disposal during 1988.⁹ [9 Bureau for Economic Research, *Trade and Commerce*, University of Stellenbosch, January 1988]

See chapter on *The Homelands* for information about the KwaZulu Wage and Basic Conditions of Employment Act of 1985, which came into effect on 30 April 1987.

Wage settlements

In its annual report on collective bargaining trends, Andrew Levy and Associates stated that unionised black workers were the only section of South Africa's working population to achieve wage increases above the inflation rate in 1987. The report stated, 'While white salary increases have been put at 15% to

16% for 1987 by salary surveys, black unions are achieving settlement levels of 18% and higher for 1987. These settlement levels demonstrate the efficacy of COSATU's living wage campaign in 1987, which has been an important force in determining the high levels of settlement recorded and it must be anticipated that next year will see an increased effort going into this campaign.'¹⁰ [¹⁰ *The Citizen* 4 December]

The director general of manpower, Dr Piet van der Merwe, also commented on the level of wage settlements when he said in March 1988 that unions had achieved relatively high settlements in the second half of 1987, averaging just under 20%, which was well above the inflation rate for 1987 (see *The Cost of Living* above). He also said, however, that most strike action had ended in unions winning at best nominal improvements over employers' offers before the strikes. 'Managements seem to have acknowledged the strength of organised African labour and appear to have been prepared to pay a premium on wages as a cost of labour peace,' Dr Van der Merwe said.¹¹ [¹¹ Speech delivered by the director general of manpower, Dr P J van der Merwe, at the Management School of the University of Stellenbosch, 14 March 1988] The minister of manpower, Mr Pietie du Plessis, said in Parliament in March 1988 that of the 1 148 work stoppages in 1987, 1 128 involved African workers. Of the 1 128, 461 stemmed from wage demands.¹² [¹² Information supplied by the Progressive Federal Party, April 1988]

In July 1988 it was reported that wage settlement levels had begun to flatten out. Andrew Levy and Associates said that average wage rises as a percentage of payrolls were 13,7% in 1985, 15,5% in 1986, and 17,2 % in 1987. The figure stood at 19,7% in February 1988, dropping to 17,6% in June. The growing toughness and sophistication of companies' labour negotiators was putting a brake on their earlier propensity to settle quickly, Andrew Levy and Associates said. Strike activity also dropped in the first half of 1988 (see chapter on *Labour Relations*).¹³ [¹³ *Financial Mail* 22 July 1988]

The Manpower Profile

The following information was provided by the Department of Manpower concerning the number of Africans, coloured people and Asians in certain middle- and high-level occupational groups in South Africa (excluding the 'independent' homelands) over a 20-year period:¹⁴ [¹⁴ National Manpower Commission (NMC), *High-level and Middle-level Manpower in South Africa: Recent Developments*, June]

Blacks in certain jobs

Africans Asians and coloured people as proportion of all people in specified occupational groups

Occupational group

1965

1975

1985

Engineers

0,0%

0,5%

0,1%

Scientists

0,6%

3,7%

5,5%

Technicians, technologists

5,4%

11,7%

17,8%

Medical doctors

2,0%

5,7%

8,1%

Nurses

44,9%

58,5%

60,0%

Other paramedical

6,0%

6,0%

20,0%

Lawyers

0,9%

5,0%

6,0%

Educationists

56,2%

61,2%

63,0%

Architects, quantity surveyors

0,0%

1,2%

2,9%

Ministers, priests, missionaries

24,1%

38,2%

16,7%

Accountants, auditors

0,3%

4,5%

7,4%

Agriculturalists

27,0%*

4,0%

3,6%

Other professional

5,5%

8,8%

11,1%

Managing directors

3,6%

6,9%

3,9%

Other managers

1,7%

9,3%

6,0%

Administrators

1,3%

2,5%

5,1%

Total: High-level manpower

24,7%

30,4%

31,6%

Clerical workers

16,8%

27,7%

37,8%

Sales workers

13,4%

21,0%

30,6%

Mine workers

0,0%

0,0%

0,1%

Transport workers

24,5%

43,4%

51,3%

Supervisors

23,0%

31,0%

52,8%

Service workers

55,6%

60,1%

63,0%

Artisans and apprentices

11,5%

23,0%

28,5%

Total: Middle-level manpower

20,1%

30,7%

40,1%

*

The 1965 figures for agriculturalists includes all ten of the homelands, but they are excluded from

Economically active population (EAP)

The Central Statistical Service (CSS) provided the following figures for the economically active population (EAP) per race group for 1985, 1986 and 1987, excluding the Transkei, Bophuthatswana, Venda, and the Ciskei:¹⁵ [¹⁵ CSS, Statistical news release, *Population: Mid-year Estimates*, P0302]

Economically active population

1985

1986

1987

African

6 605 000

6 760 000

6 921 000

Asian

324 000

335 000

345 000

Coloured

1 142 000

1 164 000

1 184 000

White

1 982 000

1 995 000

2 009 000

Total

10 053 000

10 254 000

10 459 000

The Venda administration estimated that 85 357 people in the homeland were economically active in June 1987.¹⁶ [¹⁶ Statistical news release, *Current Population Survey: Venda -October 1987*, January 1988] Comparative figures for the other 'independent' homelands were not obtainable.

The group economics consultant of the Johannesburg Consolidated Investment Company, Dr Ronnie Bethlehem, gave the following figures for South Africa's employment structure (all ten homelands included):¹⁷ [¹⁷ Bethlehem R W, *Economics in a Revolutionary Society - Sanctions and the Transformation of South Africa*, Ad. Donker, 1988, p118]

Employment structure

Year

Skilled employment

Unskilled employment

Unemployment*

Total EAP

Number

Number

Number

(000)

(000)

(000)

1960

1 655

3 027

1 576

6 258

1970

2 233

3 935

2 278

8 446

1980

2 807

4 687

3 299

10 793

1985

2 879

4 842

4

Proportion of total

Year

Skilled employment

Unskilled employment

Unemployment*

TotalEAP

1960

26,4%

48,4%

25,2%

100%

1970

26,4%

46,6%

27,0%

100%

1980

26,0%

43,4%

30,6%

100%

1985

23,5%

39,5%

37,05%

100%

*

Including both subsistence agriculture and the informal sect

Unemployment

Defining unemployment

During the period under review the different definitions of unemployment were again under discussion. In a paper entitled *Technology, unemployment and poverty in South Africa*, Ms Anne Thompson remarked that estimates of unemployment and underemployment were difficult to make, and were very dependent on definitions of both employment and labour force participation.¹⁸ [18 Thompson A M, *Technology, Unemployment and Poverty in South Africa*, South African Institute of Race Relations, Cape western region, Mowbray]

The Central Statistical Service (CSS) used four criteria which had to be simultaneously satisfied for a person to be defined as unemployed: a male should be between the ages of 15 and 64 and a female between the ages of 15 and 59; he/she should have worked less than five hours in the last week; he/she should have looked for work in the last week; and he/she should be ready to start working within a

week.¹⁹ [19 *Report of the Committee for Economic Affairs of the President's Council on a Strategy for Employment Creation and Labour Intensive Development*, April, PCI/1987] Although Professor Charles Simkins of the School of Economics at the University of Cape Town considered these criteria to be 'fairly rigorous but not unreasonable', he said in May that the fact that there were such huge discrepancies between surveys suggested that it was almost impossible to determine how labour-absorptive the economy was.²⁰ [20 *Business Day* 15 May]

In October 1987 the CSS changed its sampling method, without, however, changing the underlying definition of unemployment, which, it said, was 'based on international recommendations'. Commenting on the new sampling method, the CSS said, 'The differences in the results of the old and new samples, but particularly the higher unemployment rate of the new sample, may largely be ascribed to the fact that a sample can become biased with time and thus no longer faithfully reflect the true picture. To update or redraw the sample of the Current Population Survey at shorter intervals is naturally impossible since complete and comprehensive basic population data are not available between population censuses.'²¹ [21 *Eastern Province Herald* 24 March]

The director general of manpower, Dr Piet van der Merwe, wrote in May, 'Government acknowledges the fact that the official unemployment figure does not include unemployment in the TBVC ['independent' homelands] or self-governing states and that it only reflects people who register voluntarily as unemployed in an attempt to be placed in jobs or, if they qualify, to receive unemployment insurance benefits under the Unemployment Insurance Act of 1966.'²² [22 *Business Day* 22 May]

Statistics

Estimates of unemployment depend, inter alia, on how the term is defined and on whether or not some or all of the ten homelands are included. They also depend on whether people engaged in subsistence agriculture or who earn a living from informal sector activities, such as hawking, are counted as employed or unemployed. Accordingly, they vary widely.

National

The CSS said in September 1987 that of the economically active population (EAP), 1 186 000 (17,9%) Africans, 36 000 (11,9%) Asians and 151 000 (14,0%) coloured people (excluding the 'independent' homelands) were unemployed. The CSS based its figures on the actual EAP in September and not on the mid-year estimates as quoted in the EAP table above. The unemployment rates were calculated according to the new expanded definition (see *Defining Unemployment* above).²³ [23 CSS, Statistical news release, *Current Population Survey*, P3042, P3043, P3044, September]

The Bureau for Market Research at the University of South Africa (UNISA) estimated the number of unemployed and underemployed Africans in South Africa (including the 'independent' and non-

independent homelands) to be 1,7m (23%) of the EAP.²⁴ [²⁴ *Financial Mail* 25 September]

In a report tabled in May, the committee for economic affairs of the President's Council (PC) said that in 1980 only 7,5m of the 10,8m workers in South Africa were employed in the formal sector. According to the report, it could be assumed that the other 3,3m workers had therefore either been accommodated by the informal sector or subsistence agriculture, or were unemployed. The committee said that although it found it difficult to determine precisely the extent of the unemployment problem, it agreed that 'the absolute extent of unemployment is unacceptably high and that it has increased during the past two years as a result of cyclical unemployment'. Geographically, unemployment was also unevenly distributed, the committee said.²⁵ [²⁵ *Report of the Committee for Economic Affairs of the President's Council on a Strategy for Employment Creation and Labour intensive Development*, April, PC 1/1987]

Dr Bethlehem estimated on the basis of National Manpower Commission statistics that 4,5m people were unemployed in 1985 (including the ten homelands). This amounted to 37% of the EAP (see *Employment Structure* table above). Dr Bethlehem said that unemployment had been rising steadily. The figure in 1960 was 25%, he said. Dr Bethlehem pointed out that his unemployment figures included both rural agriculture and the informal sector, for which no reliable data existed. Since the figures defined unemployment in a very broad way they had to be treated with caution. Dr Bethlehem further pointed out that unemployment among skilled workers had remained low by international standards and that such unemployment was highly correlated with the business cycle. A failure of economic growth and demographic factors had dominated unemployment among unskilled workers.²⁶ [²⁶ Bethlehem R W, *Sanctions and the Growth Requirements of the South African Economy*, address to Johns Hopkins Foreign Policy Institute, Washington DC, 10 May 1988]

It is not known what proportion of the people without jobs in the formal sector of the economy are employed or self-employed in the informal sector, which includes black taxi drivers, shebeen owners, hawkers, peasants, and various other people. According to Dr Ben Vosloo, chief executive of the Small Business Development Corporation, as many as 500 000 small businesses in South Africa, providing an income base for 3,5m people, could be unrecorded.²⁷ [²⁷ *Business Day* 3 February 1988] The size of the informal sector has been estimated at equivalent to between 10% and 40% of gross domestic product.²⁸ [²⁸ *Ibid* 22 July 1988]

Professor Jeremy Keenan of the Department of Social Anthropology at the University of the Witwatersrand, and Mr Mike Sarakinsky of the Development Studies Research Programme at the same university, in 1988 estimated total unemployment for Africans (including unemployed people in the 'independent' homelands) to be between 5,5m and 6,1m. They defined unemployment as the difference between people who are economically active and the people with formal jobs. In estimating the total number of people employed, they left out people involved in subsistence agriculture and the informal sector. These people are thus included in their unemployment figure. They claimed, 'Unemployment in South Africa has increased dramatically over the last decade, both in absolute terms and in its duration'.²⁹ [²⁹ Information from forthcoming publication supplied by M Sarakinsky, March 1988]

'The extent of the employment crisis is startling,' Messrs Iraj Abedian and Barry Standish of the School of Economics at the University of Cape Town said in an article in *Indicator South Africa*. According to them, aggregate estimates of national unemployment varied from a conservative 1,5m to a level as high as 4m. They said that approximately 50% of the potential EAP in the homelands was without work, and in 1984 estimates suggested that 39% of males and 54% of females in rural areas had been without work for more than two years.³⁰ [³⁰ Abedian I and Standish B, 'Public Works Programmes: Challenging Unemployment and Poverty', *Indicator South Africa* vol 4 no 3, Summer]

An economist of Rand Merchant Bank described work opportunities for school-leavers and graduates as being 'exceptionally weak' during the period under review. He said that he was especially worried about the plight of unskilled and semi-skilled blacks.³¹ [³¹ *Sunday Times* 4 January 1988]

The Congress of South African Trade Unions (COSATU) claimed in April that for every unemployed male worker in South Africa, three women were without work.³² [³² *The New Nation* 30 April]

Urban

The employment index of Market Research Africa (MRA) estimated in February that one in four metropolitan Africans aged 16 and over did not have a job and was looking for full-time employment. According to the index, about 856 000 unemployed Africans were seeking full-time employment and a further 108 000 were unemployed and looking for part-time work. MRA said that unemployment was worst among those under 34 years of age. An estimated 304 000 unemployed people between 16 and 24 years of age were looking for full-time work, and of those unemployed who were between 25 and 34 years of age, a further 313 000 were seeking full-time employment. Of the adult urban Africans who had jobs, 1,1m (800 000 men and 300 000 women) were employed full time, while a further 125 000 had part-time employment but were looking for full-time employment. The manager of MRA's omni division, Ms Angelique Amado, said, 'The employment trend is still downwards and it is clear that the improvement in business confidence has not yet filtered through in the form of increased job opportunities.' The figures provided by MRA were based on 1 000 interviews conducted with Africans in urban areas (excluding Cape Town) in November 1986.³³ [³³ Information supplied by Market Research Africa, May 1988; *The Natal Mercury* 27 February]

Regional

According to the Venda administration, 26,2% of the EAP or 22 390 people were unemployed in September 1987.³⁴ [³⁴ Statistics Department Venda, Statistical news release, *Current Population Survey*, September] Recent official figures for the other independent homelands were not obtainable.

In a survey conducted in Port Elizabeth (eastern Cape) by the Bureau for Market Research at UNISA, it was found that 46% of the male members of households between the ages of 20 and 64 were

unemployed in 1985. The survey also showed that the African woman was playing a more important role as the breadwinner and that the number of households with a woman at the head was increasing. In 1985, 29% of households had women at the head, compared with 18% in 1970.³⁵ [³⁵ *The Citizen* 23 March]

According to a report by the Employment Research Unit of Vista University, 14 000 more Africans and 6 000 more whites and coloured people were employed in the residential area of Port Elizabeth/Uitenhage in July 1987 than in July 1986. Survey figures showed that the unemployment rate among Africans had dropped from 56% in July 1985 to 54,3% in August 1986 and to 46,1% in July 1987.³⁶ [³⁶ Levin M and Horn G S, *The Unemployment Rate of Blacks in Metropolitan Areas: 1987*, Research Report No 7, Employment Research Unit, Vista University]

Unemployment for greater Cape Town was 'conservatively estimated at 18% (or 180 000 people)', the chairman of the Cape Town City Council's executive committee, Mr Richard Friedlander, said in his New Year message for 1988.³⁷ [³⁷ *Cape Times* 29 December]

Projections

The committee for economic affairs of the PC projected an increase in the surplus of labour in South Africa (excluding the 'independent' homelands) to 7,9m by the year 2000 at an economic growth rate of 3,1%. At an economic growth rate of 4,4%, the surplus would be 5,8m workers, 'which will still be more than 30% of the workforce'.³⁸ [³⁸ *Report of the Committee for Economic Affairs of the President's Council on a Strategy for Employment Creation and Labour Intensive Development*, April, PC 1/1987]

The director of the Institute for Futures Research at the University of Stellenbosch, Professor P H Spies, said that if the performance of the South African economy over the past 13 years was to be repeated in the next 13 years, only 45% of the EAP would be able to find work by the year 2000. Under these conditions about 67% of the economically active African population in South Africa (including the 'independent' homelands) would be without employment in the formal economy. Most of these Africans would be living in and around urban areas. 'The prognosis is clearly not acceptable and it only serves to emphasise the need for a major rethink of South Africa's options and action programmes,' Professor Spies said.³⁹ [³⁹ *The Star* 22 June]

The minister of manpower, Mr Pietie du Plessis, held discussions with the ministers of manpower of the 'independent' homelands in October on measures to counter growing unemployment in southern Africa. At a press conference after the discussions he said that it was predicted that between 5m and 6m people in South Africa would be unemployed by the year 2000.⁴⁰ [⁴⁰ *The Citizen* 16 October]

Implications of unemployment

The executive director of the Institute for a Democratic Alternative for South Africa, Dr Alex Boraine, cited the lack of job opportunities as one of the most significant causes of the disturbances in the townships. He said, 'Hand in hand with spiralling unemployment is the increasing number of black matriculants coming on to the job market, and could there be anything more frustrating after battling against all odds to stay at school than to find that there are no vacancies? Unemployment fans the flames of anger and resentment.'⁴¹ [⁴¹ *Business Day* 27 February]

At COSATU's second national congress, it was argued that the vast numbers of unemployed workers were also useful to 'vigilante and other anti-democratic forces' in that 'elements used to wage organised national attacks against COSATU were mainly drawn from the ranks of the unemployed'. It was also alleged that their 'major struggles have been broken by employers recruiting scabs from the reserve army of the unemployed'.⁴² [⁴² Congress of South African Trade Unions, second national congress, July 1987]

Possible causes of unemployment

In March the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, claimed that Africans were losing their jobs 'in droves' because of disinvestment. 'Now we all are being faced with the facts of what was obvious to me a long time ago: disinvestment is hurting black workers. Black workers are losing their homes. It is the families of black workers who are starving,' he said.⁴³ [⁴³ *The Citizen* 12 March] Chief Buthelezi claimed in July 1988 that 60 000 jobs had been lost because of the withdrawal of foreign capital and another 120 000 lost through production cutbacks arising from loss of overseas markets.⁴⁴ [⁴⁴ *Business Day* 22 July 1988]

A report issued by the Trade Policy Research Centre, a privately funded institute based in London, said that broad economic sanctions against South Africa could increase black unemployment by as much as 14%.⁴⁵ [⁴⁵ *The Citizen* 1 May]

Dr Bethlehem said that sanctions, if they brought growth to a halt, could push up the expected number of jobless people in the year 2000 from 7,9m to 9,8m.⁴⁶ [⁴⁶ *Finance Week* 15-21 October]

Professor Keenan and Mr Sarakinsky of the University of the Witwatersrand claimed that the argument that sanctions and disinvestment were direct causes of increased unemployment, poverty, misery and starvation was 'fundamentally flawed'. This argument, they said, was based on the assumption that investment necessarily created jobs. According to them, investment and the introduction of new types of machinery and production techniques tended to raise productivity (output per worker) but did not necessarily create new jobs, and 'may even render some workers redundant'. Because investment did not necessarily create jobs, they claimed, sanctions and disinvestment did not necessarily create unemployment. Professor Keenan and Mr Sarakinsky said that some sanctions might actually stimulate employment 'as in the case of the oil and arms embargoes which have indirectly created thousands of jobs through SASOL and ARMSCOR'.⁴⁷ [⁴⁷ Information from forthcoming publication supplied by M Sarakinsky,

March 1988]

Mr Du Plessis, in reply to an accusation that the present unemployment crisis had been caused by government policies which had led to sanctions, said in Parliament in September 1987, 'I also want to point out that up to now sanctions have not had a significant effect on unemployment in South Africa. The problem with unemployment in South Africa is mainly structural. That means that the population growth of 2,2% per annum is one of the highest population growths in the world. In order to accommodate new entrants to the labour market the economy must grow at a rate of at least 5% per annum. Nowhere in the world is it possible for an economy to grow on a constant basis over a long period at a rate of 5% per annum.'⁴⁸ [⁴⁸ *Hansard* (R) 15 col 3288, 21 September]

Every ten professionals who emigrated left 44 South Africans unemployed, said Professor Jan Sadie of the Department of Economics at the University of Stellenbosch in February. According to Professor Sadie, the presence of professionals was a precondition for the employment of lower-level workers (see *Skills and skills shortages* below).⁴⁹ [⁴⁹ *The Citizen* 3 February]

Possible remedies for unemployment

In January it was reported that the government, in view of its concern about the unemployment crisis among the unskilled, had stopped foreign recruitment campaigns. The Department of Home Affairs said that it was tracing illegal immigrants and was liaising with the Department of Manpower to assess which categories of professional and skilled people were still required from abroad (see *Migrant Workers and Commuters* below). The report also said that the Department of Manpower was training the 'up-and-coming' labour force in skilled and semi-skilled jobs, many of which would normally have been filled by recruiting foreigners.⁵⁰ [⁵⁰ *Sunday Times* 4 January] 'There is no doubt that large numbers of job seekers are crossing our borders, particularly from Mozambique. They are taking jobs from unemployed South Africans. They are accepting low wages because they are in a weak bargaining position,' Dr Van der Merwe said in October. He claimed that other factors, apart from illegal immigrants, which were threatening jobs included 'the revolutionary onslaught, uncertainties over the future, high population growth, population movement to the cities since the abolition of influx control and international sanctions against South Africa'.⁵¹ [⁵¹ *The Natal Witness* 18 October] At a seminar on unemployment in September, he also mentioned the youthful age structure of the African population, low education levels and structural imbalances in the economy which reduced the number of jobs 'even at the peak of the business cycle', as other 'unique' factors which aggravated the unemployment problem. He said, however, that it was the government's view that it was primarily the task of the private sector, not the state, to create employment opportunities.⁵² [⁵² *Financial Mail* 25 September]

Professor Duncan Innes, a lecturer in sociology at the University of the Witwatersrand, warned that the unemployment problem could not be solved without the support of organised labour. There was a perception in the unions that employers had an interest in the existence of a large pool of unemployed to

resort to, in order to depress wages and break strikes. In 'many cases,' he said, 'the trade unions see the government and employers as benefiting from unemployment. The unions are not easily convinced that ideas put forward by the government and employers to solve the problems, are in the interest of workers.'⁵³ [⁵³ *The Star* 17 September] According to Professor Innes COSATU saw the solution of the unemployment problem in a ban on overtime, in free and increased unemployment benefits payable in 'South Africa' and in discussions between management and employees about plans to introduce new technology.⁵⁴ [⁵⁴ *Financial Mail* 25 September]

In April the committee for economic affairs of the PC released a report entitled *A Strategy for Employment Creation and Labour-Intensive Development*.⁵⁵ [⁵⁵ *Report of the Committee for Economic Affairs of the President's Council on a Strategy for Employment Creation and Labour Intensive Development*, April, PC 1/1987] The committee made the following remarks about unemployment in South Africa:

- the surplus of 3,3m workers in 1980 outside the formal sector indicated that there was a substantial imbalance between employment creation in the modern sector and the supply of labour;
- although it was difficult to determine the precise extent of the unemployment problem, the absolute extent of unemployment was 'unacceptably high';
- the unemployment problem was mainly of a structural nature and it could be alleviated but not solved by a cyclical upswing in the economy; and
- the undesirable aspect of unemployment in South Africa was that it affected certain population groups more than others, although the extent of this problem could not be exactly determined.

Demographic pressures, increasing urbanisation, inadequate or insufficient education and training, a shortage of savings for capital formation, political and social tension, and international sanctions were factors which were regarded as having a substantial effect on employment creation.

The committee said that the South African economy was characterised by an increasing preference for capital over labour as a production force. The committee considered this inclination towards capital deepening as 'undesirable'. The following causes of capital deepening were identified by the committee:

- sanctions;
- wage increases out of proportion to increases in labour productivity, which could lead towards a bias towards capital-intensive industrial development;
- frequent strikes and work stoppages, and regular worker action (especially in conditions where the workplace was politicised in the absence of 'acceptable means of political expression'), which could be

bad for employment-creating growth; and

- improved productivity, which might lead to lower levels of employment.

The committee said that an employment-creation strategy should:

- be integrated and national;
- not result in the loss of employment opportunities in other areas or sectors;
- aim at permanent employment creation;
- be designed to maximise economic growth; and
- encourage maximum private sector participation.

It was stated in the report that the committee regarded the aim of high economic growth as very important, because, it said, there was a definitive positive relationship between employment creation and growth.

The committee's main recommendation was that a new strategy should be developed for employment creation integrated into a policy aimed at economic development. According to the suggested strategy:

- the highest priority should be given to the goal of high economic growth as a basis for the strategy of employment creation;
- vocational as well as non-formal education should be extended;
- a programme of public works should be launched using labour-intensive production methods;
- the decentralisation policy should be reconsidered;
- a dynamic small business sector should be able to make an important contribution to employment-creating economic development;
- the informal sector should be encouraged to expand rapidly so as to 'provide a decent livelihood for those who fail to be accommodated in the modern sector and in subsistence agriculture'; and
- housing, irrigation, agriculture and the tourist industry should all be exploited as major sources of job

creation.

This new strategy, the committee said, should be co-ordinated by a minister in the office of the state president. The committee also asked the government to respond to its recommendations in a white paper.

Although the report was generally considered ‘a commendable first step towards addressing the problem in some detail’, it was also criticised in many circles. A civil engineer at the Development Bank of Southern Africa, Mr M JS Cobbett, questioned the omission of the ‘independent’ homelands from the analysis and recommendations.⁵⁶ [⁵⁶ Cobbett M J S, The President’s Council Report of the Committee for Economic Affairs on a Strategy for Employment Creation and Labour-Intensive Development’, *Development South Africa*, vol 4 no 4, November]

Organising the jobless

A co-ordinating committee, the National Unemployed Workers Coordinating Committee (NUWCC), was formed by different unemployment organisations in January 1987. The formation of the NUWCC took place at COSATU’s Johannesburg offices. The education co-ordinator of the committee, Mr Rob Rees, said, ‘We will co-operate with all groups that have similar aims as we have and work within the same boundaries as defined by the COSATU resolution of 1985.’ In terms of the COSATU resolution on unemployed workers a national trade union for unemployed workers should be formed (see chapter on *Labour Relations*).⁵⁷ [⁵⁷ *Sowetan* 20 January] To prepare the groundwork for the formation of such a union, the NUWCC would liaise with organised groupings of jobless workers and would also be organising workers outside formal groupings.⁵⁸ [⁵⁸ *The New Nation* 15 January] Mr Rees said that the committee wanted co-operatives to be set up, campaigns for new jobs, a 40-hour week, a ban on overtime without pay, and the revamping of the Unemployment Insurance Fund (UIF). The committee would be operating in the whole of South Africa, ‘including rural and so-called homeland areas, where the unemployment rate was the most disturbing’.⁵⁹ [⁵⁹ *Sowetan* 20 January]

Black employment agency

The first employment agency to operate from an African township was opened in May in Vosloorus (east Rand). The director of the new Vosloorus Employment Agency, Mr Corley Mashego, said, ‘We want to cut down the rate of unemployment and to help find jobs for the unemployed.’⁶⁰ [⁶⁰ *The Star* 19 January]

Unemployment insurance

Legislation

In July the minister of manpower, Mr Pietie du Plessis, said that the Unemployment Insurance Board had appointed a subcommittee to review all provisions of the Unemployment Insurance Act of 1966 on a continuous basis and regularly to make relevant recommendations.⁶¹ [⁶¹ *Hansard* (D) 7 col 1597, 30 July]

The Unemployment Insurance Amendment Act of 1987, which was gazetted on 2 September, was aimed at bringing about uniformity in the conditions laid down for the different types of benefits that could be paid out. In the light of special job-creation and training programmes for the unemployed (see *Job creation* and *Training* below), the amendment act made provision for unemployed people who were undergoing training for employment under any scheme to claim unemployment benefits in certain circumstances. In the past a contributor to the unemployment insurance fund (UIF) was not regarded as being unemployed during any period when he or she was undergoing training. The amendment act also:

- extended the qualifying period for maternity benefits. Benefits would be payable for pregnancy and confinement for 26 weeks from the date on which a woman contributor became unemployed. In the past maternity benefits could be paid to women for 18 weeks prior to the date of birth of a child and for eight weeks after the date of birth of a live-born child;
- made provision for the payment of adoption benefits; and
- provided for the payment of death benefits to widowers of deceased women contributors. Previously only widows and invalid widowers qualified for death benefits.⁶² [⁶² *Government Gazette* no 10889, 2 September]

Mr M Naranjee MP (National People's Party) said in Parliament that the bill should be welcomed as it was an improvement 'much to the benefit of the worker'.⁶³ [⁶³ *Hansard* (D) 7 cols 1597-1598, 30 July]

On 23 October the Unemployment Insurance Second Amendment Act of 1987 was gazetted. This amendment act made it obligatory for contributors who, in any period of 52 consecutive weeks had received benefits for 26 weeks or longer, to go through the normal procedure of applying for unemployment benefits again.⁶⁴ [⁶⁴ *Government Gazette* no 11009, 23 October]

Statistics

During 1986 record payouts were once again made by the UIF. Details compared with other years were as follows:⁶⁵ [⁶⁵ Department of Manpower, *Unemployment Insurance Fund Report 1986*, July]

Unemployment insurance fund

1984

1985

1986

Number of contributors

- employers

125 448

131 806

130 036

- employees

4 907 322

4 104 191

4 625 191

Total contributions (Rm)

166,8

189,5

392,2

Benefits paid out (Rm)

- unemployment

104,8

219,4

271,7

- illness

35,9

44,6

47,5

- maternity

41,1

45,3

27,3

- dependents of deceased contributors

14,1

15,8

20,0

Total paid out

196,0

325,1

386,5

Amount in fund at 31/12 (Rm)

251,0

157,0

171,4

Mr Du Plessis said that as at 31 December 1986, a total of 130 036 employers were registered with the

UIF.⁶⁶ [⁶⁶ *Hansard* (A) 5 q col 208, 16 June] He also said that 1 262 employers were warned in 1985 for failing to keep their employees' UIF cards up to date but no one was prosecuted, while in 1986, 4 638 employers had been prosecuted for failing

Administration

In answer to a question in Parliament, Mr Du Plessis said, 'The UIF succeeds in finalising claims for unemployment benefits in the case of the majority of applications within 30 days after unemployed contributors apply for benefits, provided such applications meet with all the qualifying requirements laid down in the Unemployment Insurance Act.' He said that after the initial payment, further payments were effected on a 'strict 28-day basis'. In September 1987, at least 115 000 beneficiaries were being paid different types of benefits to the amount of approximately R33m on a four-weekly basis.⁶⁸ [⁶⁸ *Hansard* (D) 14 q cols 271-272, 17 September]

'Independent' homelands

Of the 4 625 191-workers contributing to the fund in 1986, 265 713 were from the Transkei, 154 693 from Bophuthatswana, 24 822 from Venda and 65 051 from the Ciskei. These contributors were all contract workers or commuters 'who entered the Republic of South Africa for purposes of employment', the UIF annual report for 1986 said. According to the Department of, Manpower, contributions from the citizens of the 'independent' homelands were paid by the central government into the various unemployment insurance funds established in the 'independent' homelands.⁶⁹ [⁶⁹ Department of Manpower, *Unemployment Insurance Fund Report 1986*, July]

The following amounts were paid out to the four 'independent' homelands in respect of UIF contributions by 'citizens' of these homelands in 1986 and the first half of 1987:⁷⁰ [⁷⁰ *Hansard* (A) 6 q cols 243-244, 22 June]

UIF contributions by citizens of 'independent' homelands

1986

1987(1.1.87-31.5.87)

R

R

Bophuthatswana

8 449 456,54

4 551 840,31

Ciskei

3 936 117,29

2 122 938,34

Transkei

17 671 974,52

9 729 611,18

Venda

1 491 528,32

760 426,71

Total

31 549 076,67

17 164 816,54

In December 1987 it was reported that an unemployed Ciskei citizen was stranded because of the government's policy of paying homeland 'citizens' their unemployment benefits in their places of origin only. The Black Sash said that the man, Mr Gotyana, was eligible for unemployment pay and had been making his contributions in Port Elizabeth (eastern Cape) since he started working there in 1971. After losing his job and registering with the Department of Manpower in Port Elizabeth in September, he was told to go 'home' and collect the money. 'He did not want to go back to Ciskei because he says there are no jobs there. And even if he did, he does not have the money. Now he is left with no job, no money and orders to go to Ciskei to fetch money that he is entitled to and has paid for in Port Elizabeth,' the Black Sash said. The unemployment insurance commissioner, Mr Jack Scheepers, said that unless Mr Gotyana had permanent residence in South Africa, there was no alternative for him but to return to the Ciskei to draw his benef

Job creation

According to the director general of manpower, Dr Piet van der Merwe, the biggest economic problem facing the country for the rest of the century would be job creation. The problem had been and would be intensified by the low productivity of the South African workforce and the high inflation rate. He quoted estimates that between 1985 and the year 2000 at least 3,5m jobs would have to be created to accommodate people entering the job market. 'This is the absolute minimum because it does not provide for those who are now unemployed or underemployed,' he said. These estimates also did not take into account the people who made a living traditionally from agriculture and who would have to be accommodated because of structural changes and urbanisation. Dr Van der Merwe said that should the needs of these three groups also be kept in mind, the actual demand for new jobs could be 'more or less doubled'.⁷² [⁷² *The Citizen* 19 January]

The R600m special employment creation programme (see 1985 *Survey* p138 and 1986 *Survey* Part 2 p723) launched by the government in September 1985 to alleviate unemployment resulted in more than 300 000 people being given temporary jobs (see *Training* below). In a report commissioned by the Department of Manpower, the Development Bank of Southern Africa said that this kind of programme should be regarded as a temporary special programme and should not be continued. The government's special employment creation programme had begun addressing long-term issues with short-term measures 'in an unplanned, uncoordinated fashion', the bank said. According to the bank, the structural causes of South Africa's severe unemployment problem would have to be addressed by long-term planning.⁷³ [⁷³ *Ibid* 7 July, *Business Day* 7 July]

Dr Van der Merwe said in March 1988 that the Department of Manpower had 'succeeded in suitably placing' 112 612 job seekers from the introduction of the programme to the end of November 1987.⁷⁴ [⁷⁴ Speech delivered by the director general of manpower, Dr P J van der Merwe, at the Management School of the University of Stellenbosch, 14 March 1988]

According to a study by the Human Sciences Research Council (HSRC), the informal sector was not an important creator of jobs. The study found that 37% of respondents in a survey of the informal sector worked without assistance and 47% relied on family labour (see chapter on *Business*).⁷⁵ [⁷⁵ *Business Day* 20 October]

New technology would at first cause friction between management and labour, but 'underneath it, new technology will lead to new wealth and new jobs', suggested a senior lecturer at the Business School at the University of the Witwatersrand, Mr John Ford. He said that training departments would have to ensure that workers maintained a high enough level of understanding and ability to use the new technology.⁷⁶ [⁷⁶ *Ibid* 30 September]

Skills and skills shortages

Speaking at a meeting of the human resources professions in February, the executive director of the Institute for a Democratic Alternative for South Africa (IDASA), Dr Alex Boraine, said that one of the main reasons why the South African economy was not growing at a satisfactory rate was the lack of skilled workers. In the economically active group only 1,6% of whites had not completed more than primary school, Dr Boraine said. However, 84% of Africans, 24,7% of Asians and 59% of coloured people fell into this category. He added that it was calculated that 32 000 whites had only primary education, but that 6,36m Africans were in this category. 'If we total all South Africa's manpower at 10,8m, 30% are to be regarded as having no education at all, another 36% have primary schooling only, secondary schooling accounts for 31% and diplomas and degrees for 3%,' he concluded.⁷⁷ [⁷⁷ Ibid 27 February]

There was an urgent need to equip vast numbers of people with basic skills for viable subsistence in the informal sector, said the chairman of Federale Volksbeleggings, Mr Kerneels Human. Speaking at the annual convention of the Institute of Personnel Management in September, Mr Human said that should an economic growth rate of 3,1% per year be achieved, 44% of the total labour force (or 8m people) would have to find work outside the formal economy by the year 2000.⁷⁸ [⁷⁸ Ibid 9 September]

The 'brain drain'

South Africa's 'brain drain' continued during the period under review, but according to figures supplied by the Central Statistical Service, fewer economically active people left South Africa in 1987 than in 1986:⁷⁹ [⁷⁹ CSS, Statistical news release, *Tourism and Migration*, P0351, December]

Emigrants by occupation

Year

Occupation

1986

1987

Professional, semi-professional and technical

2 312

1 973

Managerial, executive and administrative

523

524

Clerical and sales

1 285

921

Transport delivery and communications

23

32

Service

159

97

Farming and related

52

30

Artisan, apprentice and related

-

547

Production foreman and supervisor, miner quarry worker, operator, production and related worker

964

110

Unspecified and not economically classified

260

310

Total: economically active

5 578

4 544

Total: not economically active

8 133

6 630

Grand total

13 711

11 174

In February 1988 the minister of home affairs, Mr Stoffel Botha, supplied the following information for 1987 concerning emigrants and immigrants in specific job categories:⁸⁰ [*Financial Mail* 4 March 1988]

Emigration and immigration in professional, semi-professional and technical occupations in 1987

Categories

Emigrants

Immigrants

Doctors and specialists

93

52

Dentists and dental specialists

13

8

Medical personnel (excluding doctors and dentists)

274

142

Attorneys and advocates

51

1

Legal personnel (excluding attorneys and advocates)

8

2

Architect and town planners

28

10

Social workers

11

5

Quantity surveyors

21

9

Scientists

133

86

Engineers

481

351

Mathematical and computer scientists

131

65

Accountants and economists

222

64

Educationalists

253

91

Religious personnel

45

48

Authors

34

16

Art and design personnel

45

36

Art and performing arts personnel

37

31

Sportspeople

7

9

Professional, semi-professional and teaching p

In 1987, 4 544 economically active people left the country while 3 468 immigrated to South Africa. This gave a net loss of 1 076 economically active people compared to the loss of 2 493 people in the same group in 1986.⁸¹ [⁸¹ CSS. Statistical news release, *Tourism and Migration*, P0351, December]

Responding to a questionnaire compiled by the Department of Journalism and Media Studies at Rhodes University, 53% of 476 males indicated that they contemplated emigrating. Of this percentage 19% said that they would definitely leave after their studies and 34% said that they were considering it. Of the 53%, 56% were fully or partially motivated by opposition to conscription. Two thirds of the 19% who were definitely leaving indicated that they were motivated by a desire to avoid military service.⁸² [⁸² *Business Day* 3 December]

In July it was reported that there was particular concern about the large numbers of accountants emigrating because 'the drain of potential business leaders among the accountants could have long-term adverse consequences for the economy'. The head of the Department of Accounting of the University of the Witwatersrand, Professor M D S Steele, said that the majority of chartered accountancy graduates who emigrated had left only after receiving their national service call-up papers. According to Professor Steele, one of the serious consequences of the drain in accountants would be the development of a gap

between top management and clerical staff.⁸³ [⁸³ Ibid 9 July]

Management and professional skills shortage

The factor most constraining economic growth in South Africa was the serious and growing shortage of skills at all levels of management, said the director of P E Corporate Services, Mr Martin Westcott, in May. He added. 'This is aggravated by the brain drain, which can be expected to increase after a severe swing to the right in our politics.' Mr Westcott said that the government and the private sector would need to invest in management training because the ratio of one supervisor to 45 workers in South Africa 'underlines the fact that South Africa is essentially a labour-intensive economy lacking competent supervisors'.⁸⁴ [⁸⁴ *The Citizen* 19 May] The head of the Business School at the University of South Africa (UNISA), Professor Nic Wiehahn, also said in May that the 'brain drain' had resulted in some of South Africa's best managers leaving the country. He attributed the 'brain drain' largely to political pressures on South Africa, and the academic and information boycott against the country.⁸⁵ [⁸⁵ Ibid 25 May]

At the current rate of economic growth. South Africa would need 116 000 new managers by the year 2000, said the former leader of a free enterprise project at the University of South Africa, Mr Christo Nel, in May. According to him, the South African business community would have to increase its efforts to develop African managers, because the maximum number of whites that could be expected to develop as managers was 40 000.⁸⁶ [⁸⁶ *Business Day* 25 May]

An assistant general manager of First National Bank (formerly Barclays National Bank), Mr Colin Hunt, said in May that it was unacceptable that whites, who made up only 15% of the South Africa's population, should hold 95% of the managerial positions. He said that so-called 'equal opportunity companies' should not only give people equal rights, but should also provide them with the tools so that they could have the same opportunities.⁸⁷ [⁸⁷ *The Star* 20 May]

Estimates put the shortage of qualified chartered accountants at more than 7 000 by the turn of the century. Of the 11 000 qualified chartered accountants in South Africa in April only ten were Africans. It was predicted that fewer would qualify in the next few years because the number of Africans registered under articles had dropped from 20 in 1985 to nine in 1986.⁸⁸ [⁸⁸ *Cape Times* 19 March]

Training

According to the National Manpower Commission (NMC), the government believed that the training of workers was primarily the responsibility of the employer and that the state should be involved mainly in a supportive capacity.

In 1986, 736 000 people completed or were engaged in some or other formal training course. This group

formed about 7% of the economically active population. The NMC said in its annual report, 'Although this is a considerable number, it does not mean enough is being achieved in the field.'⁸⁹ [⁸⁹ NMC, *Annual Report 1986*, March 1987]

Artisan training

The number of new apprenticeship contracts registered in 1986 in the different industries and trades was as follows:⁹⁰ [⁹⁰ *Hansard* (A) 4 q cols 421-422, 23 February]

Number of new apprenticeship contracts registered in 1986

Industry/trade

African

Asian

Coloured

White

Total

Aerospace

3

-

2

182

187

Automobile manufacturing

24

2

18

73

117

Building

41

27

161

276

505

Coal mining

7

-

-

17

24

Diamond cutting

-

-

-

13

13

Electrical contracting

-

-

-

4

4

Electricity supply

-

-

6

289

295

Explosives and allied industries

14

1

6

118

139

Furniture

1

9

31

18

59

Government undertakings

-

-

14

249

263

Hairdressing

6

7

25

537

575

Jewellers and goldsmiths

-

-

1

19

20

Local authority (N Tvl) -

-

-

-

56

56

Metal engineering

258

168

250

2 693

3 369

Mining and building

169

6

30

1 765

1 970

Motor

23

59

114

919

1 115

Printing

5

19

54

203

281

South African Transport Services

1

-

-

565

566

Sugar manufacturing

21

19

5

17

62

Tyre and rubber manufacturing

9

2

10

18

39

Walvis Bay

-

-

-

1

1

Total

582

319

727

8 032

9 660

Total 1985

666

5

The downward trend from 1982 to 1985 in new registrations of apprentices continued during 1986 and 1987. The decrease occurred among all population groups, the NMC said in its annual report for 1986, but particularly among coloured people and Asians. Of the new registrations, 83% were white. The report said that in the light of the large number of Africans at technical institutions (nearly 8 000 in 1985 and 10 000 in 1986) more African apprentices than the 600 on average who registered annually, were expected. It was 'not clear whether the relatively low numbers should be ascribed to a lack of interest, prejudice among employees or other artisans, or economic conditions'.⁹¹ [⁹¹ *NMC, Annual Report 1986*, March]

During 1987, 8185 apprenticeship contracts were registered, bringing the total number in operation at the end of that year to 25 689.⁹² [⁹² *Hansard* (A) 3 q cols 33-34, 19 February 1988]

Owing to the decreasing number of new registrations the number of valid contracts (people undergoing artisan training) was also decreasing. This had in turn caused a decrease in the number of apprentices achieving artisan status. The figures from 1984 to 1986 are as follows (percentage changes indicated in brackets):⁹³ [⁹³ *NMC, Annual Report 1986*, March 1987]

Artisan training

1984

1985

1986

New registrations

12 661

11 573 (-8,6%)

9 660 (-16,5%)

Valid contracts

37 130

33 752 (-9,1%)

29 826(-11,6%)

Artisan status achieved

11 306

12 933(-14,4%)

11 769 (-9,0%)

Because new registrations and the number of valid contracts had shown a downward trend for a number of years, it could be expected that even in the event of an economic upswing the number of apprentices that achieved artisan status would continue to decrease for some time, the NMC said. Should a significant economic revival take place, shortages of these types of workers would undoubtedly become a serious problem 'once again'.⁹⁴ [⁹⁴ Ibid]

In a white paper tabled in Parliament in February the government reacted to recommendations of a joint Human Sciences Research Council (HSRC) and National Training Board (NTB) investigation into the training of artisans. The two main recommendations supported by the Department of Manpower were:⁹⁵ [⁹⁵ Department of Manpower and of Public Works, *White Paper on the Joint Report of the Human Sciences Research Council and the National Training Board on the Investigation into the Training of Artisans in the Republic of South Africa, with Comments, Standpoints and Decisions of the Government on the Recommendations*]

- the present apprenticeship training scheme should be converted to a system of modular competency based on training; and
- artisan training boards should be established to control training, 'providing that the partnership of industry, employers, employees and the state is maintained'.

The minister of manpower, Mr Pietie du Plessis, said that from the investigation it appeared that the existing system of artisan training no longer complied with the needs of industry

In-service training

The NMC said in its annual report that there were ‘quite a number of state-aided programmes for the in-service training of employees’. These were:

- group training centres established by a group of employers and controlled by a corporate body;
- private training centres introduced by an employer for the training of own and other employees;
- private training schemes introduced by an employer for the training of own employees;
- training schemes introduced by a group or an association of employers not subject to industrial council control and where a compulsory levy system was applicable according to section 29 (4) of the Manpower Training Act of 1981; and
- training schemes in terms of Industrial Court agreements, according to section 48 of the Labour Relations Act of 1956.

The following numbers of people were trained in the different programmes in 1984, 1985 and 1986:⁹⁷ [⁹⁷ *NMC, Annual Report 1986*, March 1987]

In-service training

Year

Type of training

1984

1985

1986

Group training centres

12 700

15 750

12 599

Private training centres

201 004

129 759

126 347

Private training schemes

256 141

155 562

132 968

Training schemes (s39(4) of MTA*)

17 266

14 197

7 149

Training schemes (s48 of LRA**)

13 749

9 040

9 570

Total

500 860

324 308

288 633

*

Manpower Training Act

**

Labour Relations Act

The NMC supplied two main reasons for the dramatic decline in the number of people involved in in-service training. Tax concessions for training had been less favourable since September 1984 because they were made applicable only to people earning less than R15 000 a year and because government subsidies for training had declined from 85% to 50%. The economic recession was also quoted as a reason for why fewer people were t

Training of the unemployed

The Department of Manpower's programme for the training of unemployed people continued during the period under review (see 1985 *Survey* p1381; 1986 *Survey* Part 2 pp723–724 and *Job creation* above). A sum of R106m was made available for this purpose during the 1986/87 financial year. By September 1987, R225m had been spent on the scheme since its inception in June 1985. During 1986, 407 257 unemployed people were trained in basic skills, and, in March 1988, the director general of manpower, Dr Piet van der Merwe, said that 720 000 people had been trained under the programme from its launch to the end of 1987. In 1985, 53 901 unemployed people had been trained. The figures for workseekers trained in terms of section 36 of the Manpower Training Act, were as follows: 9 250 in 1984, 12 748 in 1985 and 10 311 in 1986.⁹⁹ [⁹⁹ *NMC, Annual Report 1986*, March 1987; speech delivered by the director-general of manpower, Dr P J van der Merwe, at the Management School of the University of Stellenbosch, 14 March 1988]

The chief director of training at the Department of Manpower, Mr R Dykman, said in September that 34% of the 600 000 people who had undergone training in the two years since the launch of the programme had found employment immediately upon completing their courses. The NMC report said that the true proportion of those who found employment was unknown because the Department of Manpower had no record of people who entered the informal sector. Of the 600 000 people trained in two years, 30% were women.¹⁰⁰ [¹⁰⁰ *The Star* 16 September] The training programmes had also meant employment for about 5 000 instructors 'who would otherwise have been unemployed', Dr Van der Merwe said.¹⁰¹ [¹⁰¹ *Business Day* 15 September]

Job reservation

Statutory job reservation has, over the last decade, been systematically repealed. In 1987 legislation repealing job reservation in the mining industry—the last statutory job reservation measure—was passed, but would ‘come into operation on a date to be fixed by the state president’. Regulations to control the entry of persons to the jobs in question had not been passed by the end of 1987, but were gazetted in July 1988 (see *Mining* below).

There was evidence, however, that non-statutory job reservation was still widespread in industry. ‘Qualitative aspects, in particular employee attitudes, determine how much progress can be made in the advancement of black employees,’ said Professor K B Hofmeyr of the School of Business Leadership at the University of South Africa and Dr P G Human of the Graduate School of Business at the University of Cape Town in September. They pointed out that a survey of 306 South African managers showed that senior management and English-speaking respondents appeared to be consistently more positive about blacks in organisations than middle management and Afrikaans-speaking people (see also chapter on *Business*).¹⁰² [¹⁰² Ibid 30 September]

Productivity

According to the director of the National Productivity Institute (NPI), Dr Jan Visser, productivity in South Africa was not growing rapidly enough to ensure an improvement in the standard of living. He said, ‘Between 1972 and 1985 the gross domestic product (GDP) per employee in the non-agricultural sectors of the economy increased at an average of 0,6% a year. Compare this to Japan, where GDP per employee increased on average by 3,1% a year. More frightening is the fact that South Africa’s GDP per capita decreased by 0,2% a year between 1972 and 1985. In the same period, GDP per capita increased annually by 6,2% in Taiwan, by 1,3% in the UK and by 2,3% in Japan. In GDP per capita terms South Africa is not even moving in the right direction.’¹⁰³ [¹⁰³ Ibid 25 May] According to the NPI, South Africa’s gross national product per capita decreased by 2,05% between 1981 and 1986.¹⁰⁴ [¹⁰⁴ Speech delivered by the director general of manpower, Dr P J van der Merwe, at the Management School of the University of Stellenbosch, 14 March 1988]

The director general of manpower, Dr Piet van der Merwe, said in September that ‘the performance of the South African economy, especially in terms of employment productivity, has not been satisfactory in recent years’. He said that some of the factors which contributed to this were the oil crisis in the 1970s, worldwide recession, severe droughts and disinvestment and sanctions.¹⁰⁵ [¹⁰⁵ *Financial Mail* 25 September] Speaking at the Management School of the University of Stellenbosch in March 1988, he said that the number of mandays lost because of strikes rose from 1,3m in 1986 to 5,8m in 1987. There were 793 strikes in 1986 and 1 148 in 1987.¹⁰⁶ [¹⁰⁶ Speech delivered by the director general of manpower, Dr P J van der Merwe, at the Management School of the University of Stellenbosch. 14 March 1988]

Migrant workers and commuters

At the annual congress of the National Union of Mineworkers (NUM) held in March 1987 (see chapter

on *Labour Relations*) it was decided that if mine employers did not immediately begin to negotiate about bringing to an end the migrant labour system, control of South African mines would be seized. The union voted in favour of a strike should control of single-sex tribally segregated mine hostels not be handed over to 'democratically elected hostel supervisors'.¹⁰⁷ [¹⁰⁷ *Sowetan* 2 March]

Addressing a conference organised by Business International Corporation in London on strategic options for international companies, the executive director of the South African Institute of Race Relations, Mr John Kane-Berman, said that the migrant labour system was one of the areas where employers could take 'pioneering action' on the ground to bring about change. He stressed that eliminating migrant labour did not mean dismissing migrant workers but making it possible for their families to move to town with them. In the light of the repeal in 1986 of the pass laws, Mr Kane-Berman said, new possibilities had opened up. Also, unions were beginning to take up the issue of migrancy. Employers could 'steal a march on the government by planning jointly with black unions to identify ways in which action could be taken to enable the families of migrants to move with them to their places of work if they wished to do so'.¹⁰⁸ [¹⁰⁸ 'Alternatives to Disinvestment', speech by John Kane-Berman, London, 27 May 1987]

The group consultant (industrial relations and public affairs) of the Anglo American Corporation of South Africa (Anglo), Mr Bobby Godsell, linked the hostel system to the problem of intimidation experienced on mines. He said, 'When you have up to 7 000 people in a single-sex hostel, a hundred or fewer men intent on control could exercise almost complete control. The hostel system was the architect of mob rule.'¹⁰⁹ [¹⁰⁹ *The Star* 22 August]

Statistics

The minister of home affairs, Mr Stoffel Botha, said that the following numbers of Africans from South Africa (including all homelands) and foreign countries were registered as workers at 30 June 1986 in the categories of labour defined in regulations made under the Black Labour Act of 1984 (percentage changes over June 1985 are given in parentheses):¹¹⁰ [¹¹⁰ *Hansard* (A) 4 q cols 128-136, 10 June]

Workers registered in terms of the Black Labour Act: June 1986

Bophuthatswana

Ciskei

Transkei

Venda

Agriculture

31 584

(-18,6)

5 141

(-9,6)

35 716

(-12,1)

8 677

(15,5)

Construction

24 879

(-29,2)

13 126

(-16,6)

33 866

(-25,2)

6 192

(-21,0)

Domestic service

70 061

(-11,3)

20 082

(-2,7)

28 395

(5,4)

5 776

(-21,2)

Electricity

9 388

(-3,3)

2 815

(2,5)

13 660

(19,3)

3 832

(9,6)

Financing /insurance

7 235

(-12,8)

1 500

(-22,8)

10 128

(-67,2)

1 693

(-2,9)

Manufacturing

49 339

(0,7)

17 884

(-13,6)

21 855

(-14,2)

6 085

(-11,2)

Mining

72 581

(3,5)

21 955

(1,7)

164 740

(-5,9)

5 103

(3,1)

Transport

25 930

(-5,9)

4 474

(-20,5)

9 977

(-15,0)

5 283

(-7,8)

Wholesale /retail

32 904

(-30,2)

10 553

(-4,5)

11 708

(-12,5)

7 107

(-10,8)

Other

24 464

(-29,1)

6 844

(-11,8)

17 789

(-19,5)

5 647

(-30,6)

Total

348 365

(-12,8)

104 374

(-8,0)

338 834

(-9,7)

55 395

(-13,9)

SA excluding TBVC*

Agriculture

171 272

(-2,7)

Construction

151 603

(-24,4)

Domestic service

189 873

(-7,7)

Electricity

50 082

(0,4)

Financing/insurance

21 616

(1,7)

Manufacturing

235 357

(-13,4)

Mining

116 313

(3,8)

Transport

107 350

(-9,5)

Wholesale/retail

175 645

(-13,7)

Other

146 033

(-4,5)

Total

1 365 144

(-9,7)

Angola

Botswana

Lesotho

Malawi

Agriculture

2

(-33,4)

1 511

(-7,4)

1 960

(32,9)

2 419

(-37,7)

Construction

4

(100,0)

661

(-4,8)

6 540

(22,0)

373

(-1,6)

Domestic service

5

(-68,8)

1 107

(6,7)

2 206

(-27,7)

2 132

(-47)

Electricity

0

(-100,0)

591

(1,7)

2 002

(40,6)

174

(30,8)

Financing /insurance

0

(00,0)

160

(0,6)

303

(0,3)

200

(5,7)

Manufacturing

1

(-50,0)

1 064

(-0,7)

4 595

(-4,1)

798

(-27,6)

Mining

0

(100,0)

21 686

(3,0)

116 147

(-2,3)

23 507

(16,3)

Transport

1

(-50,0)

547

(,2)

1 408

(6,7)

532

(-4,7)

Wholesale /retail

2

(00,0)

520

(-0,4)

1 429

(14,0)

626

(2,3)

Other

7

(-50,0)

397

(-25,1)

1 603

(-19,6)

650

(-21,2)

Total

22

(-50,0)

28 244

Mozambique

Swaziland

Zambia

Zimbabwe

Agriculture

5 935

(-17,5)

1 132

(-43,1)

125

(-43,0)

705

(0,4)

Construction

797

(77,5)

166

(-69,2)

38

(-5,0)

234

(9,4)

Domestic service

847

(3,3)

1 364

(33,5)

186

(-13,1)

3 670

(-2,8)

Electricity

34

(100,0)

97

(14,1)

4

(33,3)

55

(22,2)

Financing /insurance

93

(1,1)

79

(00,0)

21

(10,5)

269

(-4,6)

Manufacturing

595

(-22,2)

1 342

(-33,1)

72

(**,0)

356

(-8,7)

Mining

63 707

(10,0)

16 629

(5,5)

1 743

(7 162,0)

114

(11,8)

Transport

337

(31,1)

376

(53,5)

50

(-10,7)

669

(-4,8)

Wholesale /retail

443

(8,9)

468

(88,0)

76

(11,8)

625

(-,2)

Other

398

(-47,6)

261

(-7,1)

106

(-10,2)

577

(-0,2)

Total

73 186

(6,6)

21 914

(-1,5)

2 421

(190,6)

7 304

(-1,7)

1984

1985

1986

Total South Africa (including TBVC*)

2 446 980

2 464 801

2 212 112

Total classified foreigners

280 188

297 010

302 695

Total unclassified foreigners

71 072

73 998

75 430

*

Transkei, Bophuthatswana, Venda and Ciskei

The above figures included migrants and commuters, citizens of various homelands and foreign countries living in white-designated areas, and also some people with permanent urban residence rights and South African citizenship who registered voluntarily under the act.

It was estimated that there were more than half-a-million people classified as 'aliens' living in the Cape Peninsula. Mr L Hartmann of the Cape Town Chamber of Commerce quoted this figure in June when introducing a motion calling on the government to confirm that all citizens of the 'independent' homelands would have the right to live and work in South Africa permanently. The motion was carried unanimously.¹¹¹ [¹¹¹ *Cape Times* 20 June]

In August the Chamber of Mines of South Africa confirmed an International Labour Organisation (ILO) claim that South African gold mines employed 200 000 fewer foreign workers than in the early 1970s. An ILO researcher, Mr Fion de Vletter, said that the proportion of foreign workers in South Africa's gold mines had dropped from 80% in 1973 to 40% and was set to fall to 25% of the total gold-mining workforce within five years. He attributed the drop in the number of foreigners to a higher gold price, which enabled wages to be increased to make mining much more attractive to South African Africans; and political developments which resulted in the temporary drying up of labour from Malawi and Mozambique.

An official of the chamber said that the mining industry would not assume what was going to happen: 'The South African mining industry has a century of close association with the people of countries such as Lesotho, Malawi and Mozambique, whose skills and contributions are highly valued. The industry would not likely abandon its relationships

In January 1988 the president of the chamber, Mr Naas Steenkamp, said that although South Africa had pity for workers from Mozambique, increasing unemployment as a result of sanctions would lead to a policy of privileged employment at the cost of migrant workers from neighbouring states. He said that of the 750 000 people employed in the mining industry, 90% were African, of which 40% came from 'poor countries' such as Mozambique and Lesotho. 'The mining industry means an emergency line of R1 milliard for those countries,' Mr Steenkamp said.

Repatriation

After a blanket ban on Mozambican labour was issued by the government in October 1986 (see 1986 *Survey* Part 2, pp731–732), the chamber had reportedly negotiated a ‘temporary deal’ with the government in January 1987 which would save the jobs of at least 30 000 of the estimated 60 000 Mozambican miners in South Africa. The ban on the recruitment of novices still remained, but skilled and semi-skilled miners (those employed in categories four to eight) were exempted. People in unskilled categories with more than seven years’ service on the mines were also exempted. Mines where Mozambican workers comprised more than 20% of the workforce in grades one to three would be able to phase these workers out over three years. Provision was also made for special cases, such as paraplegics, who would be retained on compassionate grounds. In a study by the ILO it was found that 59% of foreign workers were employed in job categories four to eight, and that 71% of workers in these categories were foreign.¹¹³ [¹¹³ *The weekly Mail* 16 January]

The assistant general secretary of the National Union of Mineworkers (NUM), Mr Marcel Golding, said that although the union partially welcomed the government’s decision, it believed ‘that all Mozambican workers should be given the right to continue working in South Africa because over the years they have contributed to the national wealth of this country’.¹¹⁴ [¹¹⁴ *The Star* 16 January]

In October the government agreed in principle to renew the work permits of about 13 000 Mozambican farmworkers legally employed in South Africa. Their contracts would have expired in November. The director general of manpower, Dr Piet van der Merwe, said that this decision followed discussions between his department, the Department of Home Affairs and representatives of the farming community.¹¹⁵ [¹¹⁵ *Business Day* 7 October]

In February it was reported that inspectors from the Department of Home Affairs had ordered the removal of 553 people from South Africa. This was seen as the beginning of a renewed campaign to rid the country of an estimated 1,3m ‘illegal workers’. Employers were reminded by circular that severe penalties for employing ‘illegal aliens’ existed and they were given guidelines on how to check for themselves whether their staff were all legal. ‘Legal workers’ were defined as workers in possession of a South African or Namibian passport, identity document (ID) or reference book; or workers from neighbouring countries who held a grey ID book and had entered the country before July 1963 and had lived in South Africa ever since. Other foreign workers should have a valid travel document and permit or endorsement authorising them to be employed by their company.

Citizens from the ‘independent’ homelands were exempted from the restrictive provisions of the Aliens Act of 1937 if they had valid travel documents endorsed to the effect that they were permitted to live in South Africa, and a ‘call-in card’ issued by the labour authorities in their own homelands.¹¹⁶ [¹¹⁶ *Biz-news*, February I] Contraventions of the Aliens Act, the circular reminded employers, could result in fines of up to R5 000 or two years’ jail.

In February 103 000 employers had acknowledged receipt of the letters.¹¹⁷ [117 *Business Day* 15 February] The director general of home affairs, Mr Gerrie van Zyl, said in March that the campaign to repatriate a maximum of the estimated 1,3m 'illegal' foreign blacks was 'speeding up' and that it 'would be intensified in the months ahead'.¹¹⁸ [118 *Ibid* 4 March]

In December the Department of Home Affairs said that its campaign to 'trace illegals', which was launched in February 1987, 'had been successful and would be continued into the next year'. The department's inspectorate had visited nearly 89 000 employers since February, examining employment registers and employees' documents. Mr Van Zyl said that 10% of the holders of nearly 300 000 documents inspected were working in the country illegally. During 1987, 63 employers were prosecuted and fines of up to R2 000 were imposed. Admission-of-guilt fines for knowingly employing illegal workers ranged up to R99.¹¹⁹ [119 *The Natal Mercury* 11 December]

The minister of home affairs, Mr Stoffel Botha, gave the following figures for the number of people arrested as 'illegal immigrants' and repatriated in 1986 and 1987 in terms of section 16 of the Admission of Persons to the Republic Regulation Act of 1972:¹²⁰ [120 *Business Day* 15 February 1987; *Hansard* (A) 4 q cols 206- 207, 2 March 1988]

Arrested and repatriated illegal immigrants

1986

1987

Botswana

7 289

2 669

Lesotho

2 596

3 308

Malawi

35

99

Mozambique

19 081

26 870

Swaziland

671

1 349

Tanzania

3

1

Zaire

2

1

Zambia

1

1

Zimbabwe

2 538

3 124

Gambia

—

1

Total

32 2

In its 1986 report, tabled in Parliament in June 1987, the National Manpower Commission (NMC) quoted a study by the Bureau for Economic Policy and Analysis at the University of Pretoria which 'showed that despite economic, administrative and policy problems, immigration had historically been accompanied by more social benefits than social costs'. The NMC said, however, that the use of immigration to supplement labour in South Africa could no longer be justified except in the case of high-level manpower from foreign sources. 'South Africa could do a great deal more to reduce its dependence on immigration through the optimal application and training of available sources,' the report said. It recommended that the Department of Home Affairs obtain representations on the immigration issue from employers and employees, as well as from population groups other than whites and that it investigate incentives to assist immigration.¹²¹ [¹²¹ *Eastern Province Herald* 25 June]

Acquired Immune Deficiency Syndrome (AIDS)

Of the 2 324 people identified as Acquired Immune Deficiency Syndrome (AIDS) carriers (see chapter on *Health*), 946 (40,7%) were African miners, the minister of national health and population development, Dr Willie van Niekerk, said in Parliament in July 1987.¹²² [¹²² *Hansard* (A) 7 q col 448, 31 July] He confirmed that all workers from other African countries coming to work in South Africa were tested for AIDS. By June of the period under review seven cases of clinical AIDS had been diagnosed and 940 persons were found to have positive blood tests for AIDS. The minister said that AIDS cases were handled like any infectious disease and that people with the positive blood tests were 'hospitalised, clinically examined and rigorously counselled'. He added, however, that the cabinet had requested the chamber to repatriate all foreign miners with positive blood tests.¹²³ [¹²³ *Hansard* (A) 6 q cols 265-267, 23 June]

In July Dr Van Niekerk said that blanket testing had not yet been undertaken and would not be undertaken for all migrant labourers already in South Africa. Responsibility for medical tests of mineworkers lay with the mining companies, he said.¹²⁴ [¹²⁴ *Ibid*] However, in May it was reported that blanket testing had been instituted for mineworkers from 'high-risk' countries such as Malawi.¹²⁵ [¹²⁵ *Cape Times* 11 May] On 3 September 1987 Dr Van Niekerk announced that the Department of National Health and Population Development had prepared draft regulations whereby provision was made for the identification of any infectious disease, including AIDS and Human Immuno-deficiency Virus (HIV) contamination, and for the 'isolation and compulsory medical treatment of such sufferers or carriers'. He also said, 'The department has also deliberated with the Department of Home Affairs to take suitable steps in terms of its alien-control legislation and regulations, to remove such persons from the Republic

of South Africa.’¹²⁶ [126 Press statement by the minister of national health and population development, Dr Willie van Niekerk, 3 September] On 30 October these regulations were gazetted when AIDS and HIV infection became ‘diseases the affliction with which will render a person a prohibited person’.¹²⁷ [127 *Government Gazette* no 11014, 30 October]

Mr Golding said in response to Dr Van Niekerk’s announcement that the solution to the AIDS problem did not lie in the repatriation of migrant workers, but in providing proper counselling and medical facilities. ‘The question of whether a worker should return home should be decided by him and his family.’ The general secretary of the National Council of Trade Unions (NACTU), Mr Phiroshaw Camay, said that the government’s proposal was discriminatory because it appeared to be aimed only at workers from African countries. Mr Camay said, ‘There is a responsibility on the government to give affected people medical treatment, and not send them to countries which have no facilities.’

The mining industry accepted that the government had a duty to control the spread of infectious diseases, but ‘the chamber and the health authorities have for some time been discussing the problem of AIDS carriers among mine employees and the desirability of counselling them and retaining them in employment’, the president of the chamber, Mr Naas Steenkamp, said in September.¹²⁸ [128 *The Star* 4 September] The Progressive Federal Party (PFP) said that it would give its unqualified support to the new measures only if they were executed humanely, ‘as the medical profession demands’. The party’s health spokesman, Dr Marius Barnard, said that he ‘could not fault the minister’s statement on the isolation and treatment of AIDS patients’.¹²⁹ [129 *Business Day* 4 September]

A report entitled *AIDS: Proposals for Action* by War on Want, a charity based in London, claimed that South Africa faced a widespread epidemic of AIDS among its black population. In the report South Africa was described as one of the countries most vulnerable to AIDS. ‘As migrant workers travel, it [the AIDS virus] will be disseminated throughout the country,’ the report claimed. Cities such as Johannesburg, Cape Town, Durban, Port Elizabeth and Pretoria would ‘undoubtedly provide large reservoirs of the virus,’ the report stated. A leading South African researcher on the AIDS virus, Professor Walter Becker, reacted as follows to the predictions in the report, ‘There is a definite danger in this but that danger has been recognised and the state health authorities have taken positive preventative steps to avoid the further spread of the virus into the South African population. However, such preventative action takes time to implement and control measures cannot be introduced overnight.’¹³⁰ [130 *Cape Times* 11 May]

At the third international AIDS conference in Washington DC, Dr Brian Brink of the chamber said that mineworkers migrating to South Africa from countries to the north were bringing the AIDS virus with them to South Africa. The closer their country of origin was to central Africa, the likelier they were to be infected with the disease, Dr Brink said. Dr Brink’s findings were based on a study of 30 000 migrant mineworkers who were tested for the virus. Of the 3 165 Malawians tested, 4% were found to have positive blood tests for AIDS, which indicated that one in 25 Malawians in South Africa or 1 000 out of the total of 20 000 Malawians had been exposed to AIDS.¹³¹ [131 *Sunday Times* 7 June]

The mining industry had the potential of becoming an 'AIDS positive pool', said the chairman of the advisory group on AIDS, Professor Jack Metz, at an international conference on AIDS in Johannesburg in September. Professor Metz said that miners in mine hostels lived in an abnormal sexual environment, because the migrant labour system prevented contract workers from living with their wives. Deprived of 'normal' sexuality with their wives, the men sought contact with prostitutes and 'a certain incidence' of homosexuality took place among them. Professor Metz added that a tenth of all African miners in hostels contracted some sort of sexually transmitted disease each year.¹³² [¹³² *The Citizen* 11 September, *City Press* 13 September]

Accommodation

In April it was reported that migrant mineworkers at several Anglo American Coal Corporation (AMCOAL) mines had moved their wives or girlfriends into single-sex hostels. Attempts by senior officials from the chamber and mine management to stop the 'occupation' of hostels were reported to be 'unsuccessful'. A representative of AMCOAL, Mr Mark Smith, said that 'a small number of employees' wives spent the weekend in the collieries' hostel accommodation', but that the majority had returned to their homes. Mr Golding said that the occupation was the first step 'in the fight to bring an end to the migrant labour system and hostel life'.¹³³ [¹³³ *The Weekly Mail* 3 April] Later in April it was reported that the NUM had threatened to take strike action if its demands for 'decent family housing' were not met.¹³⁴ [¹³⁴ *City Press* 5 April]

In March 1987 it was reported that Anglo had drawn up a new housing policy 'for its administered mines to enable employees to live with their families in their own homes in a normal society if they so choose'. The company said, 'Successful implementation of this programme will depend on the availability of land for proclamation and the provision of infrastructure such as roads, schools and hospitals and, to this extent, a high degree of government co-operation will be necessary. In addition, further reforms such as the repeal of the Group Areas Act will be necessary.'¹³⁵ [¹³⁵ *Business Day* 31 March] Anglo announced in September that 24 000 houses would be constructed over the following few years for African workers and their families.¹³⁶ [¹³⁶ *Ibid* 22 September] Mr Golding contended that the figure of 24 000 houses was insignificant if it was taken into account that Anglo employed 180 000 people. He criticised the exclusion of foreign migrants from the scheme and said that 'Anglo did not have to accept meekly' the government ruling that families of foreigners would not be permitted to settle in South Africa.¹³⁷ [¹³⁷ *Ibid* 25 September]

In his annual review AMCOAL's chairman, Mr Graham Boustred, said that the migratory labour system had become 'untenable' and that 'in view of this, AMCOAL's housing policy is being reviewed to determine the best way in which employees can be given the opportunity of living with their families near their place of work' (see chapter on *Housing*).¹³⁸ [¹³⁸ *The Star* 19 May] He called for the constraints limiting the number of African employees permitted to live with their families on or adjacent to mine

property to be removed.¹³⁹ [¹³⁹ *Business Day* 28 May]

Rand Mines said in May that the company was at an advanced stage in developing a programme to enable more of its African workers to live with their families in their own homes. The chairman and managing director of Rand Mines, Mr D T (Dammy) Watt, said, 'The settlement of employees in permanent family housing is an essential step towards creating a more stable community and work life for all South Africans.'¹⁴⁰ [¹⁴⁰ *Ibid* 20 May]

The general secretary of the NUM, Mr Cyril Ramaphosa, said that African miners wanted housing to be provided on the same basis as their white counterparts rather than the special home ownership schemes for Africans as proposed by some companies. These proposals, he said, were unacceptable as only a small proportion of miners earned enough to afford the houses.¹⁴¹ [¹⁴¹ *Ibid*]

Addressing the annual general meeting of the chamber, Mr Peter Gush, the immediate past president of the chamber, said that the mining industry would continue to pursue the matter of housing for migrant workers with the government. He also said, 'Programmes are being initiated to allow African South African employees to own married accommodation in proclaimed townships near the mines, but there is a limited amount of serviced land available and not more than 3% of the labour force can legally be accommodated on mine property. This will become an increasing problem as the skills profile of African workers change.'¹⁴² [¹⁴² Gush E P, Presidential Address, Chamber of Mines, June]

The Soweto City Council announced in May that all hostels for single men and migrant workers in Soweto were to be demolished before the end of 1987. The hostels would be replaced by 20-storey flats which would include shops, schools, swimming pools and other recreational facilities. The town clerk of Soweto, Mr Nico Malan, said that the hostels would be transformed by a private company and would be a non-profit making venture. Mr Malan said that the complex would be developed for married couples and single people under sectional title.¹⁴³ [¹⁴³ *City Press* 29 May]

Although the minister of constitutional development and planning, Mr Chris Heunis, said in May 1986 that his department did not 'consider conditions in the single-quarter accommodation to be satisfactory', he said a month later that two more single-sex hostels for migrant workers would be built during the 1988/89 financial year because a 'demand for accommodation of persons on a single basis exists at Pietersburg and Hoedspruit'. In August 1987 it was also reported that existing hostels at Lwandle (near Somerset West and The Strand in the western Cape) were to be upgraded at a cost of R3,8m. Mr Heunis said that the municipalities of Gordons Bay and The Strand, as well as the divisional council of Stellenbosch were in favour of upgrading Lwandle as a single-sex hostel, while the Somerset West municipality was in favour of the provision of family housing.¹⁴⁴ [¹⁴⁴ *Business Day* 13 August]

Earnings

A research report published in October by the Bureau of Market Research at the University of South

Africa (UNISA) claimed that African people in the category 'single households' earned R9,4bn in 1985. According to the report, most of the African single households were migrant labourers. While single households altogether represented only 29% of all Africans in South Africa's metropolitan areas, their income made up 59% of the total income and their cash expenditure 54% (R8,9bn) of the total spent by Africans in these areas. The average annual income of African single households in the Pretoria/ Witwatersrand/ Vereeniging areas in 1985 was R4 715, compared to an estimated R4 368 in other metropolitan areas. Of these single households, hostel residents had the highest average income of R5 226 per year. In 1985 African single households sent an estimated R489m in cash to their dependants and saved a further R191m, 'most of which was presumably also taken home to their families'.¹⁴⁵ [¹⁴⁵ Ibid 27 October]

Employment According to Sector

According to the Central Statistical Service the following number of people were employed in the different sectors of the economy in June 1986 and June 1987:¹⁴⁶ [¹⁴⁶ CSS, Statistical news releases, *Mining, Quarrying, Manufacturing, Construction, Electricity, Transport and Communication, Public Authorities, Banking Institutions, Building Societies, Insurance Companies, Universities and Technikons and Wholesale, Retail and Motor Trade, Control Boards and Hotels*, P0242.1, P0251, P0262, and P0244, September]

Employment according to sector

<i>Sector</i>
1986
1987
Change*
Construction**
294 400
300 100
1,9%
Electricity
63 800

56 850

-10,9%

Finance***

159 730

161 351

1,0%

Manufacturing

1 316 200

1 325 800

0,75

Mining

756 637

759 433

0,4%

Public sector*****

N/A

1 669 834

—

Trade and catering*****

740 500

751 800

1,0%

Total

—

5 025 168

—

N/A

Not available

*

In this and subsequent tables the percentage change has been calculated on revised 1986 figures, and not those given in the 1986 *Survey*

**

Including civil engineering and building construction

Including baking, building societies and insurance companies

Including central government, provincial administrations, civil services of the 'independent' homelands, local authorities, parastatal institutions, universities and technikons, government trade establishment, agricultural marketing boards, and public corporations

Including wholesale trade, retail trade, motor trade and hotels

The figures exclude agriculture and d

Agriculture

Manpower

A plea for agriculture to rethink its policies and attitudes towards mechanisation in the light of the high and growing levels of unemployment in South Africa was made in August by the deputy minister of economic affairs and technology, Mr George Bartlett. He said that he believed that the level of mechanisation of agriculture in a developing country should be inversely proportional to that country's level of industrialisation. He cited the example of the sugar farmers in South Africa, who had decided 24 years ago not to mechanise. Currently, he said, about 20 000 cane cutters were employed in the industry, productivity had reached a high level and the capital cost of replacing workers with machines would probably amount to R100m.¹⁴⁷ [¹⁴⁷ *Business Day* 25 August]

Eastern Transvaal farmers were told in October that the work permits of about 12 800 Mozambican farmworkers would be renewed until November 1988. The renewal of the permits followed representations to the government by farmers for exemption from the decision in October 1986 to repatriate all Mozambican migrants (see 1986 *Survey* Part 2 pp731–732 and *Migrant Workers and Commuters* above). Farmers told the government that they had no other adequate source of labour.¹⁴⁸ [¹⁴⁸ *Ibid* 14 October]

Wages and other working conditions

Over 900 workers were reported to have been evicted from their farm plots following three work stoppages held by almost the entire workforce of a Richmond (Natal) farm, Sapekoe, in protest against 'poor living conditions' and wages of R55 a month. The workers, who were organised by the Food and Allied Workers' Union (FAWU), reportedly worked an 11-hour day during which they received only one meal. After their talks with management had reached deadlock, 900 workers were evicted. The evictions were challenged in the Natal Provincial Division of the Supreme Court (Pietermaritzburg) as farmworkers were not covered by the Labour Relations Act of 1956 and therefore could not challenge their dismissals in the Industrial Court.¹⁴⁹ [¹⁴⁹ *City Press* 2 August] On 2 September the court found that FAWU had failed to prove that the workers were forcefully evicted and the union had to pay the legal costs.

Sentraboer, the general co-operative for short-term insurance and risk management in agriculture, and Old Mutual were to introduce a provident scheme for the more than 1,2m farmworkers in South Africa, as well as farm managers and administrative personnel. The scheme would provide retirement and disability benefits. It had been accepted by the South African Agricultural Union (SAAU) and it would be fully operational by 1 January 1988.¹⁵⁰ [¹⁵⁰ *The Citizen* 6 August] As employers, farmers could join voluntarily, and each farmer with his/her team of employees would build up their own fund within a registered umbrella fund. Existing employees of farmers who joined the scheme could decide whether or

not they wanted to join, but for all new workers membership would be compulsory. The vice president of the SAAU, Mr Nico Kotzé, appealed to farmers to support the scheme since a maximum number and steady increase of members would be essential for its viability.¹⁵¹ [¹⁵¹ Ibid 20 August]

At a seminar in May, jointly conducted by the Orange-Vaal General Workers' Union (OVGWU), the Technical Advice Group and the Health Information Centre, a possible campaign against pesticide poisoning, which allegedly affected close to one million farmworkers in South Africa, was discussed. According to official figures, there had been 852 cases of pesticidal poisoning between 1971 and 1982, but experts had argued that such cases were grossly understated in South Africa. The International Labour Organisation (ILO) claimed that an average of 1 600 farmworkers in South Africa died from pesticide and fungicide poisoning and related causes each year.

Mr Phil Masia of the OVGWU claimed that it was common practice on white farms to use black workers as beacons for aircraft spraying crops with pesticide. It was also argued that the fact that mothers made up a significant proportion of farmworkers increased the risk to children and unborn babies. Workers were not provided with protective clothing, and few were believed to be informed about the effects of poisoning. Farmworkers, because they were not covered by legislation governing working conditions in other sectors of the economy, did not have the right to refuse to work in unsafe or hazardous conditions.¹⁵² [¹⁵² *The New Nation* 7 May]

Farmworkers' rights

In August Mr S P van Vuuren MP (Conservative Party) said in the House of Assembly that there was no place in agriculture for labour legislation, and the government had to ensure that powerful black trade unions were not allowed to organise farm labourers. 'The farmers do not want [African] trade unions and the [African] labourers do not need them,' he said.¹⁵³ [¹⁵³ *Hansard* (A) 11 col 4582, 26 August]

In September the minister of manpower, Mr Pietie du Plessis, said that draft legislation to protect the 1 200 000 agricultural workers in South Africa could be expected in the foreseeable future.¹⁵⁴ [¹⁵⁴ *Cape Times* 2 September] The National Manpower Commission (NMC) had been directed to investigate possible measures to regulate the conditions of employment of farm labourers and of domestic workers in 1982 (see 1982 *Survey* pp1 18–122), and in 1984 the report was presented to the government (see 1984 *Survey* p265). The NMC's report had not been published, and Mr Du Plessis said that no decision on whether to publish would be taken until the government's negotiations with organised agriculture had been concluded.¹⁵⁵ [¹⁵⁵ *Hansard* (A) 4 q cols 387–388, 23 February]

As matters stood, farmworkers did not enjoy protection under the Labour Relations Act of 1956, the Basic Conditions of Employment Act of 1983, the Machinery and Occupational Safety Act of 1983, the Workmen's Compensation Act of 1941 and the Unemployment Insurance Act of 1937. This situation had not changed by the time Parliament adjourned in June 1988.

It was made clear, however, that the government would not support trade union rights for farmworkers. The minister of agriculture, Mr Greyling Wentzel, said that any problems should be solved 'to a considerable degree' if provision for a general standard of treatment could be made. He also said that he did not think that black trade unions would work on South African farms, because 'they were not established for this' (see chapter on *Labour Relations*).¹⁵⁶ [¹⁵⁶ *The Natal Mercury* 8 September, *Cape Times* 4 September]

Construction

The following table gives the average numbers of employees in June 1987, their average monthly wages, and the percentage change over June 1986 (figures include the building construction, and civil engineering and construction industries):¹⁵⁷ [¹⁵⁷ CSS, Statistical news release, *Mining, Quarrying Manufacturing, Construction, Electricity, Transport and Communication*, P0242.1, September]

Construction: employment and wage: 1987

Employment

Wages

Number

Change

R/month*

Change**

African

206 300

2,9%

447

14,6%

Asian

5 600

-11,1%

1 217

1,8%

Coloured

46 800

29%

673

9,6%

White

41 400

-1,7%

2 207

7,7%

Total

300 100

1,9%

740

9,0%

*

Figures are for gross earning, including allowance, bonuses, overtime etc

**

In this and subsequent tables, percentage change are calculated before inflation is taken into account.

In 1986 the downturn in the building industry resulted in the loss of almost 10 000 jobs in the Transvaal. This was reported to be the biggest annual drop in employment in this regional sector of the economy for five years. The employment figure dropped from 50 000 in 1981 to 31700 in 1986.¹⁵⁸ [¹⁵⁸ *The Star* 3 February]

The new president of the Building Industries Federation of South Africa (BIFSA), Mr Neil Eraser, said in October that he wanted BIFSA to become more involved politically. Among other issues, the general neglect of the role of Africans in management in the building industry should be addressed, Mr Fraser said. Recruiting for management positions had been done abroad in previous up-cycles, 'but this time it will be different ... It's not going to be so easy to get people over here any m

Domestic service

Employment

A Markinor Gallup Poll conducted during 1987 revealed that since 1982 there had been an 8% decrease in the employment of full-time domestic staff and gardening help. There was a 7% increase in the number of part-time domestic workers over the same period. About one household in eight still employed a full-time and a part-time domestic worker. In 30% of households there was no domestic help. The poll was carried out among 800 white households throughout South Africa.¹⁶⁰ [¹⁶⁰ *Eastern Province Herald* 10 June]

Legislation

Although a National Mampower Commission (NMC) report on possible regulations of conditions of employment of domestic workers was presented to the government in 1984, legislation for the protection of domestic workers was not introduced in 1987 or in the first sitting of the 1988 parliamentary session. Domestic workers, therefore, like agricultural workers, were still not protected by any labour laws (see 1984 *Survey* p265, 1982 *Survey* pp118–122 and *agriculture* above).

Wages

According to the Markinor Gallup Poll, there had been an 88% increase in the average monthly income of full-time domestic workers—from R52 in 1982 to R98 in 1987. The average wage for a domestic worker was highest (R149) in high-income English-speaking urban homes and lowest (R59) in Afrikaans-speaking lower-income homes.¹⁶¹ [¹⁶¹ Ibid 10 June] The poll also showed that the average income for domestic workers in Cape Town was R80, in the eastern Cape R50, in Natal R100 and in the Transvaal R110.¹⁶² [¹⁶² *The Star* 15 April]

About 20% of the cases heard in the Durban Small Claims Court involved domestic workers suing their employees for wages, a legal adviser at the court said in October 1987. He said that rifts between servants and employers could be avoided if there was a better awareness of the law.¹⁶³ [¹⁶³ *The Natal Mercury* 30 October]

In 1987 the South African Domestic Workers' Union (SADWU) demanded minimum wages of R150 a month for semi-skilled workers and R200 a month for skilled workers. The union suggested that domestic workers should not work longer than eight hours a day and that they should be provided with three meals a day and working clothes. Their transport should also be paid for. SADWU recommended a minimum wage of R18,10 a day for casual workers and R2,50 an hour for overtime work. The union demanded that maternity benefits should be paid to pregnant workers eight weeks before the date of confinement and six weeks after giving birth. Three weeks' annual leave with full pay was also recommended by SADWU.¹⁶⁴ [¹⁶⁴ Information supplied by the South African Domestic Workers' Union, February 1988]

Conditions

A new pension scheme for domestic employees, the 'for you' assurance plan, was launched in 1987 by a major insurance company. The president of SADWU, Ms Violet Motlhasedi, said that domestic workers should start negotiating about pension funds with their employers. She stated that few employers bothered to make provision for domestic workers' retirement and the workers themselves were uneducated about the availability of such schemes, as well as their rights to such provision and protection. A consultant for the new fund, Mr John Burnett, said that the chief benefit of the fund was that continued membership of the scheme was not contingent on a member's association with a particular employer. Benefits could theoretically be transferred when employment was taken up elsewhere.¹⁶⁵ [¹⁶⁵ *The Star* 6 March]

In July domestic workers in Pietermaritzburg who were members of the United Domestic Workers' Union of South Africa (UDOWASA) appealed to the KwaZulu administration to negotiate better working conditions with employers on their behalf. UDOWASA, an Inkatha-backed trade union, was formed by domestic workers who broke away from SADWU after it had resolved to affiliate to the Congress of South African Trade Unions (COSATU).¹⁶⁶ [¹⁶⁶ *Echo* 23 July]

Many domestic workers were treated for hypertension and other stress-related diseases at the Hillbrow Hospital (Johannesburg). Dr E Scholtz, who had worked at the hospital for some time, said that she ascribed the high incidence of hypertension and diabetes among domestic workers to their general socio-economic conditions. She said that the emigration of employers was a problem and that it contributed to the stresses suffered by domestic workers. However, she said, this formed only part of 'a greater evil, which is apartheid'.¹⁶⁷ [¹⁶⁷ *The Sunday Star* 22 November]

Finance

The following table gives the average numbers employed in June 1987, their average monthly wages, and the percentage change over June 1986:¹⁶⁸ [¹⁶⁸ CSS, Statistical news release, *Banking Institutions, Building Societies, Insurance Companies, Universities and Technikon*s, P0262, December]

Finance: employment and wage: 1987

Employment

Wages

Banks

Number

Change

R/month

Change

African

11 300

4,2%

817

16,2%

Asian

3 660

4,7%

1 314

19,5%

Coloured

7 213

6,0%

1 041

7,8%

White

65 370

-2,7%

1 853

19,7%

Total

87 543

-0,9%

1 629

17,9%

Building societies

African

3 020

2,2%

711

25,2%

Asian

902

6,8%

1 261

18,0%

Coloured

1 222

5,9%

1 058

19,7%

White

15 773

-2,1%

1 705

24,5%

Total

20 917

-0,7%

1 504

23,4%

Insurance companies

African

7 635

3,4%

1 047

46,4%

Asian

2 048

7,6%

1 640

29,2%

Coloured

7 108

6,1%

1 040

24,9%

White

36 100

5,0%

2 284

21,6%

Total

52 891

Government

The Commission for Administration said in its 1987 annual report that the broad public sector includes:¹⁶⁹ [*169 Business Day* 20 May]

- all central and provincial government departments, including own affairs administrations and regional offices;
- the South African Transport Services and Posts and Telecommunications;
- the South African Defence Force and the South African Police;
- the public services of the six non-independent homelands; (but not officials of the ‘independent’ homelands);
- the staff of all local authorities;
- public corporations such as the South African Broadcasting Corporation (SABC), Eskom and Iscor;
- the agricultural control boards;
- the various parastatal institutions including scientific bodies and cultural bodies;

- the staff of universities and technikons; and
- other institutions such as the staff of Parliament and the Consumer Council.

The total number of people employed in the broad public sector (including universities and technikons) in June 1987, the percentage change in the total numbers over June 1986 and the average wages of full-time equivalent workers in June 1987 were as follows:¹⁷⁰ [¹⁷⁰ CSS, Statistical news release, *Public Authorities*, P0251, September]

Public service: employment and wages: 1987

Employment

Wages*

Number

Change

(R/month)

African

801 702

18,9%

598

Asian

38 401

8,3%

1 508

Coloured

189 934

11,9%

802

White

639 797

17,0%

1 998

Total

1 669 834

17,1%

1 174

*

In this and subsequent public service tables, wages are not comparable with those given in the 1986 *Survey* as they are calculated by dividing the total salaries and wages by the number of full-time equivalent workers and not by the total number of workers given in the table. Comparable figures were not available.

Manpower

A postgraduate student at the University of Cape Town, Mr Barry Standish, claimed that the growth in public sector employment was higher than the increase in both the total population and the economically active population. He said that employment by the public sector was estimated to have increased from 160 000 in 1920 to 1,5m by 1980 and to 1,6m by 1986. White employment in the public sector grew from 12% of the white economically active population in 1921 to 31% in 1980, while black employment in the public sector increased from 5% of the black economically active population in 1946 to 11% in 1980. Mr Standish said that there had been 'tremendous growth in the number of blacks working for the state'. The increase was largely due to the growth of black employment in the central authorities during the 1980s and the homeland governments since the 1960s'.¹⁷¹ [¹⁷¹ *Cape Times* 20 October]

Business Day reported in May 1988 that over the period 1973 to 1987 the public sector grew by 4%

while the private sector grew by 0,8% over the same period.¹⁷² [¹⁷² *Business Day* 20 May]

Referring to the increase in numbers and cost of people in the public service, the spokesman on finance for the Progressive Federal Party (PFP), Mr Harry Schwarz, said that the government's public service rationalisation scheme had failed. The duplications caused by the government's own and general affairs policies and the increased staff establishments involved were part of the whole problem, he argued.¹⁷³ [¹⁷³ *Ibid* 8 January]

The minister in the office of the state president entrusted with administration and broadcasting services, Mr Alwyn Schlebusch, said that of the 2 827 people in the top five levels of government only 38 (1,34%) were not white. These people (five coloured people, 16 Asians and 17 Africans) were all in the lower levels, ie levels four and five.¹⁷⁴ [¹⁷⁴ *Hansard* (R) 13 q cols 121-130, 7 September]

Mr Schlebusch said that the 'final stages' in the elimination of disparities in salaries and conditions of service for different races in the public service had been reached. He added that policy adopted by the government a few years previously had provided for the unrestricted employment of any black person in any post in the public service, including that of director general.¹⁷⁵ [¹⁷⁵ *The Citizen* 26 August] A further R135m a year would be needed to wipe out the disparity in salaries and conditions of service, Mr Schlebusch said.¹⁷⁶ [¹⁷⁶ *Ibid* 28 August]

Mr Roger Burrows MP (PFP) said that the most serious aspect of the civil service was that it was racially skewed. It did not appear as though there was any attempt to bring blacks into the middle and upper ranks of the service. Mr Burrows said that 62% of the 865 000 people in public service departments (excluding the provinces) were black (11% were coloured people, 3% Indian and 48% African) but fewer than 5% were in the top jobs. Of all the posts in the upper eight levels 96% (10 534) were held by whites, 0,7% (78) by coloured people, 1,4% (152) by Asians and 1,8% (202) by Africans.

The government gave the following reasons for the increase in size of the public service:

- the cost of achieving racial parity;
- the growth in education, particularly for African people; and
- reform initiatives of the National Party such as the tricameral Parliament and the expansion of local authorities.¹⁷⁷ [¹⁷⁷ *Business Day* 20 May]

Wages

Total spending on salaries and all benefits of civil servants was about R12bn in 1986, the Commission for Administration disclosed in August 1987. This amounted to 31,4% of the main budget of R38,2bn

for 1986. The commission denied that since 1980 public servants' pay had increased faster than pay in the private sector. Their pay still lagged behind and was 'moderately competitive' at best, the commission stated.¹⁷⁸ [¹⁷⁸ *The Star* 26 August]

A 12,5% general salary increase for civil servants effective from 1 July was announced in May 1987. The increase was to be applied to the public service, the teaching profession, tertiary and parastatal institutions, the South African Transport Services (SATS) and Post Office personnel.

In February 1988 the state president, Mr P W Botha, announced that there would be no salary increases for public servants during that year. He also called on the private sector to freeze wages during 1988. Mr Botha contended that this wage freeze would coincide with a 'drastic reduction' in the creation of new public service jobs and a revision of standards and services.¹⁷⁹ [¹⁷⁹ *Ibid* 5 February 1988] The president of the Public Servant's Association, Dr Colin Dugmore, said after a meeting with Mr Botha that public servants had no faith in the private sector to follow Mr Botha's call for a wage freeze. The Post Office and Telecommunications Workers' Association, the South African Railways and Harbours Workers' Union and the National Education, Health and Allied Workers' Union rejected the decision to impose a wage freeze in the public sector, saying that it was a 'diversionary tactic'.¹⁸⁰ [¹⁸⁰ *Sowetan* 23, 25 February 1988]

The manager of salary services at P E Corporate Services, Ms Naomi Brehm, compiled statistics showing that the basic salaries of white workers in the private sector had increased on average by 231% over the 10-year period from June 1976 to June 1986, wages of African workers by 357%, Asian wages by 294% and wages of coloured people by 259%. At the same time public sector incomes advanced 118% against a consumer price index increase of 258%.¹⁸¹ [¹⁸¹ *Financial Mail* 20 February]

Ms Brehm was very critical, however, of the expansion in the size of the public sector, whose growth she described as 'horrendous'. 'South Africa simply cannot afford its growing army of bureaucrats', she contended.¹⁸² [¹⁸² *The Star* 29 January] Statistics showed that although average individual increases in government might have lagged behind the private sector, the government wage bill as a whole had been rising as a percentage of the total national wage bill. For example, in 1985 the public service absorbed 11,9% of the national wage payout of R61bn. This increased by 23% to 14,7% (of R66bn) in 1986.¹⁸³ [¹⁸³ *Financial Mail* 20 February]

Central government

The numbers employed in central government in June 1987, the percentage change in the total number of employees over June 1986 and the monthly average wages of full-time employees in June 1987 were as follows:¹⁸⁴ [¹⁸⁴ CSS, Statistical news release, *Public Authorities*, P0251, September]

Central government: employment and wages: 1987

Employment

Wages

Number

Change

R/month

African

177 437

18,6%

711

Asian

19 584

8,9%

1 798

Coloured

83 015

7,9%

945

White

238 995

56,6%*

1 897

Total

519 031

30,7%

1 334

*

High increases were caused by the large-scale transfer of personnel to the central government from the provincial administration

In May it was announced that the four central government staff associations, the Public Servants' Association (for whites), the Public Servants' League (for coloured people), the Public Servants' Union (for Asians) and the Institute of Public Servants (for Africans), were to join forces in a federal body in a move towards reform and to ensure greater bargaining power. The new body would be called the Federation of Recognised Staff Associations and would represent more than 110 000 work

Provincial administrations

The numbers employed in provincial administrations in June 1987, the percentage change in the total number of employees over June 1986 and the monthly average wages of full-time employees in June 1987 were as follows:¹⁸⁶ [¹⁸⁶ CSS, Statistical news release, *Public Authorities*, P0251, September]

Provincial administrations: employment and wages: 1987

Employment

Wages

Number

Change

R/month

African

92 210

-7,4%

594

Asian

5 388

3,9%

1292

Coloured

28 155

-4,3%

750

White

68 716

-47,6%

1 374

Total

194 469

-26,7%

Local authorities

The numbers employed in local authorities in June 1987, the percentage change in the total number of employees over June 1986 and the monthly average wages of full-time employees in June 1987 were as follows:¹⁸⁷ [¹⁸⁷ Ibid]

Local authorities: employment and wages:1987

Employment

Wages

Number

Change

R/month

African

149 538

4,7%

450

Asian

6 768

5,8%

1 030

Coloured

36 914

26,4%

613

White

61 982

-2,5%

2 037

Total

255 202

5,4%

Post and telecommunications

The numbers employed in posts and telecommunications in June 1987, the percentage change in the total number of employees over June 1986 and the monthly average wages of full-time employees in June 1987 were as follows:¹⁸⁸ [¹⁸⁸ Ibid]

Post and telecommunications: employment and wages: 1987

Employment

Wages

Number

Change

R/month

African

29 933

-0,2%

493

Asian

2 207

3,9%

1 336

Coloured

10 810

0,01%

674

White

54 170

-0,9%

1 556

Total

97 020

-0,5%

1

The minister of home affairs and of communications, Mr Stoffel Botha, said in May that his department spent about R150m annually on the training of Post Office personnel and that almost 5 000 students of all population groups around the country were receiving intensive formal training at 13 'well-equipped training centres'.

During 1987 the Post Office and Telecommunications Workers' Association (POTWA) was involved in a number of major strikes in the postal sector. Worker demands included parity in wages, and working conditions and opportunities (see chapter on *Labour Relations*).¹⁸⁹ [¹⁸⁹ *South African Labour Bulletin*, vol 13 no 1, November]

Transport

The numbers employed in the South African Transport Services (SATS) in June 1987, the percentage change in the total number of employees over June 1986 and the monthly average wages of full-time employees in June 1987 were as follows:¹⁹⁰ [¹⁹⁰ CSS, Statistical news release, *Public Authorities*, P2051, September]

Transport: employment and wages: 1987

Employment

Wages

Number

Change

R/month

African

90 827

-8,7%

558

Asian

1 569

-15,5%

1 047

Coloured

16 238

-5,4%

682

White

88 797

-10,8%

2 506

Total

197 431

-9,5%

1 446

A strike on the Witwatersrand by 18 000 SATS workers was held from 13 March to 6 June (see chapter on *Labour Relations*).¹⁹¹ [¹⁹¹ *Labour Bulletin*, vol 12 no 5, July, *The Weekly Mail* 13 March]

South African Airways employed its first five African air hostesses early in 1988. Twenty-five coloured people and 14 Indians were already employed in these positio

Electricity

The following table gives the average number of employees in June 1987, their average monthly wages, and the percentage changes over June 1986:¹⁹³ [¹⁹³ CSS, Statistical news release, *Mining, Quarrying, Manufacturing, Construction, Electricity, Transport and Communication*, P0242.1, September]

Electricity: employment and wages: 1987

Employment

Wages

Number

Change

R/month

Change

African

30 600

-12,6%

754

25,5%

Asian

50

-50,0%

1 560

67,7%

Coloured

3 400

-15,0%

886

15,1%

White

22 800

-7,7%

2 312

13,4%

Total

56 850

-10,9%

1 387

1

Other

Some of the figures given below may overlap with figures quoted above (such as those under electricity above and public corporatons below).

Civil service of 'independent' homelands

There were 154 556 Africans employed in the civil services of the 'independent' homelands in June 1987. The percentage change in the total number of employees over June 1986 was 20,1%. No Asians, coloured people or whites were employed in these civil services. The monthly average wage of full-time employees in June 1987 was R669.¹⁹⁴ [¹⁹⁴ CSS, Statistical news release, *Public Authorities*, P0251, September]

Public corporations

The numbers employed in public corporations in June 1987, the percentage change in the total number of employees over June 1986 and the monthly average wages of full-time employees in June 1987 were as follows:¹⁹⁵ [¹⁹⁵ Ibid]

Public corporation: employment and wages: 1987

Employment

Wages

Numbers

R/month

African

85 779

584

Asian

973

1 307

Coloured

9 070

780

White

84 694

2 178

Total

180 516

1

Parastatal institutions

The numbers employed in parastatal institutions in June 1987, the percentage change in the total numbers of employees over June 1986 and the monthly average wages of full-time employees in June 1987 were as follows:¹⁹⁶ [¹⁹⁶ Ibid]

Parastatal institutions: employment and wages: 1987

Employment

Wages

Numbers

R/month

African

9 154

405

Asian

84

1 214

Coloured

1 394

613

White

10 200

2 623

Total

20 832

1

Agricultural marketing boards

The numbers employed in agricultural marketing boards in June 1987, the percentage change in the total numbers of employees over June 1986 and the monthly average wages of full-time employees in June 1987 were as follows:¹⁹⁷ [¹⁹⁷ Ibid]

Agricultural marketing boards: employment and wages: 1987

Employment

Wages

Numbers

R/month

African

776

553

Asian

41

694

Coloured

265

579

White

2 062

2 534

Total

3 144

Manufacturing

The number of people employed in manufacturing in June 1987, their average monthly wages, and the percentage changes over the previous year were as follows:¹⁹⁸ [¹⁹⁸ CSS, Statistical news release, *Mining, Quarrying, Manufacturing, Construction, Electricity, Transport and Communication*, P0242.1, September]

Manufacturing: employment and wages: 1987

Employment

Wages

Number

Change

R/month

Change

African

705 400

0,9%

623

25,9%

Asian

88 500

0,3%

915

15,0%

Coloured

237 400

2,7%

661

16,6%

White

294 500

-1,0%

2 237

13,8%

Total

1 325 800

0,7%

1 008

17,2%

The National Productivity Institute (NPI) said that while wages in the manufacturing sector had increased by 352% since 1975, labour productivity had risen by only 18,5%. The result, the NPI said, was that unit labour costs had increased by 282%. According to the NPI, these figures did not compare well with those of South Africa's main trading partners. 'In fact, it would appear that South Africa no longer has to worry about sanctions for she is in any case, via wages policies, pricing herself out of international markets,' the NPI sa

Clothing

In April it was reported that a countrywide shortage of skilled labour, especially among machinists and managers, was hampering production in the clothing industry. Machinists formed 59% of the labour force in the whole of the clothing industry, and 44% of clothing manufacturers questioned said that they did not have enough machinists while 13% said they could get them only with some difficulty. The industry employed 64 500 machinists and needed to take on an additional 9 730 during 1987 and 10 020 in 1988. By April 3 200 managers (3% of the labour force) were employed in the clothing industry and an additional 260 were needed. Of the companies questioned 43% reported 'extreme difficulty' in getting enough managers. Scarcity of sewing machine mechanics was running at 37%, and difficulty in hiring supervisors was experienced by 30% of the employers.²⁰⁰ [²⁰⁰ *The Daily News* 9 April]

Statistics from the National Clothing Federation of South Africa showed that South Africa's clothing production in 1986 was 40% below that of 1981. About 20 000 jobs had been lost in the industry over the same period. The aggregate sales of clothing manufacturers totalled some R2bn annually, and were therefore equivalent to 3% of South Africa's total economic activity.²⁰¹ [²⁰¹ *The Citizen* 20 July] According to an article in *Business Day*, the clothing industry had not experienced growth for almost a decade.²⁰² [²⁰² *Business Day* 12 August]

Metals

Manpower

According to the Steel and Engineering Industries Federation of South Africa (SEIFSA), there were about 325 000 hourly paid workers in the metal industry in 1987, compared with an employment peak of 454 000 in December 1981. SEIFSA estimated that there was a net loss of about 5 000 jobs in the metal industry in 1987.²⁰³ [²⁰³ Information supplied by the Steel and Engineering Industries Federation of South Africa (SEIFSA), March 1988] The federation said that increases in production in the latter part of 1986 and the first quarter of 1987 did not lead to any significant increases in employment. There was an oversupply of artisans in the basic metal sector due to low capacity utilisation, while in certain categories there was a scarcity of skilled artisans. The federation expected this problem of scarcity to be exacerbated during the forthcoming Mossel Bay project, where a large number of skilled artisans would be required.²⁰⁴ [²⁰⁴ *Business Day* 6 July] A spokesman for SEIFSA said, however, that although the Mossel Bay project and the new Lesotho highlands water project would generate growth in the metal industry, the projects would not lead to a major increase in employment in the industry, as most of the jobs generated by these projects would be temporary.²⁰⁵ [²⁰⁵ Information supplied by SEIFSA, February 1988]

Wages

A deadlock in wage negotiations between trade unions and employees of companies belonging to SEIFSA was reported in May. Unions taking part in the negotiations were those unions affiliated to the International Metalworkers' Federation (IMF), representing mainly skilled and unskilled workers, and those aligning themselves with the Confederation of Metal and Building Unions (CMBU), which represented nine artisan unions. The IMF demanded a minimum hourly wage of R4 compared with the existing minimum of R2,22. The CMBU's demands included a minimum rate ranging from R3.30 to R6,97 an hour.²⁰⁶ [²⁰⁶ *Business Day* 12 February]

Fifteen of the 16 unions in the industry eventually accepted wage increases which brought the minimum artisan rate to R6,53 an hour and the minimum rate for labourers to R2,61 an hour. The National Union of Metalworkers of South Africa (NUMSA) did not settle and demanded a revised minimum wage of R3,50 an hour for unskilled workers. A NUMSA strike, which would have involved 60 000 members at nearly 500 plants, was called off one day prior to its implementation.²⁰⁷ [²⁰⁷ *Ibid* 15 July] This happened after the minister of manpower, Mr Pietie du Plessis, signed the national agreement for the metal industry for 1987 and extended it to non-members.²⁰⁸ [²⁰⁸ *South African Labour Bulletin*, vol 12 no 6/7, August/September] This made 'a perfectly legal strike illegal', NUMSA said.²⁰⁹ [²⁰⁹ *Business Day* 15 July] It is unlawful to strike during the currency of any industrial council or wage regulatory agreement.

Motor manufacturing

The National Association of Automobile Manufacturers of South Africa (NAAMSA) supplied the following employment figures for 1987:²¹⁰ [²¹⁰ Information supplied by National Association of Automobile Manufacturers of South Africa, February 1988]

Motor manufacturing: employment: 1987

DecChanAfrican

17 578

15%

Coloured and Asian

5 427

11,7%

White

9 732

7,6%

Total

32 737

12,2%

Employment levels in the motor vehicle manufacturing industry were beginning to stabilise during the year under review after an all-time low of 29 178 in December 1986. The increase from December 1986 to March 1987 represented the first increase in quarterly aggregate employment levels for three years.²¹¹ [211 *The Star* 12 May] NAAMSA said in May that an expected further improvement in the economy should result in a modest expansion of the industry's workforce.²¹² [212 *Ibid*]

The Delta Motor Corporation, which took over the operations of General Motors South African, announced in February that it would no longer subscribe to the Sullivan Principles for American Companies (see *Employment Codes* below). Delta's director of personnel and public affairs, Mr George Stegmann, said that the company would 'continue to have a very definite social conscience'. 'There is a change of philosophy within Delta, in that we feel that we would like to concentrate more on our own people and their resources, instead of the broad-brush approach used in terms of complying with the Sullivan Principles.'²¹³ [213 *The Star* 20 February]

The Ford Motor Company, which announced its disinvestment from South Africa in June, reached an agreement with the Anglo American Industrial Corporation, the NUMSA and the South African Motor Corporation (SAMCOR) 'whereby Ford will donate a 24% equity interest in SAMCOR to a trust for the benefit of all SAMCOR employees' (see chapter on *Labour Relations*).²¹⁴ [214 *Sowetan* 26 November]

Mining

Manpower

The Central Statistical Service gave the following figures for workers employed in mining in June 1987 and the percentage change over June 1986:²¹⁵ [215 CSS, Statistical news release, *Mining and Quarrying, Manufacturing, Construction and Electricity*, P0242.1, August]

Mining: employment: 1987

Number

Change

African

668 932

0,19%

Asian

783

7,7%

Coloured

8 975

8,3%

White

80 743

1,0%

Total

759 433

0,4%

The average number of Africans (both underground and surface) according to area of origin employed in 1987 on gold, platinum, copper, and coal mines which were members of the Chamber of Mines of South Africa and the percentage change over 1986 was as follows:²¹⁶ [²¹⁶ Information supplied by the Chamber of Mines of South Africa, March 1988]

Africans on chamber mines: 1987

Number

Change

White-designated areas

Cape province

12 951

-9,6%

Natal

9 356

1,5%

Orange Free State

32 908

7,6%

Transvaal

22 015

8,5%

Sub-total

77 230

3,8%

'Independent' homelands

Bophuthatswana

48 016

10,8%

Ciskei

14 759

-6,9%

Transkei

140 948

-3,8%

Venda

2 609

-3,1%

Sub-total

206 332

-1,0%

Non-independent homelands

Gazankulu

6 555

18,2%

KaNgwane

6 228

3,9%

KwaNdebele

746

-0,5%

KwaZulu

39 691

21,3%

Lebowa

13 829

0,6%

QwaQwa

8 989

7,1%

Sub-total

76 038

13,3%

Areas outside South Africa

Botswana

19 797

-4,3%

Kavango

1

Lesotho

116 346

1,0%

Malawi

20 990

-0,3%

Mozambique

49 941

-18,0%

Swaziland

17 179

10,1%

Zimbabwe

7

16,7%

Sub-tota

According to an economist at the University of Cape Town, Mr Pundy Pillay, the mining industry had been the only industrial sector to show consistent growth in employment since 1984. He said, 'The trend may continue in the short term but mechanisation plans and the possibility of sanctions mean long-term

prospects for employment in mining are bleak.’ Technological change would affect the size and composition of the labour force in that the mining houses would finish with a smaller, more skilled labour force. If there were no further sanctions and little further mechanisation, mine employment would rise by 8% to 785 000 by the year 2000, Mr Pillay said. He said that employment levels would drop by 40% to 433 450 in the year 2000, should there be intensified sanctions and successful mechanisation programmes.²¹⁷ [217 *The Weekly Mail* 20 November]

In March 1987 the Johannesburg Consolidated Investment Company (JCI) notified the National Union of Mineworkers (NUM) that it was laying off workers because it was introducing mechanised mining at the Western Areas and Randfontein Estates gold mines (west Rand).²¹⁸ [218 *Sowetan* 4 March] The general manager of the manpower division at JCI, Mr Jeremy Nel, said the introduction of load haul dumpers ‘allows for the most efficient recovery of the product in terms of the grade or the ore mined’. The Western Areas mine intended to lay off a total of 1 943 of its 9 000 workers and Randfontein Estates was retrenching 367 of its 15 000 employees. The NUM condemned the pending retrenchments and an official dispute was declared by the union. In April it was reported that all 24 000 African underground mineworkers at the two gold mines went on strike in protest against the retrenchment of their colleagues.²¹⁹ [219 *The Natal Mercury* 23 April] After three days strikers decided to return to work after discovering that NUM officials were detained and they were without leadership.²²⁰ [220 *The Citizen* 27 April]

According to the chamber, the mining industry in 1986 employed an ‘all-time high workforce of 756 000’.²²¹ [221 *Business Day* 24 June]

Sanctions

In March 1987 it was reported that 530 people had lost their jobs at the Welgedacht coal mine (Natal) after mine management had decided to cut production. A spokesman for the company said, ‘This step has been taken solely in an effort to secure the long-term future and stability of the company in the face of the international sanctions campaign. Some of the affected workers are already over retirement age, while others are being offered early and voluntary retirement.’²²² [222 *Ibid* 23 March]

It was also reported in November 1987 that the reduction in South Africa’s coal exports as a result of sanctions had led to the retrenchment of 308 employees at the Vandyksdrift Colliery (eastern Transvaal). The chairman of the Rand Mines coal division, Mr Alien Sealey, said, ‘Far from encouraging reform, the sancations campaign has led to a hardening of attitudes in South Africa and the sufferers include people who the prosanctions campaigners claim to be supporting.’ This viewpoint was reiterated by the chairman and managing director of Rand Mines, Mr D T (Dammy) Watt, in the company’s annual report.²²³ [223 *Ibid* 11 November, *The Star* 7 November]

During the August miners’ strike (see chapter on *Labour Relations*) it was observed that ‘exporters might almost welcome the strike. It saves them. having to lay more people off ...’ Reports claimed that

the mining industry had been laying off workers to accommodate the loss of 10m tons of annual exports occasioned by Danish, French and United States boycotts.²²⁴ [²²⁴ *Financial Mail* 13 August]

Early in 1988 it was reported that in the eastern Transvaal 2 000 coal miners had been retrenched. The assistant general secretary of the NUM, Mr Marcel Golding, said that the mining houses had indicated that this was only the beginning of retrenchment.²²⁵ [²²⁵ *The Star* 19 January] The deputy chairman of the coal division of Rand Mines, Mr Alien Cook, said that about 3 000 coal miners, mostly African, had been retrenched in 1987 and that a further 10 000 could lose their jobs in 1988 if conditions in the industry did not improve.

The chamber estimated that South Africa's coal exports decreased to around 39m tuns in 1987 from 45,4m tons in 1986. It was alleged that the slump in coal exports was caused mainly by boycotts of South African coal by some industrialised countries and by a decline in the value of the dollar against the rand.²²⁶ [²²⁶ *The Citizen* 21 January]

Wages

Minimum underground and surface monthly wages, excluding payments in kind, on gold mines affiliated to the chamber for selected years were:²²⁷ [²²⁷ Information supplied by the Chamber of Mines, March 1988]

Minimum gold mine wages

Surface

Underground

R/month

R/month

1/6/75

36,40

57,20

1/7/85

162,00

193,00

1/7/86

195,00

228,00

1/7/87

239,00

263,00

As from 1 July 1987 underground workers on coal mines earned R239 and surface workers R223.

The chamber said that it had not published average wages according to race since October 1985, because ‘the mining industry now almost universally applies a non-discriminatory wage policy’.

In a speech at the end of his year as president of the chamber in June 1987, Mr Peter Gush said that real cash earnings of ‘partially skilled’ black mineworkers had risen by 285% in the 15 years since 1971, an annualised compound rate of 9,4%.²²⁸ [²²⁸ *Business Day* 24 June]

The amounts paid to migrant workers on the mines in the form of deferred pay and remittances to their homes in 1986 and 1987 were as follows:²²⁹ [²²⁹ Information supplied by the Chamber of Mines, March 1988]

Deferred pay and remittance

1986

1987

R

R

SA (minus TBVC*)

28 163 402

11 765 947

Bophuthatswana

16 400 372

14 231 662

Ciskei

2 346 548

548 058

Transkei

60 217 705

19 093 564

Venda

649 969

238 410

Botswana

20 820 183

20 053 679

Lesotho

240 109 132

276 552 441

Malawi

36 878 383

2 536 310

Mozambique

83 462 997

106 454 464

Swaziland

12 238 577

12 393 664

Total

501 287 268

463 868 199

*

Transkei, Bophuthatswana, Venda, Ciskei

The chamber pointed out that although the total for deferred pay and remittances amounted R463,9m in 1987, this amount referred only to traceable amounts. ‘Considerable sums of money were sent home by mineworkers by various means, so that the total amount of mine workers’ wages finding its way back could well be more than double this amount,’ the chamber said.

The longest strike in mining history (see chapter on *Labour Relations*) started in August after a deadlock in wage negotiations between the chamber and the NUM. The NUM demanded a wage increase of 30% while the chamber refused to make any concession on the 16%–23% range of increases, which were implemented in July. The strike ended without the demands of the NUM being met.²³⁰ [²³⁰ *Financial Mail* 4 September] The strike cost the mines about R250m in revenue while the loss in wages for the estimated 300 000 workers amounte

In July 1988 the NUM agreed to the chamber’s offer of wage increases ranging from 13,5% to 16% in exchange for an undertaking from the chamber to negotiate a provident fund for African members.²³² [²³²

The Weekly Mail 8 July 1988] Mr Golding said that the NUM was ‘not entirely satisfied with the wage increases’, but that the chamber’s revised offer on the provident fund was the ‘principal item which precipitated a settlement’. He said, ‘Members have never enjoyed any retirement benefits in the past.’²³³ [233 *The Natal Witness* 6 July 1988] The industrial relations advisor of the chamber, Mr Johann Liebenberg, commented. ‘The bargaining was hard, but the NUM got a good deal under difficult circumstances.’²³⁴ [234 *Finance Week* 7 July 1988]

Job reservation

The Mines and Works Amendment Act of 1987 was gazetted on 2 September, but would ‘come into operation on a date to be fixed by the state president’ The amendment act removed the ‘scheduled person’ definition from the Mines and Works Act of 1911 and replaced it with a nonracial ‘competent person’ definition. Once the act was promulgated Africans would be able to advance into the 13 ‘scheduled occupations’, and all races would qualify for certificates of competency (including blasting certificates) which could previously only be obtained by whites and some coloured people. With this amendment act the last statutory job colour bar was removed from the private sector. However, the act also empowered the minister of mineral and energy affairs to control which workers could acquire the above-mentioned certificates. The act stated that government-appointed committees had to advise the minister on requirements for candidates for the certificates. These included ‘requirements relating to practical experience, command of language, physical health, security, age, educational qualifications or training standards: provided that no distinction shall be made on the basis of race and colour’.²³⁵ [235 *Government Gazette* no 10891, 2 September]

Draft regulations laying down the requirements for obtaining the certificates were gazetted on 4 September 1987. These requirements included citizenship of South Africa (including the ‘independent’ homelands), a standard eight education (or its equivalent) and an ability to communicate both orally and in writing in English or in Afrikaans.²³⁶ [236 *Government Gazette* no 10881, Notice 643, 4 September] Mr Golding said that the new regulations were a hidden form of racism. ‘Requirements for qualification should be a matter between employers and unions, and should depend on workers’ abilities to do the job,’ Mr Golding said.²³⁷ [237 *Business Day* 11 December]

According to the new regulations, the constitution of advisory committees allowed for representation by two officials from unions whose members already held certificates. It was pointed out that these officials would necessarily have to be from the established ‘white’ mining unions as only white miners already held these certificates. Mr Golding said that the committees were ‘unacceptable’ and had been set up to ‘allay fears of white miners and limit the number of [Africans] getting blasting certificates’.²³⁸ [238 *Financial Mail* 4 August] The spokesman on mining for the Progressive Federal Party (PFP), Mr Peter Gastrow, said that the advisory committees would result ‘in a strong bias in favour of these unions and individuals who have in the past qualified for certificates instead of being neutral and opening the jobs to

all', 239 [239 *The Star* 4 September]

The Anglo American Corporation of South Africa said in its review of industrial relations in 1987 that while it welcomed the repeal of the 'scheduled' person clause, the imposition of the new entrance restrictions would distort on normal labour mobility. These restrictions, it said, would be 'divisive and potentially disruptive'. The corporation added that the selection and advancement of employees were domestic workplace issues which should be as free as possible from outside intervention.²⁴⁰ [240 Anglo American Corporation of South Africa, *1987 Industrial Relations Review*]

It was reported that the chamber was concerned about new provisions in the act which gave the minister 'additional powers to prescribe qualifications and requirements for persons who wished to acquire certificates of competency'. The president of the chamber, Mr Naas Steenkamp, also said that the repeal of the scheduled person definition was an important and historic move which made it possible for the African worker to move up in the hierarchy to mine-manager level and beyond.²⁴¹ [241 *The Citizen* 11 August]

Interested parties, including the NUM and the chamber, submitted their responses to the draft regulations to the Department of Mineral and Energy Affairs. The government mining engineer, Mr G P Badenhorst, who was handling responses to the draft regulations for the department, said in December 1987 that his department hoped to be ready to submit a report to the minister of mineral and energy affairs before June 1988. The promulgation of the amendment act would be delayed until the regulations had appeared in their final form.²⁴² [242 *Business Day* 11 December]

The new regulations were gazetted on 8 July 1988. Citizenship of South Africa and a standard eight education were no longer included as requirements for obtaining certificates of competency. The requirement that applicants should be able to communicate orally and in writing in one of the official languages remained. Although a standard eight education was no longer required, an applicant should possess, according to the regulations, 'the minimum educational qualification as recommended by the relevant advisory committee and as accepted by the minister'. According to the regulations these advisory committees would consist of the government mining engineer; his deputy; an official of the Department of Manpower; two employer representatives; two representatives of people holding the relevant certificates; and two other people who, in the opinion of the government mining engineer, have a 'direct interest in the practising' of the relevant occupation. There would be four advisory committees, one each for winding-engine drivers, blasting certificate holders, locomotive engine drivers and onsetters. The functions of the advisory committees would be to advise the minister regarding the minimum educational qualifications and other requirements and to make recommendations on the need for competent persons, 'having regard to proven labour needs'.²⁴³ [243 *Government Gazette* no 11397, 8 July 1988; *Ibid* 11 July 1988]

The chamber said in its August/October 1987 newsletter that it had in recent years persuaded the government and the white trade unions to open up a range of jobs to blacks. As a result there were now more than 3 000 blacks in skilled occupations previously reserved for whites. These were in addition to

blacks in senior administrative positions such as personnel managers and training officers.²⁴⁴ [²⁴⁴ Ibid]

With regard to certificates of competency, the chamber said that some 25 000 people (3% of the countrywide mine workforce) were employed in jobs requiring such certificates. ‘These include certificates for mine managers, mine overseers, mine surveyors, mechanical engineers, electrical engineers, mine assayers, winding-engine drivers, locomotive-engine drivers, stationary-engine drivers, boiler attendants, lampmen, onsetters and the blasting certificate. The particular importance of the blasting certificate is that on the production side of mining (as opposed to the engineering, administrative and other support services), it was required for all jobs above that of team leader—that is from miner up to the position of mine manager,’ the chamber said.

Mine safety

Statistics

The Department of Mineral and Energy Affairs supplied the following figures concerning accident rates and death rates on South African mines for 1985 and 1986:²⁴⁵ [²⁴⁵ Ibid]

Accident and death rate on South African mines: 1985 and 1986

Classes of mines

Year

Deaths

Death rate*

Accidents

Accident rate**

All mines

1985

7060

0,94

14 820

19,6

1986

800

1,02

12 709

16,3

Gold and uranium mines

1985

539

1,03

13 168

25,1

1986

7702

1,27

11 624

21,1

Coal mines

1985

93

0,78

806

6,8

1986

66

0,55

709

5,9

*

Death rate are based on the number of deaths per year per 1 000 people employed

**

Accident rates are based on the number of reportable accidents per year per 1 000 people employed

The chamber said that the death rate for coal mines in 1987 was 1,05% while the accident rate was 4,8%. There were 550 accidents on coal mines and 121 people died in such accidents.

According to the chamber the reduction in fatality rates over the period 1977 to 1986 was 55% for all South African coal mines. The chamber said, 'The virtual doubling of the number of fatalities on coal mines in 1987 and the consequent jump in the 1987 fatality rate is of great concern, however.' The chamber pointed out that the reportable injury rate on coal mines fell by 77% over the period between 1977 and 1987. This improvement, according to the chamber, 'was particularly impressive in the light of the coal sector's considerable increase in production over the same period'.²⁴⁶ [246 Information supplied by the Chamber of Mines of South Africa, March 1988]

The outgoing president of the chamber, Mr Peter Gush, said in February 1987 that the fatality rate for the chamber's coal mines per 1000 in 1986 was 0,33, (as compared with 0,55 for all coal mines) which was 'the lowest ever in the service and less than half of the 1984 rate'. He said that the fact that the gold mining industry had not achieved quite the same 'dramatic results as the coal mines', together with the Hlobane disaster in 1983 and the Kinross disaster in 1986, gave the mining industry 'a bad image in

regard to saf

The total of 702 people who died in accidents on gold and uranium mines in 1986 was the highest figure since 1940, when 709 people had died in mining accidents on these mines.²⁴⁸ [248 Chamber of Mines of South Africa, *Ninety-seventh Annual Report* 1986]

In September of the period under review *The Sunday Star* compiled a dossier, based on newspaper clippings, on mine accidents and the number of fatalities on all South African mines since September 1986. According to this dossier, four of the ten major mine accidents, with a major accident defined as an accident with more than five fatalities, occurred at mines owned by the Gencor group. JCI and Anglo American each had two major accidents while Rand Mines and Gold Fields each had one major accident. In the period covered by the dossier, there was a total number of 321 fatalities in major accidents. There were 280 fatalities in accidents at Gencor mines, 14 at Anglo mines, 13 at JCI mines, while Gold Fields and Rand Mines had six and five fatalities respectively. Five of these major accidents were caused by rockfalls or rockbursts, two were caused by methane gas explosions and the other three by a cage fall, a fire and a mudslide.²⁴⁹ [249 *The Star* 6 September]

Specific accidents

Following the Kinross (south-eastern Transvaal) mine disaster in September 1986 in which 177 miners were killed and 235 injured (see 1986 *Survey* Part 2 pp254–255), seven employees of the Kinross mine were charged in the Witbank Regional Court with culpable homicide, alternatively contravening regulations under the Mines and Works Act of 1911. Although the NUM endorsed the attorney general's decision to prosecute, it also said that an official inquiry was needed to raise broader safety issues involved.²⁵⁰ [250 *The Citizen* 10 March] In October the court was adjourned until March 1988, when all seven employees were acquitted on charges of culpable homicide. One of the accused, Mr F C Viviers, a miner, was found guilty of two contraventions under the Mines and Works Act, because he had failed to test for gas and had failed to get written permission before doing welding work underground. Mr Viviers was fined R50 on each of the two charges of contravening the Mines and Works Act.²⁵¹ [251 *The Star* 24 March 1988] The NUM said that it intended petitioning the attorney general for an appeal against the findings of the magistrate.²⁵² [252 *The Citizen* 26 March 1988] It was also reported in March 1988 that the dependants of 108 victims of the Kinross disaster had received payments from a disaster fund established by Gencor. The amount received was 12 times the annual salary of the deceased, with a minimum of R10 000.²⁵³ [253 *Business Day* 24 March]

On 11 April 34 miners were killed and 16 injured in a methane gas explosion at Gencor's Ermelo Mine Services (eastern Transvaal).²⁵⁴ [254 *The Star* 13 April] The managing director of the Trans-Natal Coal Corporation (part of the Gencor group), Mr Graham Thompson, said in reaction to criticism about the presence of methane gas in the mine that the gas should have been swept away by the ventilation system, but 'it can go undetected between inspections, it can be released into the air by rockfalls, or it can be

released during controlled collapses'.²⁵⁵ [255 Ibid 14 April] The general secretary of the NUM, Mr Cyril Ramaphosa, condemned the accident and said that 'methane gas explosions were caused by human error'. He said that there was no evidence to indicate otherwise.²⁵⁶ [256 *The New Nation* 15 April]

Another disaster at a Gencor mine took place in August at the St Helena gold mine in Welkom (Orange Free State), when 62 people died in an explosion also believed to be caused by methane gas. The bodies, decomposed beyond recognition, of 54 of the dead were recovered only in December, and an official of Gencor, Mr Harry Hill, said that the disaster was the subject of an official inquiry.²⁵⁷ [257 *Sowetan* 21 December]

The NUM said after the St Helena disaster that it could not believe that accidents on Gencor mines were coincidences.²⁵⁸ [258 *The Citizen* 4 September] The NUM's safety officer, Mr Harry Sibanyoni, reiterated the union's charge that Gencor mines were 'death-traps' and said that it seemed as though the company was 'simply not learning from the major accidents that have occurred at its mines'.²⁵⁹ [259 Ibid]

An executive director of Gencor, Mr Steve Ellis, said that he believed that the three major mine disasters over the past year at Gencor mines were coincidences 'to a large extent' and that since the Kinross disaster the company had been taking a 'major new look' at safety on all its mines.²⁶⁰ [260 Ibid] Mr Ellis said in reply to accusations that Gencor mines were 'death-traps' that 'within the framework of the Mines and Works Act the actual methods used by each mine to promote safety are the responsibility of the mine manager, and safety and loss control organisation can therefore vary considerably from mine to mine'.²⁶¹ [261 *Financial Mail* 11 September] He said that Gencor was 'extremely safety conscious' and that 'people who say that Gencor mines are disasters are not worth replying to'.²⁶² [262 *The Star* 2 September]

Proposed solutions for safety problems

The president of the chamber, Mr Naas Steenkamp, said that the high accident rate on gold mines should be seen in the perspective of the environment in which operations took place. He said that considering the depth, the heat, the abrasive rock and the narrow working areas, the safety performance of South African mines was good.²⁶³ [263 *The Citizen* 21 February]

Amended safety regulations for mines were gazetted on 27 February. These changes to the Mines and Works Act of 1911 came after new regulations, requiring all underground workers to wear life-support systems on their belts and for all mines to build rescue bays every two kilometres, had been introduced in October 1986. The enforced use of methanometers and the introduction of safety officers on mines were among the provisions of the regulations gazetted in February. The functions of the safety officers would be to examine, report, inspect, evaluate and record safety-related matters.²⁶⁴ [264 *Government Gazette* no 10621, R367, 27 February]

Mr Sibanyoni accused mine managers of putting the emphasis on production. Instead of seeing mine

safety as essential to preserve human life, they thought of it as a way of decreasing interruptions and increasing production. To solve the problem of mine safety the NUM proposed the appointment of safety stewards whose task it would be to advise management when safety standards were not being met. Mr Sibanyoni suggested that these stewards should have the power to withdraw workers from an area that they considered to be unsafe. The technical adviser of the chamber, Mr David Gaynor, agreed that greater worker involvement was needed, but thought that because there were so many different unions operating on the mines the appointment of such stewards would be problematic. He agreed that the single greatest factor affecting a mine's safety record was the attitude of mine management. Mr Gaynor said that the various competitions organised by the chamber played an important role in increasing management awareness of safety and that the managers' associations were also 'totally involved' in safety. The manager of the chamber's safety division, Mr Antony Gill, said that it had been a weakness in the past that there had been no worker participation in safety programmes on a formal basis. Mr Gill said, however, that the process of involving workers in mine safety was already well under way and that workers were already sitting in on loss control meetings.²⁶⁵ [²⁶⁵ *Business Day* 18 March]

In 1986 the chamber spent R46,7m on research, R36m of it on health and safety research. It was also reported that the chamber's research organisation had established a small permanent unit, the hazardous materials unit, to examine the use and risk factor of various materials used in mines. The research organisation had also established a multi-disciplinary task force, whose objective was the protection of mineworkers in the event of fires or explosions occurring underground.²⁶⁶ [²⁶⁶ *Engineering Week* 9 March]

A mine safety and health congress, reported to be largest and most comprehensive of its kind ever held in South Africa, was hosted by the chamber in November.²⁶⁷ [²⁶⁷ *The Weekly Mail* 4 December] A chamber official said about the congress, 'This congress comes in the wake of a most baffling period in mine accident prevention in South Africa since the mining industry got seriously to grips with accidents in 1913. While strenuous safety efforts have resulted in a rapid decline in the number of accidents, an unprecedented number of disasters during the past year have prevented a corresponding decline in fatalities.' At the congress the government mining engineer, Mr Badenhorst, listed a number of measures he believed should be implemented to counter the growing incidence of mine fires and explosions. He said that methane gas explosions could occur only in three specific and simultaneous circumstances, namely where there was inadequate ventilation, an absence of testing for the presence of gas, and the presence of an igniting source. To counter fire and explosion hazards, Mr Badenhorst proposed the comprehensive treatment of timber with fire retardants, a ban on oxyacetylene cutting and welding, proper control of flammable material, a ban on smoking, installation of gas monitoring devices and the availability of self-contained self-rescuers and refuge bays.²⁶⁸ [²⁶⁸ *Business Day* 23 November]

The director general of the chamber's research organisation, Dr Horst Wagner, said at the congress that it was essential that the mines adopt a long-term safety strategy, which went beyond 'the pure management approach' to address all aspects of health and safety. The three basic elements needed, he said, were management, protection and engineering, but he also emphasised that 'for a safety management system to be fully effective there is a need for greater worker participation. This aspect will

require considerable attention by industry.’²⁶⁹ [²⁶⁹ *The Weekly Mail* 4 December]

In a joint paper, Mr J P Leger of the Department of Sociology at the University of the Witwatersrand and Dr H S Eisner, a retired director of the United Kingdom Health and Safety Executive, attributed the bad accident rate on South African mines to two factors: the relative inexperience of underground supervision staff and the numerical strength and workload of the mines inspectorate.²⁷⁰ [²⁷⁰ Leger J P and Eisner H S, *Safety in South African mines II: Aspects of Supervision and Inspection*, paper delivered at the Chamber of Mines’ mine safety and health congress, 19-20 November, Johannesburg]

Mr Leger and Mr M Mothibeli, also from the Department of Sociology at the University of the Witwatersrand, said in a paper on South African gold miners’ perceptions of safety that social relations between underground workers and their supervisors concerning safety questions had improved over the last two years. According to their survey, ‘new practices, policies and rules had curbed the earlier arbitrary actions and instructions of the white miner, actions which in the view of interviewees had frequently led to the neglect of safety precautions’.²⁷¹ [²⁷¹ Leger J P and Mothibeli M, *South African Gold Miners’ Perceptions of Safety: 1984-1987*, paper delivered at the Chamber of Mines’ mine safety and health congress, 19-20 November, Johannesburg]

Mine violence

During the year under review many incidents of violence on the mines were reported, and Anglo commented in its *1987 Industrial Relations Review* that ‘violence within and around the workplace has become a deplorable feature of industrial relations’.

In January 1987 Anglo placed an advertisement in several newspapers to voice its abhorrence of outbreaks of violence at its Vaal Reefs and President Steyn gold mines. The company announced that 62 African mineworkers had died in a series of violent clashes in the previous nine weeks. Steps to reduce the causes of violence were also announced in the advertisement. These included a major housing programme to give more married employees the choice of living with their families and an intention to involve workers to a greater extent in hostel administration and living conditions (see *Migrant Workers and Commuters* above and chapter on *Housing*). The advertisement also stated that tension on the mines had been heightened by the state of emergency, general unrest, frustration over blocked career advancement of better educated workers and reports of repatriation of workers from neighbouring states. On the issue of labour relations, Anglo said that it had noted ‘recent disturbing trends of behaviour on the part of the NUM’ which gave ‘cause for concern’.²⁷² [²⁷² *The Citizen* 6 January, *The Star* 5 January]

In a replying advertisement the NUM challenged Anglo’s accusation and said that it should be known ‘once and for all that the source of conflict is rooted in the institutions of oppression and exploitation which exist in the mining industry’. The NUM said that the hostel, migrant labour and induna systems were originally instituted so that mine owners could have control over all aspects of mineworkers’ lives and that Anglo still benefited from these institutions. The cause of the violence emanated from the

institutions Anglo itself had created and, therefore, the union said, 'it is only when these institutions are removed that industrial relations can be regularised'.²⁷³ [²⁷³ *The Citizen* 10 January]

Incidents of violence

Some 3 900 of the 8 000 African mineworkers at Gencor's Beatrix gold mine (Orange Free State) resigned after violence which left eight people dead and 53 injured. Gencor estimated that it would take up to two months to replace these workers and that the production loss might amount to 150 000 tons.²⁷⁴ [²⁷⁴ *Eastern Province Herald* 14 January]

Early in February over 2 200 workers resigned from their work at Anglo's President Steyn gold mine (Orange Free State) and left the mine in the wake of violent Fights, which had occurred on the mine since December 1986 and which had left 39 people dead and 177 injured. A spokesman for Anglo said that the prospect of renewed violence and consequent loss of life had left management 'with no alternative but to request workers to either return to their normal duties or to terminate their employment with the mine'.²⁷⁵ [²⁷⁵ *Sowetan* 3 February]

In another case two Stilfontein (western Transvaal) mineworkers alleged that they were tortured by what they said was a private police force run by Gold Fields. The manager of the Gold Fields Security Company, Mr D I Pullar, denied the allegations.²⁷⁶ [²⁷⁶ *The Weekly Mail* 20 February]

In June five African mineworkers were shot dead by mine security personnel, and two white officials died at Anglo's Western Holdings gold mine (Orange Free State) in a clash between African workers and security personnel. It was reported that the cause of the clash had been the firing of three African engineers in April and the threat of dismissal of two others. Anglo claimed that there was a planned attack on the section manager's office while the NUM said that the violence had been sparked by the intervention of mine security in a labour dispute. Anglo denied the NUM's claim that the mine's emergency protection unit had been used to break up a meeting demanding the reinstatement of the five workers.²⁷⁷ [²⁷⁷ *The Star* 8 June, *Eastern Province Herald* 9 June]

Violence was also a prominent feature of the national mineworkers' strike in August (see chapter on *Labour Relations* for details of violence during the miners' strike).

Trade and catering

The table below gives the average numbers employed, their average monthly wages for June 1987, and the percentage changes over 1986.²⁷⁸ [²⁷⁸ CSS, Statistical news release, *Wholesale, Retail and Motor Trade, Control Boards and Hotels*, P0244, September]

Trade and catering: employment and wages: 1987

Employment

Wages

Number

Change

R/month

Change

Wholesale

African

95 300

-2,3%

448

23,1%

Asian

13 300

0,8%

1 047

19,4%

Coloured

25 500

2,8%

727

20,0%

White

84 200

0,5%

2 096

13,2%

Total

218 300

-0,5%

1 151

16,2%

Retail trade

African

176 500

3,0%

417

14,3%

Asian

20 600

-1,9%

985

12,6%

Coloured

49 400

-1,5%

671

17,9%

White

127 400

0,2%

1 611

6,7%

Total

373 900

1,2%

922

8,5%

Motor trade

African

51 500

3,0%

417

14,3%

Asian

5 300

-1,9%

985

12,6%

Coloured

13 400

-1,5%

671

17,9%

White

42 300

0,2%

1 611

6,7%

Total

112 500

1,2%

922

8,5%

Hotels

African

30 000

0.7%

291

15,0%

Asian

2 800

none

601

7,7%

Coloured

6 400

-1,5%

397

23,7%

White

7 900

1,3%

986

11,3%

Tota

Occupational Health

Statistics

According to figures released early in 1988 the workmen's compensation commissioner paid out over R100m to employees injured at work in 1987. It was also claimed that employers spent another R300m in hidden costs. These included making up the salaries of injured employees, the overtime costs of recovering loss in production, the cost of machinery being written off and the training of new employees.

According to the managing director of the National Occupational Safety Association (NOSA), Mr H J (Bunny) Matthysen, South Africa's fishing industry had both the most frequent and the most severe accidents in the workplace. He said that about 8,5% of the workforce in fishing was injured a year as compared with the average of 1,6% of the overall workforce. Occupational injuries in the steel industry affected 2,2% of the workforce. NOSA said that 43% of all occupational deaths in all sectors (2 000 a year) were transport-related.²⁷⁹ [²⁷⁹ *Business Day* 12 April 1988] Mr Matthysen said that NOSA aimed to 'complement the work done by the National Road Safety Council in making employers more aware of their responsibility towards employees involved in transport'.

Legislation

The Workmen's Compensation Amendment Act, which was gazetted on 2 September, made provision for the minister of manpower to fix a higher limit above which people would have to earn in order to qualify for workmen's compensation benefits. The amendment act also made provision for an increase in the amounts payable to workmen or their dependants in the event of accident or death. A memorandum to the amendment bill stated that workmen's compensation benefits were last increased on 1 April 1984, and because of the 'substantial increase in the cost of living' it had become necessary to increase them. Compensation for temporary total disablement had been 75% of a worker's monthly earnings up to R600 of such earnings, but the amendment act increased the upper limit to R1 500 of his/

her earnings.²⁸⁰ [280 *Government Gazette*, no 10888, 2 September]

Other occupational health issues

Employers could save millions of rands by devoting time to and spending money on the health of employees, the director of the South African Brain Research Institute, Dr Mark Gillman, said. He stated that introducing policies to combat physical addictions and to improve the health of employees had been shown overseas to be extremely cost-effective in the long term. According to Dr Gillman alcoholism was a particular problem for South African companies, because it cut productivity, aggravated absenteeism, increased accident rates and inflated training costs to a 'frightening degree'.²⁸¹ [281 *The Citizen* 8 May]

In its annual report for 1986 the Department of Health and Population Development criticised South Africa's occupational health service, which, the report said, was deficient through a lack of legislation stipulating regular examination of all workers exposed to health risks. The National Centre for Occupational Health 'ought to take the lead in changing the sometimes adverse working conditions in South Africa', the report said.²⁸² [282 *The Star* 16 June]

In August it was reported that from 1992, Everite, South Africa's leading maker of asbestos cement products, would replace asbestos with natural organic fibre (cellulose) in all building materials which formerly contained asbestos, except asbestos cement piping. In anticipation of negative customer perceptions, Everite's Swiss parent company, Eternit, had set the 1992 deadline which was accepted by Everite. Eternit said that although asbestos was still the best material for the purpose, it should be replaced regardless of the cost. Everite made it clear that the decision did not mean that it admitted that asbestos cement was dangerous, and it was still convinced that asbestos was safe if handled correctly. The decision still to use asbestos for the making of pipes, which made up 30% of its asbestos-related production, was justified by the company by referring to research which found no evidence of any health hazard where fibres were ingested with water.²⁸³ [283 *The Star* 21 August]

Speaking at a function of the northern Transvaal region of NOSA, the managing director of the South African Motor Corporation (SAMCOR), Mr Spencer Sterling, said that optimal product quality and productivity were impossible without adequate safety, as safety was part of the humanisation of the worker. He said that the organised labour force demanded the right to be informed of potential hazards in the work environment and that workers were no longer prepared to work in an environment which was not totally safe. 'Provision of a totally hazard-free environment is the responsibility of the state, employer and employee, [but] the worker is certainly the most important element in the safety programme and should be motivated to participate in this regard,' Mr Stirling said.²⁸⁴ [284 *The Citizen* 26 October]

The deputy director of the Industrial Relations Unit at the University of Port Elizabeth, Ms Martheanne

Finnemore, said that at least 12 unions were in the process of drafting or negotiating health and safety agreements. According to Ms Finnemore, comparisons with provisions in the Machinery and Occupational Safety Act of 1983 showed that independently negotiated industrial health and safety agreements provided workers with rights 'far superior to those provided for by law'. 'In this respect legislation in South Africa lags well behind other western countries,' she said. She referred to the health and safety agreements which had been concluded between the General Workers' Union and Turnall (Cape province) on 24 March 1986 and the South African Allied Workers' Union and Malcomess (eastern Cape) on 17 July 1986 as examples of agreements which brought major gains for workers.²⁸⁵

[²⁸⁵ Finnemore M, 'Health and Safety at Work: Behind Clause Doors', *Indicator South Africa*, vol 4 no 3, Summer]

For information on miners and the Acquired Immune Deficiency Syndrome (AIDS), see *Migrant Workers and Commuters* above.

See chapter on *Homelands* for information about the KwaZulu Machinery and Occupational Safety Act of 1985.

Employment Codes

Australia

The voluntary Code of Conduct for Australian Companies with Interests in South Africa was tabled in the Australian Parliament on 29 November 1985 (see 1985 *Survey* pp172–173). In March 1987 the first report of the administrator of the Australian code, Mr R M Bannerman, was published. According to the report, the Australian code dealt with desegregation at places of work, unionisation and racial discrimination in employment, labour restrictions, training and advancement, pay and the quality of life of employees. In February 1987 there were ten Australian companies with wholly-owned subsidiaries in South Africa, and between them they had approximately 640 African employees. Three Australian companies with 50% ownership in South African companies had about 1 200 African employees between them. Mr Bannerman wrote, 'As a broad generalisation, the Australian companies are meeting the standards of the code, and I believe their conduct with their African workers is creditable.'²⁸⁶ [²⁸⁶ *Code of Conduct for Australian Companies with Interests in the Republic of South Africa, First Report of the Administrator*, March]

Canada

In 1987 there were only twelve Canadian companies with direct investments in South Africa. The Canadian government reported that direct Canadian investment in South Africa had decreased from 239m Canadian dollars in 1981 to 116m Canadian dollars in 1985. The Canadian government's Code of Conduct Concerning the Employment Practices of Canadian Companies Operating in South Africa had been revised twice since its inception in 1978. It was revised in 1985 (see 1985 *Survey* p173) and again in 1986, when it 'was broadened to include expanded articles on collective bargaining, wage and pay

structures, training and promotion, fringe benefits, race relations and desegregation, along with new articles on migrant labour, the encouragement of black businesses and social justice'.²⁸⁷ [²⁸⁷ Cooper A, *US and Canadian Business in South Africa 1987*, Investor Responsibility Research Center, Washington DC, p71]

Europe

According to an analysis in Whitehall, the number of workers in British companies in South Africa whose wages were lower than the minimum level stipulated by the European Economic Community (EEC) Code of Conduct had fallen by more than 50%. The analysis, released in May 1987 by the British government, was based on the performances of British companies holding 50% or more of the equity of a South African company and employing at least 20 Africans. The minimum level of pay stipulated by the code was the supplementary living level (SLL) for a family of five calculated by the University of South Africa (UNISA) for 25 districts in the country.²⁸⁸ [²⁸⁸ *Business Day* 1 April]

The British Department of Trade and Industry revealed that almost 55 000 African South Africans had lost the 'limited' protection afforded them by the EEC Code of Conduct in the four-year period ending 30 June 1986. The department said that in the four-year period under review 16 companies which had previously reported did not do so. Of these, eight had disposed of all their South African assets, four had reduced their holdings in South African subsidiaries to less than 50% and three had been incorporated into other reporting companies. The sixteenth company had been taken over by a company with its headquarters in Bermuda and subsequently did not report. The number of African South Africans employed by the subsidiaries reached a peak of 134 000 in 1982, but fell to 79 100 by June 1986.²⁸⁹ [²⁸⁹ *Ibid* 2 April]

A total of 63 of the 142 British companies which submitted reports under the EEC Code of Conduct paid 3 300 of their workers less than the code's recommended minimum wage, the Labour Research Department, a trade union research organisation, found when analysing company reports. Some of the companies which paid a few employees less than the recommended wage said this was because the workers were women or 'tea ladies'.²⁹⁰ [²⁹⁰ *Business Day* 6 May]

In a study released in May 1987, the Ethical Investments Research and Information Service (EIRIS) claimed that more than 85% of British companies operating in South Africa were paying African employees minimum wages below the SLL. The study said that the average of all companies' minimum wages paid in February 1986 was R394 a month, compared with the UNISA's national average SLL of R482. Companies' minimum wages in February 1986 ranged from R76 a month to R908 EIRIS said.²⁹¹ [²⁹¹ *Ibid* 25 August]

The EIRIS study was strongly criticised by British subsidiaries in South Africa, which said that EIRIS had chosen to use selective statistics to create a biased view of the wages they were paying.²⁹² [²⁹² *Ibid* 1 September]

United States of America (US)

According to the 11th report of the Statement of Principles (previously the Sullivan Principles), published in November 1987, there had been a significant reduction in the number of signatories of this code. They had dropped from 183 (including five non-US signatories) in November 1986 to 92 (including two non-US signatories). The report attributed the drop to the withdrawal of 52 signatory companies from South Africa; the reclassification of companies with no operations in South Africa from ‘signatories’ to ‘endorsers’; and companies without control of their South African company, or having less than 25 employees, being offered the option to report and become a signatory, or not report and become an endorser without signatory status.²⁹³ [²⁹³ *Eleventh Report on the Signatory Companies to the Statement of Principles for South Africa*, November 1987]

This drop also came at a time when the Rev Leon Sullivan, the author of the Sullivan Principles, abandoned the code. Mr Sullivan’s decision came after a threat he made in May 1985 to withdraw from the programme should apartheid not be eradicated by 31 May 1987 (see 1985 *Survey* p172 and 1986 *Survey* Part 2 p760). When he announced his decision early in June, Mr Sullivan said that although he thought that his code had benefited South African Africans, it had not helped to end apartheid.²⁹⁴ [²⁹⁴ *The Citizen* 4 June] He said that although he agonised over his decision, he thought that Africans would be better off in the long run as a result of strong action against apartheid. Mr Sullivan urged the United States (US) to break off diplomatic relations with South Africa and to impose a total economic embargo on the country until it ended apartheid. He also asked the 127 companies that followed the principles at that time to withdraw from South Africa within nine months according to eight guidelines he himself had drawn up. Finally, he urged the American Congress to impose stringent penalties on US trading partners who moved in to South Africa to pick up the business.²⁹⁵ [²⁹⁵ *The Guardian* 14 June] In May Mr Sullivan was denied permission to visit South Africa by the minister of home affairs, Mr Stoffel Botha. Mr Botha said, ‘I indicated to him that the time was not appropriate for him to visit South Africa. I did not refuse the visa.’²⁹⁶ [²⁹⁶ *The Citizen* 18 May] He said that a visa might be granted to Mr Sullivan at a later date.²⁹⁷ [²⁹⁷ *Business Day* 18 May]

The US administration rejected Mr Sullivan’s plea for disinvestment and said, ‘Despite the difficulties on the ground in South Africa, we firmly believe that it is now more important than ever for US firms to stay and work for an end to apartheid.’²⁹⁸ [²⁹⁸ *The Guardian* 14 June]

The American Chamber of Commerce of South Africa (AMCHAM), which represented most of the Sullivan Principles’ signatories, said that it regretted Mr Sullivan’s decision and that it had been and would always be a strong proponent of continued investment in South Africa. The executive director of AMCHAM, Mr Adrian Botha, said that the presence of US companies and their ‘enlightened employment practices’ had had a positive effect.²⁹⁹ [²⁹⁹ *The Natal Witness* 5 June]

The minister of foreign affairs, Mr Roelof (Pik) Botha, in a comment on Mr Sullivan's decision, said that the South African government 'will not allow itself to be threatened in this way', and added that Mr Sullivan's decision is 'neither in the interests of the workers nor in the interests of the United States'. Mr Sullivan's demand for disinvestment and a trade boycott was 'completely rejected' by the Progressive Federal Party (PFP), said the PFP's spokesman on finance, Mr Harry Schwarz. The Conservative Party's spokesman on economic affairs, Mr Clive Derby-Lewis, said that by his actions Mr Sullivan had revealed his real mission, which was to undermine the existing order in South Africa.³⁰⁰ [³⁰⁰ *The Citizen* 5 June]

The Sullivan Principles were replaced by the Statement of Principles, which embodied the same seven basic principles of non-segregation, equal and fair employment practices, equal pay for equal work, education, training for advancement, community development and social justice. The policy-making body of the Statement of Principles would be the US Corporate Council, with the Industry Support Unit (ISU) providing administrative and communication support in the US and the Signatory Association supplying this support in South Africa.

The US Corporate Council was formed in June 1986 by the chief executive officers of American companies operating in South Africa, and the ISU was made up of senior management in the same companies. The Statement of Principles would be run on exactly the same lines as the old Sullivan Principles, requiring annual reports from each participating company together with answers to questionnaires, which would be independently audited and rated. Mr Reid Weedon of Arthur D Little would continue the task of independent assessment.

The chairman of the Signatory Association, Mr Roger Crawford, said, 'In my opinion, the mistake Sullivan made on entering the social justice arena in South Africa was that he believed reform would be an event. I've always argued that you cannot remove 300 years of institutionalised discrimination at the flick of the finger and that reform in South Africa is a process rather than an event.' Mr Crawford also said that the 'disappearance' of Mr Sullivan meant a 'degree of depoliticising of the association, but the principle of social justice remains a cornerstone'.³⁰¹ [³⁰¹ *Financial Mail* 4 September, *Sunday Times* 28 June] Earlier in the year there was speculation that AMCHAM would take over the Sullivan Principles, should Mr Sullivan leave. Mr Crawford, however, stated that although the Signatory Association worked closely with AMCHAM, it was not intended or planned that AMCHAM should take a leadership role in the implementation of the principles.³⁰² [³⁰² *Business Day* 9 September]

The alleged extension of the Sullivan Principles to encourage corporate civil disobedience (see 1986 *Survey* Part 2 p760) was strongly criticised by the director of the Institute of American Studies at the Rand Afrikaans University, Prof Carl Noffke. He said that the new guidelines were 'political dynamite' and a 'dangerous development'.³⁰³ [³⁰³ *The Citizen* 13 May]

In terms of the US Congress's Comprehensive Anti-Apartheid Act passed in 1986, American companies with South African subsidiaries had to sign either the Statement of Principles or the US State

Department's Principles (see 1986 *Survey* Part 2 p760). This meant that all South African subsidiaries of American companies were evaluated annually on their degree of compliance with the codes. The State Department's evaluations were to be made public, but details of individual companies signing the Statement of Principles were to be kept confidential.³⁰⁴ [³⁰⁴ *The Weekly Mail* 25 September] In May it was reported that at least two companies that had not signed the Statement of Principles might be penalised for failing to answer the State Department questionnaire on their employment practices. Although there were no criminal penalties for poor performance, violations of the regulations regarding registration and reporting could carry fines of up to \$1m.³⁰⁵ [³⁰⁵ *Business Day* 9 June]

BUSINESS

Desegregation of Trading Areas

In 1979 the commission of inquiry into legislation affecting the utilisation of manpower (the Riekert commission) recommended the opening of central business districts (CBDs) for trading by all races. In 1984 Parliament passed the Group Areas Amendment Act (see 1985 *Survey* p97), which amended the Group Areas Act of 1966 in order to give effect to the policy of declaring certain CBDs free trade areas.

In February 1986 the CBDs of Johannesburg and Durban were the first to be opened for trading by all races. By the end of November 1986, 29 CBDs had been opened. The greatest single concentration of these areas was in and around the Cape Peninsula. None had been opened in the Orange Free State (see 1986 *Survey* p11 and p13).

During 1987 a further 28 CBDs were opened, bringing the total to 57. Of these, 15 were in the Cape: Carnarvon, Durbanville, two areas of Grabouw, Hermanns, Knysna, Kuils River, Milnerton, Montagu, Moorreesburg, Plettenburg Bay, Stilbaai, Strand, Vredenburg, and Worcester.

A further six areas were opened in the Transvaal in: Akasia, Benoni, Kempton Park, Pietersburg, Springs, and Vanderbijlpark. Six Natal areas were opened: Colenso, Eshowe, Glencoe, Pinetown, Port Shepstone and Tongaat. Welkom was the first place in the Orange Free State to be opened to trading by all races.¹ [¹ South African Institute of Race Relations (SAIRR), *Quarterly Countdown*, First, Second, Third and Fourth Quarters, 1987]

In September a Department of Constitutional Development and Planning official said that the processing of applications for the opening of CBDs had become 'purely routine'.² [² *Business Day* 28 September] However, restrictions still remained that limited the equal participation of all races in trade in the CBDs. Africans were still not allowed to buy and own land in the CBDs because of the Group Areas Act.³ [³ *Sowetan* 18 March] In February *Business Day* reported that the influx of African businesses that had been expected when the Johannesburg CBD had been opened to all races the previous year had failed to

materialise.⁴ [⁴ *Business Day* 4 February]

In Durban a firm of property brokers, Russell, Marshall and Stride (RMS) Syfrets, reported that Indian investors who were interested in commercial property in the city's CBD were unable to lease the property if, in addition to its commercial aspects, the same property also had a residential factor. In these cases they were still required to apply for a permit. 'Permits are being granted, but this does mean a delay,' said the managing director of RMS Syfrets, Mr Kevin Dunkley.⁵ [⁵ *The Natal Mercury* 11 March]

In February the Middelburg (Transvaal) Town Council decided not to apply for permission to open the town's CBD. This decision ignored the findings of a council survey of owners and lessors of business property in the CBD which had shown that the majority of respondents were in favour of an open policy for the CBD. Conservative councillors said that there was 'adequate' free trading at the Twin City complex on the town's outskirts.⁶ [⁶ *The Star* 25 February] A councillor, Mr Rex Hilligan, said that a proposal to reinvestigate the matter had been defeated when the five right-wing councillors who controlled the council voted against it.

In response to the town council's decision, Middelburg's African township, Mhluzi, declared itself a free trading area. The mayor of Mhluzi, Mr Philip Nhlapo, said 65% of money spent in the Middelburg CBD came from Mhluzi's residents.⁷ [⁷ *Ibid* 2 March] In August, after the National Party (NP) had taken control of the council, the decision was reversed and the acting chairman of the management committee, Mr Reiner Swarts, applied to the administrator of the Transvaal for permission to open parts of the CBD to traders of all races.⁸ [⁸ *Ibid* 6 August]

In July the Bronkhorstspuit Licensing Board granted a business licence to the director of Faheena Fashions, Mr Yusef Mohammed Bhoula, despite a protest mounted by the Blanke Bevrydingsbeweging (BBB). The BBB had put up posters saying 'Keep Indians Out' and called the licence a 'blatant challenge to the white man'.⁹ [⁹ *Ibid* 13 July]

Trade in African residential areas

As the Group Areas Act did not apply to African residential areas, legislation amending the act to open trade to all races in specified places did not apply to African residential areas.¹⁰ [¹⁰ *Infoma* March 87] The Competition Board submitted to the government a memorandum on deregulation which included recommendations to open the way for the involvement of other races in trade in African residential areas and also to remove some of the restrictions on African traders.¹¹ [¹¹ *Business Day* 21 October]

The board recommended the repeal of Proclamations 293 of 1962 and 264 of 1968, Government Notice 1036 of 1968 and sections 24(3) and 11(2) of the Development Trust and Land Act of 1936. Proclamation 293 requires African people to obtain permission before they begin trading. It also states:

‘Capital from persons other than blacks to finance trading activities may be raised only with the permission of the director-general and then only by way of a loan. No person other than a black may share in the profits of the business’

Proclamation 264 provides for the prevention of trade monopolies, the control of trading, the inspection of books and the prohibition of barter trade and of unauthorised exhibition of cinema films.¹² [¹² Ibid]

The Competition Board’s memorandum referred to Chapter 3 of Government Notice 1036 of 1968, which states that, ‘trading sites are created administratively by an official who has the power to set aside sites for trading, business or professional purposes. Disposal by a trader of a trading site also requires the approval of the relevant authority. There is a prohibition against anyone carrying on trade in a black area unless a site has been allotted to him for that purpose. When a site has been allotted the trader is then restricted to carrying on the particular type of trade specified for that site. No person may carry on business on a residential site. The procedure for obtaining the right to trade from a trading site is in addition to and precedes the normal procedure for obtaining a trading licence. The right to occupy a trading site can be cancelled for a variety of reasons. Regulation 14 prohibits a trader from permitting any person to share in the profits from his business unless he obtains written approval from the relevant authority. This prohibition does not, however, preclude the trader from obtaining a loan for the purposes of carrying on or expanding his business’.¹³ [¹³ Competition Board memorandum D3 on deregulation: legislation affecting black traders, 23 February]

The board’s memorandum further notes that Section 24(3) of the Development Trust and Land Act provides that ‘no licence to carry on any profession, business, trade or calling in any scheduled black area or on land in a released area of which the Trust is the registered owner, shall be issued or renewed save with the permission of the minister [of development aid] first obtained. The minister is empowered to grant or refuse permission for the issue of any licence or any renewal thereof and may, notwithstanding anything in any law, direct that no such licence shall be issued or renewed. In terms of this section any person who wishes to obtain a licence to carry on any profession, business, trade or calling, or who wishes to renew his licence must first obtain the minister’s permission. The section prohibits the issue or the renewal of such licence unless the applicant is in possession of a certificate stating that the minister’s permission has been granted. The minister has a discretionary power to refuse or grant the necessary permission. The section also imposes an administrative burden on the applicant: He has to apply for the minister’s permission in addition to his obligation to comply with basic licensing legislation.

Small Business and the Informal Sector

Policy and legislation

In January the Small Business Development Corporation (SBDC) criticised the government for the slow pace of deregulation of business, saying there had been a marked increase in the politicisation of

Africans because 'they cannot see any significant gain from participation in the South African economy'. An economist at the SBDC, Mr Guy Woolford, said that he was 'surprised [that] the economy is so buoyant with all the regulations, licensing and high tax levels' which discouraged the formation and growth of businesses.¹⁵ [¹⁵ *Sowetan* 16 January] Mr Woolford said, 'The deregulation seen to date has been marginal. Far more is required.'¹⁶ [¹⁶ *The Daily News* 15 January]

In the same month the chairman of the Competition Board, Dr S TF Naudé, said that consultations to secure the co-operation of government departments and local authorities on deregulation had been in progress since August 1986. The board had compiled a report which covered, among other things, the deregulation of trade, licensing and business hours, African trading, health regulations, industrial parks and taxis.¹⁷ [¹⁷ *Financial Mail* 30 January]

The *Financial Mail* reported that the board had examined the costs faced by small businesses with regard to labour laws, particularly minimum wage agreements. It said that as any attempt to scrap legal minima regarding the conditions of labour on a national basis would undoubtedly be opposed by trade unions, the Competition Board seemed most likely to recommend that certain areas be exempted from the minimum requirements of the labour legislation.¹⁸ [¹⁸ *Ibid*]

At the junior congress of the Afrikaanse Handelsinstituut (AHI) in May Dr Naudé said that because of the number of regulations at national and local level it was almost impossible for a person to start off a small business legally. Another speaker at the congress, the chairman of the Council for Small Business, Professor Nic Swart, said that there was a lack of co-ordination between the bodies created to promote small business. He said that the organisations concerned argued among themselves as to who would do what while the small businesses went unaided.¹⁹ [¹⁹ *The Star* 20 May]

In July the managing director of Job Creation South Africa, Mr Ian Hetherington, said that deregulation had reached a stalemate because big business benefited from over-regulation as this protected it from competition. Although deregulation was government policy, little progress had been made. he said. As a result small business agencies dissatisfied with the pace of deregulation were to make joint representations to the government to step up the pace of reform.²⁰ [²⁰ *Business Day* 3 July]

In August representatives from a wide range of over 30 small business agencies met at the Sunnyside Park Hotel in Johannesburg to formulate a set of proposals on small business, the informal sector and the unemployed that were to be presented to the government. The group named itself the 'Sunnyside Group' and elected Mr Keith Foster of the Urban Foundation to the chair. The group worked on a proposal to be sent to the cabinet. The proposal suggested:

- that the government should appoint a commissioner for small enterprises to act as an intermediary ombudsman between such enterprises and legislative authorities at the levels of local, provincial and central government; and

- that regulations currently in force should be tested in terms of their impact on a small enterprise.

The Sunnyside Group held the opinion that the civil service was important in promoting small enterprises. The group hoped that through demonstrating the impact of legislation on small business, it could persuade the civil service to deregulate. The group was not opposed to all legislation but preferred the option of appropriate local regulation to that of centralised 'western style' regulation. 'What applies to Sandton City doesn't apply to Soshanguve,' Mr Foster said.

In February 1988 the working committee of the group was invited to Cape Town to discuss its proposal with government officials that included the minister in the office of the state president entrusted with administration and broadcasting services. Mr Alwyn Schlebusch, and Dr Naudé.²¹ [²¹ Interview with Mr Keith Foster, chairman of the Sunnyside Group, 25 March 1988]

The government spelt out its attitude on privatisation and deregulation in a white paper tabled in Parliament on 3 August 1987 by Mr Schlebusch

A central recommendation of the white paper, published to allow public comment, was tough curbs on government expenditure.²² [²² *The Star* 4 August] The white paper signalled the start of a three-year government programme during which special attention was to be given to privatisation and deregulation with the object of limiting the public sector's involvement in the economy.²³ [²³ *Business Day* 4 August] The white paper recommended that the government's approach to regulation should emphasise the promotion of economic activities and be less directed towards their control. Deregulation should also promote the expansion of the small business sector. In order to do this, the government had introduced the Temporary Removal of Restrictions on Economic Activities Act in 1986 (see 1986 *Survey* Part 1 p14).²⁴ [²⁴ *The Citizen* 4 August]

The chairman of the state president's economic advisory council, Dr Kemeels Human, said in September that the informal economic sector would have to be 'drastically developed' to reduce unemployment. Dr Human said the formal sector would be able to provide jobs for only 56% of the workforce by the end of the century.²⁵ [²⁵ *The Natal Mercury* 10 September] In October the state president, Mr P W Botha, stated that the informal sector had a significant role to play in relieving unemployment. He said the approach to the informal sector would have to be adapted to broaden its traditional base.²⁶ [²⁶ *The Citizen* 2 October]

In November the minister of manpower, Mr Pietie du Plessis, told a National Party congress that because the viability of small businesses was threatened by wage determinations, he had granted many exemptions, particularly to small businesses which could not afford the applicable minimum wage.²⁷ [²⁷ *The Star* 16 November]

An analysis of the causes and effects of inflation compiled by the economic advisory council

recommended further, 'more purposeful' deregulation as well as the promotion of the informal sector.²⁸
[²⁸ *The Citizen* 20 November]

In contrast to the role expected by the government of the informal sector, a Human Sciences Research Council (HSRC) report suggested that the informal sector was not an important creator of jobs. Some 66% or fewer of small businesses polled had started out with R200 or less. A total of 37% of respondents worked without assistance and 47% relied on family labour.²⁹ [²⁹ *Business Day* 20 October] The survey was based on 59 responses to a questionnaire distributed to 70 people by the HSRC.³⁰ [³⁰ Interview with Mr D Langley, Human Sciences Research Council (HSRC), 24 March 1988]

The Small Business Development Corporation (SBDC)

In 1987 the Small Business Development Corporation (SBDC) granted 6 997 direct loans totalling R177m, representing increases of 94% and 74% over the previous year respectively.

Since 1982 the SBDC had granted direct loans to 13 470 entrepreneurs totalling R347m. Information and advice had been provided to more than 329 000 small businessmen since 1 April 1984. During 1987 inquiries had been received at a rate of 1000 per working day. SBDC programmes had resulted in approximately 143 590 jobs being created at an average cost of R2 400 per job.

Through the SBDC's small builders' bridging fund, 2 346 small builders had been financed to a total amount of R50m to provide housing in neglected areas at an average cost of R1 625 per job opportunity.³¹ [³¹ Small Business Development Corporation Annual Report, 1987]

In the main budget speech in June, the minister of finance, Mr Barend du Plessis, said that a total of R15m would be set aside for the SBDC. This was in addition to the R5m already granted to it during that financial year.³² [³² *Eastern Province Herald* 4 June]

With the co-operation of Federated Insurance, the Southern Life Association, Sanlam and the Johannesburg Consolidated Investment Company (JCI), the SBDC also developed business premises in neglected areas.

In 1987 entrepreneurs' training and development centres to stimulate job creation had become operational in Athlone (Cape Town), Bloemfontein (Orange Free State), Chatsworth, Phoenix and Pietermaritzburg (all in Natal), Pennyville (near Soweto, Johannesburg), and Port Elizabeth, Stutterheim and Uitenhage (all in the eastern Cape).

The SBDC's development services had been expanded throughout South Africa with the introduction of business promotion units, the implementation of the local enterprise taskgroup scheme and marketing assistance by means of a programme to bring small business entrepreneurs into contact with each other.

The SBDC also launched a support programme for the informal sector. Projects of the programme included informal hawker stalls, a nationwide shoe-shine project and mobile food-vending carts.

The SBDC promoted deregulation throughout the country at provincial and local government level and also contributed submissions to various central government departments and the Competition Board.³³ [33 *Small Business Development Corporation Annual Report*, 1987]

Other developments

In March the results of an investigation conducted by Vista University into the business activities of 74 informal enterprises in Port Elizabeth's townships were published. The investigation showed trading to be the most important component of the informal sector because of the ease with which this type of business could be started. It suggested a reduction of inhibiting regulations, modest financial support in the form of small loans, and the use of buildings in residential areas for commercial purposes. The most important limitation to doing business and to expansion was a shortage of fixed and working capital, the report argued.³⁴ [34 *Eastern Province Herald* 28 March]

In October a group of African and white businessmen, headed by a Soweto entrepreneur, Mr Willie Ramoshaba, established a foundation to assist in the development of small African business. Known as the Business Achievers' Foundation, the body aimed to provide loans as well as financial and educational counselling. Mr Ramoshaba said. 'There have been many attempts to encourage the development of black business but none has answered our real needs or enjoyed significant success.'³⁵ [35 *The Weekly Mail* 30 October]

Hawkers

In December 1987, after a year of uneasy relations between hawkers and municipalities around the country, the president of the African Council of Hawkers and Informal Business (ACHIB), Mr Lawrence Mavundla, called on the formal business sector to help hawkers and street vendors prevent local authorities from harassing people who sold goods in the streets.³⁶ [36 *The Star* 9 December] ACHIB, which was formed in May 1986 (see 1986 *Survey* Part 1 p21), claimed a membership of 13 000.³⁷ [37 *The Citizen* 8 December, *Sowetan* 23 November] Mr Mavundla said that he wanted the formal business sector to help small traders by getting local authorities to lift restrictive trading bylaws, paying legal fees for hawkers who were arrested, and urging local authorities to leave us alone because we are earning a living honestly. Our members are getting arrested every day. We are not here for politics. We want to make an honest living. More than 150 000 jobs a year can be created in the informal business sector. We have communicated with every local authority in the country to respect our contribution to the economy'.³⁸ [38 *The Star* 9 December]

On 1 December a meeting of hawkers held in Johannesburg called on the African community to take collective action against big supplying companies and local authorities if their demands were not met by 10 December. The hawkers resolved to fight authorities for harassing them and confiscating their goods during normal operations in cities and townships. In addition, Mr Mavundla said that ACHIB had sent letters to companies giving them the 10 December deadline and demanding that they be consulted before companies supplying them increased prices and that the companies put pressure on the government regarding the Group Areas Act of 1966.³⁹ [³⁹ *Sowetan* 2 December]

In the same week Mr Mavundla addressed a meeting in Johannesburg attended by leading wholesalers at which he communicated the hawkers' demands. He also told the wholesalers that ACHIB's 13 000 members spent about R81m a year on wholesale merchandise. He claimed that there were approximately 150 000 hawkers in South Africa, with spending power of R1bn.⁴⁰ [⁴⁰ *The Citizen* 8 December]

Durban and Pietermaritzburg

Following a trip to the Far East in 1986 by Durban officials, a pilot project comprising 30 mobile vendors was launched on the southern part of Durban's lower Marine Parade.⁴¹ [⁴¹ *The Daily News* 25 June]

In November, a day after hawkers who operated outside the Warwick Avenue vegetable market in Durban had staged a sit-down demonstration against eviction, the Durban City Council opened two CBD areas to hawkers who had been trading there for some years. To operate legally in the designated areas, hawkers had to apply to the council for a licence, costing R38,50 a year, as well as pay a R25 application fee.⁴² [⁴² *City Press* 29 November]

In December the police conducted an operation against unlicensed hawkers in Pietermaritzburg. A police spokesman, Captain Pieter Kitching, said that a total of 218 people had been arrested during the crime prevention blitz but that only four of these had been charged with trading without a licence.⁴³ [⁴³ *Echo* 17 December] Many of the hawkers involved claimed that their goods had been confiscated. Consequently, hawkers formed a new association, the Siphamandla Hawkers' Association. It claimed to represent 322 hawkers, including about 180 unlicensed hawkers, throughout the city.⁴⁴ [⁴⁴ *The Natal Witness* 14 December]

Kimberley

In March the Kimberley City Council's liaison committee for commerce, trade and industry supported the idea of providing accommodation for hawkers rather than forcing them out of the CBD.⁴⁵ [⁴⁵ *Diamond Fields Advertiser* 25 March] Soon thereafter, following complaints from businessmen and action by police resulting in fines for hawkers, the council decided that hawkers would be barred from city pavements

and restricted to a portion of Currey Street to be made into a pedestrian mall, with canopies for them.⁴⁶ [⁴⁶ Ibid 15 April] The project would be introduced on an experimental basis for six months. In June the council decided that in spite of certain objections, the experimental project should take place. In terms of the council decision, only licensed hawkers were to be permitted to have canopies erected in the mall area.⁴⁷ [⁴⁷ Ibid 24 June]

Soon after the opening of the trading site, 30 hawkers complained that their new premises were crowded and that business at the site was slack.⁴⁸ [⁴⁸ Ibid 5 October] As a result, the Currey Street hawkers' pitch was altered and new hawking areas were to be designated in the CBD. A municipal official said that it was not possible to allow the hawkers free movement. Although the principle of deregulation was supported, some regulations would have to remain, he said.⁴⁹ [⁴⁹ Ibid 7 October] In Galeshewe a hawkers' association of about 50–60 people, mainly women, was formed under the leadership of Mr E Tau. The association affiliated to the Northern Cape Chamber of Commerce.⁵⁰ [⁵⁰ Ibid 23 September]

Port Elizabeth

In January Mr Carl Coeizer, president of the Port Elizabeth Chamber of Commerce, which supported the opening of parts of the CBD to hawkers, called on the Port Elizabeth City Council to provide proper facilities for hawkers in Main Street.⁵¹ [⁵¹ *Eastern Province Herald* 21 January] A few weeks later, in early February, a report proposing six hawking sites in the Port Elizabeth CBD, compiled by the town clerk, Mr P K Botha, was rejected at a meeting of the council's community services committee.⁵² [⁵² Ibid 11 February]

In June the Small Business Development Corporation (SBDC) estimated that there were 860 licensed hawkers and three times as many unlicensed hawkers in the city. The SBDC planned to present a report to the council about hawking problems.⁵³ [⁵³ Ibid 5 June] In September Port Elizabeth officials and the police met to discuss hawkers and the completed SBDC report. It was decided that the police would keep a low profile and would help the municipality to control hawkers only when asked to do so.⁵⁴ [⁵⁴ Ibid 9 September]

In its report, the SBDC suggested that the management and control of the hawkers be made the responsibility of a hawkers' committee, but it appeared that the council would itself strictly enforce its bylaw prohibiting hawking outside those areas which it had by then approved.⁵⁵ [⁵⁵ Ibid 16 September] The SBDC was to rent carts to hawkers at R3 a day, for use at sites approved by the city council.⁵⁶ [⁵⁶ Ibid 15 October]

On 19 October ten organised fresh-produce hawkers and their carts began operating in Port Elizabeth's CBD. The project was introduced on a three-months' trial basis. The president of the CBD Hawkers' Association, Mrs Georgina Jiza, said that the association would manage and control fresh-produce hawking in the city.⁵⁷ [⁵⁷ Ibid 20 October] Later in October it was reported that the CBD association was

successfully controlling the area and illegal hawkers could no longer operate there. The business adviser of marketing and trading for special projects for the SBDC, Mr Naas Meyer, said that hawkers were coming forward in large numbers to ask for information.⁵⁸ [⁵⁸ Ibid 30 October] A few weeks later an association for fresh-produce hawkers operating in the Centrahil area of Port Elizabeth was formed.⁵⁹ [⁵⁹ Ibid 10 November] Mrs Jiza said later that a negative aspect of the scheme was that fresh-produce sales had dropped slightly after hawkers in the Port Elizabeth CBD had been compelled to trade from traffic islands instead of pavements.⁶⁰ [⁶⁰ Ibid November]

Witwatersrand

In April three Mohlakeng (Randfontein) street hawkers issued summonses totalling R20 000 against the minister of law and order, Mr Adriaan Vlok, alleging that they had been shot at by policemen while selling their wares in the township in 1986.⁶¹ [⁶¹ *Sowetan* 27 April] No further information was obtainable.

In August hawkers welcomed new bylaws aimed at relaxing trading rules in Johannesburg. The easing of regulations followed representations to the Johannesburg City Council by the SBDC and the African Council of Nyangas and Hawkers' Association. Their submissions were based on the government's acceptance of deregulation and the restrictive effect of bylaws on small entrepreneurs. The new bylaws were to allow hawkers greater freedom of movement in large areas of the city. Previously, hawkers had not been allowed to sell their wares on main roads in the CBD.

The chairman of the health and environment committee of the Johannesburg City Council, Mr Cecil Long, said that hawkers would still be expected to move every two hours, except if they were established on permanent sites. Restrictions on vendors' trading on Saturdays were also lifted.⁶² [⁶² *The Star* 26, 27 August]

In November, an ACHIB official, Mr Samuel Brown, reported that his organisation was disturbed by the recent arrest of 800 hawkers in Johannesburg and Tembisa (east Rand). In response, ACHIB resolved to discuss issues of concern to hawkers with all city councils in the Pretoria/Witwatersrand/Vereemging (PWV) area.⁶³ [⁶³ *City Press* 22 November]

Following these incidents, Mr Mavundla said that the new bylaws aimed at easing trading conditions for hawkers were 'a farce' because hawkers' goods were being confiscated, hundreds of hawkers had been arrested and they were often assaulted during raids. Mr Mavundla said that incidents had occurred despite the fact that most of the hawkers had licences to trade in the CBD and in large areas of the townships.⁶⁴ [⁶⁴ *Sowetan* 23 November]

The public relations officer of the Johannesburg Traffic Department, Mr E D Peace, said that hawkers were normally arrested for trading illegally in the city. Their goods were confiscated once they ran away because they caused an obstruction. Those arrested paid admission of guilt fines. In response, Mr

Mavundla said, 'We are going to be forced to ask for support from community organisations and trade unions in our fight against the authorities.'⁶⁵ [⁶⁵ Ibid 24 November]

African Business

African business development

The Get Ahead Foundation, a non-profit organisation, opened a branch in Kwazakhele (Port Elizabeth), in January. The local co-ordinator, Mr Isaac Mazungla, said that the foundation's objectives were to support African participation in businesses, to promote the goods and services of African entrepreneurs, to create employment opportunities and to help poor people in the informal sector.⁶⁶ [⁶⁶ *Eastern Province Herald* 26 January]

In the same month Colgate-Palmolive announced the launch of a R1m trust to develop closer relationships between established businesses and emerging African businesses through identifying market opportunities within existing firms. The trust also hoped to facilitate access to finance, premises, equipment and raw materials. It would support manufacturing and service sector industries on the east Rand.⁶⁷ [⁶⁷ *City Press* 1 March]

In March plans were announced for a R10m shopping centre in Katlehong (east Rand). The centre would be the first of its kind in the township.⁶⁸ [⁶⁸ *Sunday Times* 15 March]

Trading results of the African Bank for the twelve months to 30 September 1986, published in March, were well down on those of the previous year. The disclosed taxed profit after transfers to reserves was R83 142 compared with R157 014 for the year ending 30 September 1985.⁶⁹ [⁶⁹ *Business Day* 17 March] Investigations into the activities of the African Bank by the Witwatersrand's commercial bank police continued in 1987 (see 1986 *Survey* Part 1 p26).

In July Lebowa Bakeries (Lebaka) became the first African-controlled company to be listed on the Johannesburg Stock Exchange (JSE). Lebaka achieved a record turnover of R32m in the year to March 1987. It served the entire area of Lebowa from five bakeries.⁷⁰ [⁷⁰ *Small Business News* August] In May 1988 it was reported that Lebaka had exceeded earnings per share that had been forecast by 31% since it had been listed. In its audited preliminary report for the year ended 31 March 1988, the company declared earnings a share of 11,1 cents, compared with 8,2 cents forecast in the prospectus.⁷¹ [⁷¹ *Sowetan* 3 May 1988]

Plans for a multi-million rand education and entertainment centre, Shareworld, to be established close to Soweto, were announced by the director of Co-ordinated Marketing, Mr Rueul Khoza. The project was to be financed by the Standard Bank.⁷² [⁷² *Sowetan* 31 July] Shareworld opened on 13 November 1987.

On 30 July a chopsticks manufacturing factory said to be the biggest in the world was officially opened near Umtata (Transkei). The factory, which was to supply more than 400m chopsticks a year to mainly Far East markets, was established by the Transkei Development Corporation in conjunction with Taiwanese business.⁷³ [⁷³ *Imbadu* September]

In September African business people were reported to be setting up a fund which would allow them to buy into selected industries. One of the first targets was expected to be the sorghum beer industry. The president of the National African Federated Chamber of Commerce and Industry (NAFCOC), Dr Sam Motsuenyane, said that his organisation was convinced that a national fund was essential if African business was to escape from the paternalism implicit in all attempts by others to help Africans. Low key fund-raising efforts had already begun, he said. National and international campaigns were to follow.⁷⁴ [⁷⁴ *The Sunday Star* 20 September]

Lesedi Clinic (Soweto, Johannesburg), South Africa's first African privately-owned clinic, planned a large expansion programme after the project, owned jointly by African doctors and business people, had recovered its initial losses.⁷⁵ [⁷⁵ *African Business* September 1987]

In October Mzamo-Moleko Liquor Enterprises, which owned seven liquor outlets and had an annual turnover of over R40m, opened 'The A-Train' nightclub in Soweto, said to be South Africa's first lawful multiracial nightclub in a black township. This was made possible by a 1986 amendment to the Liquor Act of 1977—see 1986 *Survey* Part 1 p219. Two of the key people in the development, Messrs Lahoy Bacela and Jake Motlogeloa, had previously been employed by the Johannesburg City Council liquor division for several years.⁷⁶ [⁷⁶ *African Business* October]

The Seriti Sa Sechaba publishing house—a development of a Women in Writing project—celebrated its official opening and the launch of its first three books in October. A member of the board of directors and author, Dr Ellen Kuzwayo, said that she was happy to have lived to see the day when black women were publishing their own books.⁷⁷ [⁷⁷ *The Star* 14 October] The Women in Writing project aimed to develop writing skills for women through workshops.⁷⁸ [⁷⁸ *The Star* 28 October]

In November 225 African business people from the Pretoria/Witwatersrand/Vereeniging (PWV) area completed courses at the Centre for Developing Business, which is part of the business school of the University of the Witwatersrand. The courses, sponsored jointly by Colgate-Palmolive and Amalgamated Beverage Industries, covered general and financial management, and merchandising and salesmanship for the township retailer. The course was attended by butchers, managers of fast food outlets, confectioners, clothing shops, hairdressing salons and several general dealers.⁷⁹ [⁷⁹ *Sowetan* 23 November, Interview with Mr I Clark of the Centre for Developing Business 24 March 1988]

Late in 1987 an organisation known as Business Challenge (BC) was launched at a three-day conference in Swaziland. A founder member and director of the organisation, Mr Phil Khumalo, said that the main

company of the organisation would be called BC (Pty) Ltd and that there would be three subsidiary companies. Members would be able to buy shares in the main company. The three subsidiaries would be BC Finance, a joint venture with a bank still to be named; BC Training and Development, which was to have the objective of teaching members business transactions and concepts; and BC Life Broking, a broker for pension funds and life insurance.⁸⁰ [⁸⁰ *Sowetan* 10 December]

Readers of this *Survey* are referred to the chapter on *Labour Relations* for information on employee share ownership projects and the chapter on *Transport* for details of Putco developments affecting black business.

Obstacles faced by African businesses

The president of the National African Federated Chamber of Commerce and Industry (NAFCOC), Dr Sam Motsuenyane, said in April that apart from the 'galaxy of negative laws' and 'cumbersome bureaucratic requirements' to which the African businessman was still subject, there were legal and policy structures in South Africa which were contrived so as to limit substantially African participation in the economy.⁸¹ [⁸¹ *Business Day* 24 April]

The director of the Small Business Development Corporation (SBDC), Dr Ben Vosloo, said that there were between 500 and 1 000 regulations obstructing enterprise in the townships. Dr Vosloo described them as 'regulations that prevent the black trader becoming part of an economic miracle that could transform South Africa'. Mr Ian Hetherington, managing director of Job Creation South Africa and 15 years a NAFCOC industrial committee member, said. 'They make the law fall into disrepute; they make the law a target of public mockery.'⁸² [⁸² *African Business* September]

A former director of the Black Lawyers Association legal education centre, Mr Godfrey Pitje, said at the 12th annual South African law conference in May that only 250 of the 6 000 lawyers in the country were African. He pointed out that many African law graduates held an undergraduate law degree, but that most firms of attorneys preferred to article students with LLB degrees. This was one of the main obstacles faced by African law students. 'Black students cannot afford to spend five years at university for an LLB degree,' he said.⁸³ [⁸³ *Sowetan* 25 May]

The managing director of African Development and Construction Holdings, Mr Matodozi Liphosa, said at a South African Property Owners' Association (SAPOA) conference in August that the combination of the conflict of interest between existing white developers and emergent African ones, and the tendency of financial institutions to favour white business posed a threat to development in the African sector. Mr Liphosa said that white developers should be creative and tolerant enough to allow African developers to participate in and benefit from exploitation of opportunities in this sector.⁸⁴ [⁸⁴ *Business Day* 14 August]

At the annual meeting of the Southern Africa Bus and Taxi Association (SABTA) in October, its president, Mr James Ngcoya, said that it was necessary to put African business at an advantage over white business—rather than to deregulate and privatise. Mr Ngcoya said that when the economic race had started in South Africa, African business had been tied down by chains of legislation. ‘Now the government has removed a large slice of that legislation, it stands back, pats itself on the back and says “fair race”. And I think this is done in the honest belief that the results will be effective,’ Mr Ngcoya said. He added that early Afrikaner business had had the advantage of cartels, protection laws, subsidies and the very regulations that the government now wanted to do away with. ‘Let African business gain from those regulations which worked so well for the white capitalist. Why change successful formulae only because African business wants to utilise them?’, he said.⁸⁵ [⁸⁵ *The Natal Mercury* 22 October]

In November it was reported that South Africa’s African traders faced great difficulties when applying for business sites and licences because of alleged corruption of some town councillors. Mr M M Manala, a senior consultant at Job Creation South Africa, claimed at the official opening of Tembisa Industrial Park (east Rand) that councillors often took the jobs and licences for themselves or granted them to their favourites. Mr Manala contended that African local authorities stifled the progress of small businesses by delaying their applications for sites and introducing inappropriate procedures when examining applications. He said that it had taken small businessmen in Tembisa more than three years to get a site to establish the industrial park. The procedures, he said, had been intricate and had involved many people.⁸⁶ [⁸⁶ *Sowetan* 17 November]

White involvement in African business

In February Colgate-Palmolive announced the formation of a R1m trust, designed to develop a closer business relationship between established businesses and emerging African enterprises (see *African Business Development* above).⁸⁷ [⁸⁷ *City Press* 1 March] ‘It is vital that we look towards a more equitable redistribution of wealth in this country,’ the company’s managing director, Mr Gerry Nocker, said.⁸⁸ [⁸⁸ *Business Day* 18 February]

In May a Durban financial consultant, Mr Ray Still, was appointed executive development officer of the Inyanda Chamber of Commerce by the president of the chamber, Mr P G Gumede. ‘We have to integrate the business communities in the South Africa of the future,’ Mr Still said. ‘There should be no more African and white sectors, just one combined unit.’⁸⁹ [⁸⁹ *Sunday Tribune* 24 May]

Plans for a R120m shopping and industrial complex close to Khayelitsha (near Cape Town), believed to be the largest investment of its kind in the Cape Peninsula, were announced by Mr Barry Fletcher, chairman of a development company, Airport Industrial Corporation. Construction on the centre, Cape Town’s first centre to be open to both black and white business from its inception, was expected to commence in January 1988 (see 1986 *Survey* Part 1 p28).⁹⁰ [⁹⁰ *The Star* 27 August]

A lecturer in the Department of Psychology at the University of Natal, Mr Blade Nzimande, said that Africans' anti-capitalist feelings could not be changed without changes in their personal experiences of exploitation, poverty and oppression. He suggested that employers should take positive steps towards addressing issues affecting the 'mass of ordinary working people. One possible guarantee of improving the image of free enterprise he said, would be for South African employers to 'break once and for all with the past and pay a living wage. Over and above this, there must be job security and a halt to retrenchments. I honestly do not believe that many companies retrench because they are about to "go under". Retrenchments are carried out because they are threatening the already fat profits South African employers are used to because of cheap labour'.⁹¹ [⁹¹ *Business Day* 30 September]

In October, following allegations by township traders that Mzamo-Moleko Liquor Enterprises was a front for a well-known wholesale group, Score Discount Food Stores. Mzamo-Moleko's board of directors explained that it had entered into a management contract with the company only. Explaining his group's involvement with the African group, Score's managing director, Mr Danie van Greunen, said, 'We are here to develop people; to give them support with their systems. If your administration is not good, you don't have a business.'⁹² [⁹² *City Press* 25 October]

In December it was announced that nearly a hundred retired business executives had volunteered to assist African businesses in a scheme initiated earlier in the year by the American-based International Executive Service Corps (South Africa) (IESC). The executive director of the IESC, Mr Maurice Come, said, 'More than 50 projects have already been undertaken and some already completed.'⁹³ [⁹³ *The Star* 3 December] (See also *African Business Development* above, *Small Business and the Informal Sector* above, and *Liquor* below.)

National African Federated Chamber of Commerce and Industry (NAFCOC)

Two themes dominated the activities of the National African Federated Chamber of Commerce and Industry (NAFCOC) in 1987: the call for equal political rights and increasing controversy over organisational policy.

In February the president of NAFCOC, Dr Sam Motsuenyane, called for the scrapping of all laws which discriminated against persons on the grounds of colour, a theme repeated at speeches throughout 1987.⁹⁴ [⁹⁴ *Sowetan* 2 February]

NAFCOC's cautious support for conditional sanctions against South Africa, announced after a 1986 meeting with the banned African National Congress (ANC) (see 1986 *Survey* Part 1 pp133–134), led to threats of a split between the national body and its largest affiliate, the Natal-based Inyanda Chamber of Commerce. The president of Inyanda, Mr P G Gumede, said that although his region fully supported the pro-sanctions/disinvestment resolution passed at the NAFCOC summit the previous year, 'We trade where there is strong opposition to sanctions and Chief Buthelezi—who leads Inkatha, of which we are

an affiliate—has been campaigning vigorously against it.’⁹⁵ [⁹⁵ *City Press* 1 March]

In April Dr Motsuenyane asserted that NAFCOG would continue talking to all black organisations, banned or not. He was responding to statements made by the chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, who accused NAFCOG of trying to buy immunity from alleged ANC reprisals against African traders. Chief Buthelezi had further accused Dr Motsuenyane of being an ANC supporter.⁹⁶ [⁹⁶ *Eastern Province Herald* 2 April]

By the opening of the NAFCOG conference in July, the disputes over sanctions were allayed by NAFCOG’s agreeing to support only conditional investment. The conference, held in Johannesburg, was opened by Dr Motsuenyane, who noted that sanctions had been and were being imposed on South Africa, rendering debate on the issue ‘an academic exercise’. He added that ‘NAFCOG’s policy is that it will not take part in any future efforts to encourage new investments in cases where Africans are not meaningfully involved’ and that ‘there is a case for selective economic pressure’.⁹⁷ [⁹⁷ *The Weekly Mail* 10 July]

Discussion at the conference examined the gaining of greater economic power for the African entrepreneur, and resolving the relationship between African businessmen and the communities which they served.⁹⁸ [⁹⁸ *Ibid*] The keynote speaker, Mr Reuel Khoza, the managing director of Co-ordinated Marketing, asked, ‘Black business ... what black business? We have no credible representation in any major economic sectors.’ He went on to say that African business was not only economically powerless but was also a ‘prime example of a state-created middle class ... It could not have come about except at the pleasure of the ruling establishment for purposes inimical to the African national cause’.⁹⁹ [⁹⁹ *Ibid*]

It was also revealed at the conference that in June NAFCOG representatives had met four government ministers to discuss dismantling apartheid. In response the ministers had referred the NAFCOG representatives to the government’s National Council initiative.¹⁰⁰ [¹⁰⁰ *Ibid*]

Other resolutions taken included working for better access to mineral rights for Africans, and a resolution to launch a transport operators’ umbrella body, the South African United Transport Association. The aim of this organisation would be to ‘increase African involvement to cover all aspects of transport—especially cartage and haulage’. A large number of political organisations and trade unions, including the Congress of South African Trade Unions (COSATU) and the National African Council of Trade Unions (NACTU), addressed the conference.¹⁰¹ [¹⁰¹ *Business Day* 1 September]

Also mooted at the conference, and discussed at a NAFCOG meeting in October, was a black business charter. This charter, according to Dr Motsuenyane, was not intended to replace the Freedom Charter but rather to complement it.¹⁰² [¹⁰² *City Press* 11 October] The NAFCOG charter argued that apartheid should be challenged on all fronts and that business should commit itself to striving for economic, political, social and workers’ rights.¹⁰³ [¹⁰³ *The Weekly Mail* 11 October]

In November Dr Motsuenyane told a meeting of German businessmen in Bonn that black business wanted to see a 'true system of free enterprise implemented in South Africa'.¹⁰⁴ [¹⁰⁴ *Sowetan* 27 November]

Liquor

Privatisation of the sorghum beer industry

The sorghum beer industry had originally been under the control of local authorities before being transferred to administration boards, later renamed development boards. Profits from the sale of sorghum beer were used for black township administration and development. When the boards were dissolved in 1986 (see 1986 *Survey* Part 1 p98), responsibility for the industry was handed over to the provincial administrations. During 1987, certain aspects of the industry—namely the breweries and distribution networks—were transferred to the Industrial Development Corporation (IDC), while the provinces retained responsibility for the sorghum beer outlets.¹⁰⁵ [¹⁰⁵ Interview with Mr D F Toerien, manager of the Industrial Development Corporation, 24 March 1988] Legislation was introduced to expedite the privatisation of the industry generally.

Sorghum Beer Amendment Bill

When the Sorghum Beer Amendment Bill was tabled in the House of Assembly a memorandum attached to it noted that 'the sorghum beer industry is controlled by the Sorghum Beer Act, 1962 (Act No 63 of 1962) ... The major object to this bill is to pave the way for privatisation of the public sorghum beer industry ... Certain amendments to the principal act are necessary to accommodate the private sector in the sorghum beer industry, notably to enable the private purchaser of the sorghum beer interests of the former development boards to be authorised to manufacture, sell or supply sorghum beer. Provision is also made for the disposal of the proceeds realised by the privatisation of sorghum beer interests'.

During the second reading debate on the bill, Mr T A P Kruger (National Party) said that the industry was 'the only home industry which has developed to such an extent that it has grown into a large industry with a big turnover in money. 1 1984 this industry used sorghum grain to the value of R30m and maize to the value of R34m for the supply of sorghum beer. It employs approximately 8 000 people, according to the information for 1984 ... The industry also spends R5m annually on promoting participation in sport among the black people'.¹⁰⁶ [¹⁰⁶ *Hansard* (A) 4 cols 1004-1005, 8 June 1987]

The deputy minister of development planning, Mr Piet Badenhorst, said that 230 of a total of 260 sorghum beer outlets were located in African areas, where relevant sections of other legislation restricted or prohibited members of other race groups from acquiring businesses. A 'watchful eye' would, nevertheless, be kept to ensure that the goal of transferring the industry to African ownership was adhered to during the process of privatisation. About 500 white employees, or about 10% of the total number of people employed in the industry, would be affected by the privatisation process, but these

employees could 'rest assured' that they would not be disadvantaged, Mr Badenhorst said.¹⁰⁷ [¹⁰⁷ *The Citizen* 9 June] The bill was passed on 8 June.¹⁰⁸ [¹⁰⁸ *Hansard* (A) 4 cols 1023-1024, 8 June 1987]

Privatisation of breweries and distribution networks

Commenting on the privatisation of the industry, the minister of constitutional development and planning, Mr Chris Heunis, said, 'I confirm that everything possible will be done to expedite the sale of the whole entity to the private sector.'¹⁰⁹ [¹⁰⁹ *Infoma* May/June 1987]

Competition for shares in the sorghum beer industry had been mounting since it had become clear that the industry was to be privatised.¹¹⁰ [¹¹⁰ *Business Day* 8 April] No overall information on the state of privatisation of the industry, or information about who was buying it, has emerged. Late in 1986, the KwaZulu Finance and Investment Corporation (KFC) had formed a consortium with local companies to bid for sorghum breweries in Natal.¹¹¹ [¹¹¹ *Ibid*]

A manager of the IDC, Mr D F Toerien, said in March 1988 that Volkskas Merchant Bank had been called in to expedite the privatisation of the breweries and distribution networks. This process would be effected within the next twelve months, he said.¹¹² [¹¹² Interview with Mr D F Toerien, manager of the Industrial Development Corporation, 24 March 1988]

Privatisation of outlets

The process of privatisation of sorghum beer outlets formerly controlled by the development boards began during 1987.

In March the chairman of the Tshabalala Group and former mayor of Soweto, Mr E T Tshabalala, owner of the first bottlestore in Soweto, acquired two more liquor stores which were originally under the control of the now-defunct West Rand Development Board (WRDB).¹¹³ [¹¹³ *Business Day* 13 March]

In April it was reported that 21 beer halls owned by the Lebowa Development Corporation (LDC) had been sold on tender to Lebowa citizens. This brought to an end the LDC's beer division.¹¹⁴ [¹¹⁴ *Momentum* April]

The National African Federated Chamber of Commerce and Industry (NAFCOC) intended buying all sorghum beer outlets formerly run by development boards, the chamber's president, Dr Sam Motsuenyane, said. Opening the fifth annual conference of the Ukhamba Liquor Association in Johannesburg in August, Dr Motsuenyane said that NAFCOC's aim was to take over the industry completely and end white domination in the brewing and sale of a product that was mostly consumed by Africans.¹¹⁵ [¹¹⁵ *Sowetan* 25 August]

In the context of the lack of concrete information about the privatisation of the industry, allegations of corruption have flourished. Outlining current African participation in the liquor industry, a director of Consumer Behaviour, Mr Eric Mafuna, told the Ukhamba Liquor Association conference that the 1976 political upheavals had had the effect of pushing out the development boards and opening the door for African private ownership of liquor outlets. However, the African takeover had not been without problems, Mr Mafuna said. 'Sooner or later', he continued, 'councillors—some of whom had no business experience at all—had used their position and started grabbing every possible outlet, only to mismanage them. You should have had years of working with various aspects of the business. You should have the general behaviour patterns upon which the liquor industry revolves', he said.¹¹⁶ [¹¹⁶ *City Press* 30 September]

In a related development in March, Lekoa town councillors, who owned most of the liquor outlets in the Vaal Triangle, decided to reduce rent for these business premises by more than half. In one case, rent was reduced from R10 062 to R3 250 a month. The outlets had been allocated to private owners when the defunct Orange-Vaal Development Board (OVDB) had put them on sale before the outbreak of violence in the Vaal townships in 1984. Several of the councillors, including the mayor, Mr Esau Mahlatsi, and his relatives, were among the people who had been allocated liquor outlets. The reason given for the reduction in rentals was the average drop of 60% in takings at the outlets since September 1984. The following were seen as some of the contributory factors:

- buildings that had been destroyed had taken a long time to rebuild;
- licensing of shebeens in the area had had a detrimental effect on profitability;
- shebeens had instituted boycotts against outlets formerly managed by the OVDB; and
- hotels had opened their bars and lounges to all races.¹¹⁷ [¹¹⁷ *Sowetan* 12 March]

At the Ukhamba conference an executive director of the Department of Constitutional Development and Planning, Dr C F Scheepers, said that proposals made by NAFCO, Ukhamba and the National Tavern Association about the selling of liquor outlets to Africans in residential areas had been put before a parliamentary select committee. The government was prepared to give Africans opportunities to participate in the African liquor trade because it wanted to relinquish these industries to the private sector, Mr Scheepers said. He added that there had been a sharp decline in the profits made by these outlets while they were owned by the development boards. 'The main reason for the decline was the political unrest which erupted in African residential areas in recent days,' he said. Mr Scheepers said that it was not government policy to sell these outlets to community councillors or to any government body.¹¹⁸ [¹¹⁸ *Sowetan* 28 August]

In October 1987 the Mohlakeng Taverners' Association, acting on the advice of the National Tavern

Association, paid the WRDB R300 000 for this west Rand township's bottlestore and lounge. The board of directors consisted of three businessmen and two school principals.¹¹⁹ [¹¹⁹ *City Press* 4 October]

Licensing and control

There had been a 353% increase in the number of shebeen applications by African entrepreneurs between 1985 and 1986, the Department of Trade and Industry said in its annual report for 1986, tabled in Parliament in June.¹²⁰ [¹²⁰ *Sowetan* 25 June]

The Department of Trade and Industry was reported to have said in June 1988 that 670 shebeens had been licensed. Of these, 501 were in the Transvaal, 134 in the OFS, 24 in the Cape, and 11 in Natal.¹²¹ [¹²¹ *Weekly mail* 3-9 June 1988]

In January the first five liquor licences to be granted in Natal and KwaZulu were awarded to two 'shebeen kings' in Sobantu Village (near Pietennaritzburg) and three from Lamontville (Durban). The shebeen owners expressed their 'thanks to the Natal Midlands Taverners' Association (NMTA) who made it possible for us to win this battle'.¹²² [¹²² *Echo* 8 January]

The chairman of the Diepmeadow Taverners' Association, Mr Robert Nxumalo, announced in January that 43 Diepmeadow (Soweto) shebeeners had been granted conditional licences to sell liquor from their homes. He said that his organisation was negotiating with the Liquor Board to grant full licences to all taverners in the Soweto area.¹²³ [¹²³ *Sowetan* 8 January] A South African Breweries manager said that there were still an estimated 4 000 illegal shebeens in Soweto, however.¹²⁴ [¹²⁴ *Weekly mail* 609 June 1988]

A further 18 Diepmeadow shebeen owners were granted conditional tavern licences in July. They were permitted to sell alcohol only after certain building conditions, laid down by the Liquor Board, had been met.¹²⁵ [¹²⁵ *Sowetan* 29 July]

After 15 years of unlawful trading, a KaNyamazane (KaNgwane) taverner, Mrs Elizabeth Matyeka, was granted a licence and in March became the first Lowvelder to own and run a legal shebeen. Six freezers which had been seized along with thousands of rands of liquor during one of several police raids had also been returned to her.¹²⁶ [¹²⁶ *The Star* 3 March]

Speaking at a Federated Hotel, Liquor and Catering Association of South Africa (FEDHASA) conference in February, the vice president of the National Organisation of Black Liquor Retailers, Mr M W Z Kunene, said that those who were licensed and subject to restrictions faced unfair competition from the 'informal sector'. Mr Kunene said that while legal African retailers, who conformed to opening hours and paid general sales tax (GST) opened for business at 9am, their unlicensed competitors started selling at 6am from cafes and houses at lower prices.¹²⁷ [¹²⁷ *Cape Times* 17 February]

Ukhamba Liquor Association

More than 200 licensed liquor traders attended the second annual general meeting of the Ukhamba Liquor Association at a Johannesburg hotel in April. The organisation had been launched six years previously to liaise with government bodies and other relevant authorities about problems faced by African liquor traders. It had originated in Natal and had spread to Bophuthatswana, the eastern Transvaal, Johannesburg and Lebowa.¹²⁸ [¹²⁸ *City Press* 12 April]

The mayor of Mamelodi, Mr Zikhali Ndlazi, was to be the first African to be appointed to serve on the Liquor Board, the deputy director of the Liquor Board, Mr M B Avery, announced at the meeting. The announcement was greeted with hisses and murmurs by many, who expressed fears that the government was deliberately putting community councillors on the Liquor Board to ensure that the Black Local Authorities Act of 1982 was a success. Delegates said that they believed that by putting community councillors on the Liquor Board, the government was showing that the councillors were able to wield significant power and that it could co-opt them. Moves such as Mr Ndlazi's appointment were important to the survival of the discredited system of black local authorities, delegates claimed 'This appointment is suspicious,' one delegate said.¹²⁹ [¹²⁹ *Business Day* 15 October]

Mr Ndlazi rejected claims that councillors had been appointed to the board to ensure the success of the Black Local Authorities Act. He said that his presence on the Liquor Board had been a boon to African liquor traders. Since his appointment, more than 100 African shebeens had been granted licences, he pointed out. 'Previously the all-white board had no knowledge of African drinking habits, but now I am giving valuable advice and getting shebeens legalised. I am showing breweries that they stand to gain,' he said.¹³⁰ [¹³⁰ *Ibid*]

Mr Avery said that when the development boards had relinquished their outlets and tenders had been called for, some African businesses had been hampered by lack of financial and managerial expertise. 'In an endeavour to overcome these difficulties, the government promoted the so-called 51% to 49% partnership concept between African and white entrepreneurs subject to the former at all times retaining the controlling interest,' he said.¹³¹ [¹³¹ *Sowetan* 25 August]

African farmers

In March the minister of education and development aid, Dr Gerrit Viljoen, said that the government would spend more than R10m on the improvement of African farming in Natal. About R9m had already been spent on developing the Makatini Flats, bordering on KwaZulu, where African farmers were producing rice, cotton, dry beans and mealies. About 126 African farmers had been settled in the 600 000ha area. Dr Viljoen said his department was also promoting new farming methods in other homelands.¹³² [¹³² *Daily News* 12 March] A group of KaNgwane and Makatini Flats farmers had cultivated

large yields of good quality rice. The twenty farmers involved in the project had been settled on the land by the Department of Development Aid and the South African Development Trust Corporation (SADTC). Each farmer cultivated one hectare of land under the supervision of rice experts from the Republic of China, and had earned a gross income of about R4 000 from the 1985/86 harvest. Roughly half of this was net profit

Makatini Flats land consists of land bought from white farmers by the SADTC which will eventually be transferred to KwaZulu.¹³³ [¹³³ *SA Digest* 27 March]

The Land Bank had not granted any loans to African farmers over the last three years, the minister of finance, Mr Barend du Plessis, said in June, because no African farmers had applied for loans between 1984 and 1986. Loans amounting to R430 050 had been granted to coloured farmers and R3 823 700 to Indian farmers.¹³⁴ [¹³⁴ *Eastern Province Herald* 9 June]

In July the agricultural committee of the National African Federated Chamber of Commerce and Industry (NAFCOC) resolved at the organisation's annual national conference that pressure should be maintained on the government to speed up the transfer of any land under the control of the South African Development Trust to African farmers. NAFCOC members were also requested to organise training schemes as soon as land became available to aspirant farmers.¹³⁵ [¹³⁵ *The Citizen* 9 July]

Also in July, *Business Day* reported that legislation was being prepared to make Land Bank finance available to African farmers for crop production credit and to buy land.¹³⁶ [¹³⁶ *Business Day* 8 July] In September, during a parliamentary debate on the Co-operatives Amendment Bill, the minister of agriculture, Mr Greyling Wentzel, said that the time had come when Africans should be accommodated in the co-operative movement as well as in development corporations.¹³⁷ [¹³⁷ *The Star* 17 September]

During 1987 officials of the Development Bank of Southern Africa (DBSA) criticised legislation controlling African participation in agriculture. In July the chairman of the DBSA, Dr Simon Brand, said that the Black Land Act of 1913 and the Development Trust and Land Act of 1936—which prohibit African ownership of land outside homelands and black townships—were being raised in discussions between lobby groups and the government. Most white-owned farms were being managed by Africans, Dr Brand said. He advised that policy makers who restructured white agriculture should take account of the role played on white farms by surplus-producing African farmers.¹³⁸ [¹³⁸ *Business Day* 8 July]

In November, the DBSA's divisional manager of agricultural development, Dr Johan van Rooyen, called for the land acts to be re-examined as they hampered the growth of 'emerging' African farmers. He said that inappropriate legislation jeopardised optimal land usage and undermined private enterprise initiatives. 'Regardless of the political sensitivity of the issue, one must look at the economic implications of African farmers being denied access to agricultural resources. Land issues will receive increasing attention in the future, and should be placed on the agenda,' he said. Dr Van Rooyen noted that farmers in developing areas experienced many constraints which acted as disincentives for increased

production. African farmers were faced with limited availability of credit, poor infrastructural support (such as roads and electricity), lack of skills and education, and inappropriate policies and legislation. To allow emerging African farmers to compete effectively in the market place, Dr Van Rooyen suggested that the present distribution of land should be looked at within a sound economic framework, attending to criteria of efficiency and equity and not solely in terms of its political considerations.¹³⁹ [¹³⁹ Ibid 12 November]

African Consumers

During 1987 several studies of African consumers reported their findings.

A report by the Bureau for Economic Research at the University of Stellenbosch which was published in February showed that while most white consumers expected an improvement in the economic situation, the majority of African consumers expected economic conditions to deteriorate. Both groups expected their financial positions to remain unchanged during 1987.¹⁴⁰ [¹⁴⁰ *The Citizen* 10 February]

Also in February, the results of a survey by the Bureau of Market Research of the University of South Africa (UNISA) into income and expenditure patterns among Africans, coloured people and Indians resident in metropolitan areas showed that the average income per household among Africans was highest in Soweto (Johannesburg) (R9 624 a year), followed by Pretoria (R9 359) and the east and west Rand (R8 628). The survey indicated that the average African household income was lowest in Bloemfontein (R5 611), Kimberley (R6 102) and Port Elizabeth (R6 518) being a little higher.¹⁴¹ [¹⁴¹ Ibid 28 February]

An analysis of expenditure patterns showed that African multiple households spent about a third of their cash income on food. More than a third of this amount went on meat and meat products. A comparison over several years showed that African women were spending increasing amounts on their personal appearance, through, for instance, visits to the hairdresser. The survey also revealed that malt beer was the most popular alcoholic drink.¹⁴² [¹⁴² Ibid]

Average household income among Indians was highest in Johannesburg (R18 397), compared with R14 217 in Pietermaritzburg and R13 992 in Durban, the survey found. Income and expenditure patterns among coloured people showed the average income per household to be R12 249 in Johannesburg, R10 358 in the Cape Peninsula and R9 627 in Port Elizabeth.¹⁴³ [¹⁴³ Ibid]

UNISA's Bureau of Market Research showed that in 1985 whites accounted for 55,5% of personal disposable income (that is, income from all sources after taxation). Africans accounted for 31,8%, coloured people for 8,8% and Indians 3,9%. But the bureau estimated that by the year 2000, Africans would account for 40,7%, coloured people 11% and Indians 5,8% of the market. Whites would account for 42,5%.¹⁴⁴ [¹⁴⁴ *Business Day* 26 February]

According to a report published in October by the bureau. South Africa's 1,2m African migrant labourers, classified as 'single households', earned R9,4bn in 1985. Their cash expenditure amounted to R8,9bn. The report found that although these single households represented only 29% of all Africans in South Africa's metropolitan areas, their income made up 59% of total income and 54% of the total spent by Africans in these areas. Hostel residents made up 62% of the category; domestic workers and gardeners living on white premises, 20%; people living or lodging with other Africans, 12%; and those who lived on government or business premises the remaining 6%. Of these people 75% were male, about a third of them 30 to 39 years old. More than 33% had had no schooling or less than six years of formal education. Hostel residents had the highest average annual income per head (R5 226), while domestic workers and gardeners earned an average of R2 474. Of domestic workers' and gardeners' income, 41% was income in kind, mainly free accommodation, food and working clothes.¹⁴⁵ [¹⁴⁵ *The Citizen* 27 October]

African workers' pay had risen by 20%–22% in real terms since 1983, Perry and Associates reported in their annual publication *Early Warning* (see chapter on *Employment*). This rise was attributed to strong trade union pressure for higher wages, lower taxes and rent boycotts. Union and foreign pressure and the skills shortage were ensuring the promotion of Africans, the publication claimed. Mr Mike Perry, managing director of the company, said that there were likely to be meaningful sales increases only in the African sector of the market. He cited the examples of liquor, where African consumption on the Witwatersrand was already worth more than the entire national white market; minibuses, where, Mr Perry said, Africans bought four out of every ten sold, and grocery wholesaling. Wholesalers distributing to shops serving Africans were growing faster than supermarkets, he added.¹⁴⁶ [¹⁴⁶ *Business Day* 2 December]

Advertising

Research into African consumers' attitudes and needs is still 'very much dark ages stuff', said the head of strategic marketing planning at the advertising agency Lintas, Mr Madala Mphahlele. It was incorrect for an advertiser to plan to penetrate 'the African market'. Other demographic factors, such as income, were a more important consideration than race, Mr Mphahlele suggested.

The managing director of Co-ordinated Marketing, Mr Rueul Khoza, conceded that racial considerations played a part in South African advertising. As an example, he said that until the advent of 99-year leasehold and electricity, furniture and electrical appliances had been 'overwhelmingly the preserve of whites'. 'It's a virgin buyer's market in places like Soweto and KwaMashu, whereas it's a replacement-only market among whites,' he said.¹⁴⁷ [¹⁴⁷ *Ibid* 26 February]

The chairman of Pepkor, Mr Christo Wiese, said at a seminar organised by the Menswear Group in October that rapid economic changes were taking place in South Africa and marketing could no longer be targeted at the white segment of the population, but had to be based on education, income and lifestyle. African buying power would soon equal that of whites, he said. As population growth

accelerated there would be an enormous increase in the number of African people under the age of 18, and they would dominate the youth market.¹⁴⁸ [¹⁴⁸ Ibid 16 October]

Foodstuffs and consumer durables

At an investment conference in April, the chairman of Amrel and the Southern Sun Hotel Corporation, Mr Ronald Cohen, said that he expected African consumer spending to double by the year 2000. He said African spending would dominate the clothing sector by the turn of the century, with 58% of the market, while the projected figure of 55% in the furniture and household sector would probably be an underestimate. Retailers, he said, had already begun to cater for the changing aspirations of the African consumer.¹⁴⁹ [¹⁴⁹ Ibid 30 April]

According to UNISA's Bureau for Market Research, in 1986 the African market accounted for 40% of South Africa's retail spending power. Clothing, furniture and food retailing sectors had shown particular growth.¹⁵⁰ [¹⁵⁰ Ibid 5 October]

The managing director of Sales House (a subsidiary of Edgars Stores), Mr Donald Etheridge, said that the African retail market was gaining strength faster than the economy as a whole 'Over the past few years the face of the African community has changed. Earnings are rising more rapidly than the cost of living for people who have jobs,' he said.¹⁵¹ [¹⁵¹ Ibid]

The R150m-a-year toy industry expected to expand into the African market as a major growth sector after sales to African buyers of basic toys increased dramatically in 1986. The joint managing director of Prima Toys, Mr Searle Diamond, said, 'We think the black market is an enormous growth area, with far more potential than the white market. The black market is turbulent and growth is so rapid we cannot pin estimates. We have, however, found prices are an inhibiting factor.'¹⁵² [¹⁵² Ibid 18 February]

The director of the Institute for Futures Research at the University of Stellenbosch, Professor P H Spies, told an Agrocon '87 conference in February that future market trends in agricultural products would be largely determined by the African population. Important factors to be considered when studying the African community were its relatively high population growth rate, rapid urbanisation (which would 'modernise' African consumption patterns), and changes in personal income.¹⁵³ [¹⁵³ *The Star* 18 February]

A survey issued by the Directorate of Agricultural Economic Trends (which is part of the Department of Agricultural Economics and Marketing) also concluded that African consumers would play an increasingly important role in the consumption of foodstuffs. The survey estimated that at the end of the century, 80% of South Africa's 44,9m people would be African. Of these people, 40% would be under the age of 14 and 72% under 35. The survey stated that the changing population patterns would lead to changes in existing consumption patterns. Of the African population, 75% would be urbanised, which implied important effects on the marketing of farm products. In 1970 South Africans consumed 372kg of grain, vegetables, fruit, dairy products, eggs, meat fats and oils per person. This figure had fallen to

323kg per person by 1986.¹⁵⁴ [¹⁵⁴ *Business Day* 17 November]

The importance of the African retail market, whether in furniture or food, was clearly reflected in the financial results of certain retail outlets. Jazz Stores' results for the six months ended December 1986 showed an increase in its income after taxation from R305 000 to R1,5m.¹⁵⁵ [¹⁵⁵ *The Citizen* 16 February] For the year ended December 1986, World Furniture reported a nearly fourfold increase in attributable earnings.¹⁵⁶ [¹⁵⁶ *Ibid*]

Services

In the sphere of tourism, the Eastern Province Herald reported that university studies had revealed that the African market share of tourism would grow from 8% to almost 14% by the year 2000.¹⁵⁷ [¹⁵⁷ *Eastern Province Herald* 14 May]

An official of the Durban Publicity Association, Mr Andrzej Kiepiela, said in March that there would be an increase of 18% in African visitors to Durban over the Easter period. The visitors were 'quite a power as a spending force', he said.¹⁵⁸ [¹⁵⁸ *The Citizen* 27 March] The power of African spending was already beginning to affect the hotel industry in Durban. According to the administrative director of the Durban Publicity Association, Mr Frank Vincent, there had been a flow of African holidaymakers to the city. He said that African tourists did not book into 'the one- and two-star hotels which to a degree explains why such hotels are disappearing in Durban. They save their money for their holidays and they are going for three-and four-star hotels,' he said.¹⁵⁹ [¹⁵⁹ *Ibid* 17 February]

After a study of the local hotel and tourism industries, Mr Howard Williams, chief executive of Horwath and Horwath Southern Africa, expressed the view that barring the vast market of African holidaymakers from tourist facilities remained a deterrent to what could be a lucrative business. He said, 'Even with the best will in the world, and despite the availability of multiracial hotels, the fact non-whites are prevented from using some facilities militates against any increase in Africans travelling to traditional resorts.'¹⁶⁰ [¹⁶⁰ *The Star* 9 December]

Consumer Boycotts

In terms of the emergency regulations, newspapers were not permitted to report on consumer boycotts during 1987. However, in January judgement in the case of Mr Abeiot 'Star' Motswege (see 1986 *Survey* Part 1 p41), the first person in the Transvaal to be charged with attempting to organise a consumer boycott, was passed in the Benoni magistrate's court. Mr Motswege had been arrested in May 1986 after 70 000 pamphlets calling for a consumer boycott of white shops in the east Rand had been found in his possession.¹⁶¹ [¹⁶¹ *Ibid* 13 January] Mr Motswege was acquitted on 13 February.¹⁶² [¹⁶² Interview with the clerk of the Benoni magistrate's court, 25 March 1988]

In February the four-month boycott of Putco buses in Soweto was lifted (see chapter on *Transport*).¹⁶³
[¹⁶³ *The Star* 20 February]

For further information on consumer boycotts, see chapter on *Political Developments*.

Business and Politics

Business and political strategies

In April the incoming chairman of the mining finance house, Johannesburg Consolidated Investment Company (JCI), Mr Murray Hofmeyr, accused South African business leaders of ‘naivety and complacency’ in dealing with the government. He said that the ‘deafening silence’ from business was allowing the government to ‘ride roughshod’ over its critics and was lending support to widely held black and foreign fears that business paid only lip service to reform.¹⁶⁴ [¹⁶⁴ *Business Day* 10 April]

The chairman of Pick ’n Pay, Mr Raymond Ackerman, replied that this was an ‘unwarranted attack’ on business. Mr Hofmeyr added that his remarks had primarily been intended to alert business to the danger of slipping into complacency as a result of economic improvements and the disappearance of news about the African townships because of government censorship.¹⁶⁵ [¹⁶⁵ *The Star* 13 April]

In a comment in its official newsletter *Barlow ’87*, Barlow Rand said that it was prepared to eradicate ‘white terrorist managers’ and to end all forms of discrimination at its workplaces countrywide. ‘Managers and supervisors who have no respect for their people have no place in Barlow Rand, for their attitudes are abhorrent to the group,’ the newsletter stated.¹⁶⁶ [¹⁶⁶ *Sowetan* 30 April]

In April, at the opening of an enterprise centre in Alexandra (Johannesburg) jointly funded by the National African Federated Chamber of Commerce and Industry (NAFCOC) and Barlow Rand, NAFCOC’s president, Dr Sam Motsuenyane said that if the future of the free enterprise system in the South Africa was to be preserved, government and the private sector would have to work towards integrating Africans in the mainstream of commercial and industrial life. The chairman of Barlow Rand, Mr Mike Rosholt, said that the government understood neither business nor the free enterprise system. Mr Rosholt said that many African people perceived big business as an extension of government, believing that both were inimical to the development of African business. He argued that no economic system could work without co-operation and discussion between business and government, yet a majority of businessmen did not support the government’s basic beliefs while government did not really understand business.¹⁶⁷ [¹⁶⁷ *Business Day* 24 April]

The executive president of the Johannesburg Stock Exchange (JSE), Mr Tony Norton, said in May that emphasis should be placed on popularising share investment in South Africa. ‘Participation in share ownership is a major antidote to the excesses of socialism, and is a great spur to the awakening of the

free enterprise spirit in erstwhile proponents of the more centrally planned economy,' he said.¹⁶⁸ [¹⁶⁸ Ibid 8 May] A number of companies offered shares to their workers in 1987 (see chapter on *Labour Relations*).

Speaking at a Progressive Federal Party (PFP) election meeting in May, Mr Tony Bloom, executive chairman of Premier Milling, said that the government's 'depressing chronicle of thuggery and authoritarianism' would lead to 'an explosion of violence'. He said he gave the National Party 'credit for nothing' because its 'reform' was 'no more than an obscene hypocrisy. This government is arrogant beyond belief, out of control and totally insensitive', he alleged.¹⁶⁹ [¹⁶⁹ Ibid 5 May]

In the wake of the government's electoral victory (see chapter on *Government and Constitution*), the JSE's industrial index rose 29 points to a record peak of 1 907. It was the first time the industrial index had risen above 1 900. 'A move to the right is traditionally seen as good for markets,' a dealer argued.¹⁷⁰ [¹⁷⁰ Ibid 13 May]

In May the Anglo American Corporation of South Africa (Anglo) published *The World and South Africa in the 1990s* by an Anglo director, Mr Clem Sunter. The book concluded that the options facing South Africa were negotiation and a booming economy or a stalemate with escalating violence, tighter sanctions and recession.¹⁷¹ [¹⁷¹ *The Natal Mercury* 19 May]

Opening an Afrikaanse Handelsinstituut (AHI) congress in Bloemfontein in May, the state president, Mr P W Botha, said that the private sector should not dictate to the government and should confine its activities to business matters. He said that his call applied especially to the involvement of some businessmen in what he termed 'attempts to improve the credibility of revolutionary elements' such as the African National Congress (ANC).¹⁷² [¹⁷² *Eastern Province Herald* 20 May]

Speaking at the same conference, the managing director of the Trust Bank of Africa, Dr Chris van Wyk, said that business leaders had a definite contribution to make in the handling of South Africa's 'formidable challenges'.¹⁷³ [¹⁷³ *The Citizen* 21 May]

In an interview with *Leadership* magazine in April, the governor of the Reserve Bank, Dr Gerhard de Kock, said that South African politics and economics were so intertwined that it was 'virtually impossible' for business to express its views on economic policy without saying something about political or constitutional developments at the same time. Dr De Kock said that he believed in the right of businessmen to dissent politically and publicly. He said, 'Businessmen have a duty to inform the government about how they feel. There are some people who say we don't have political problems, we just need to get the economy going and everything will fall into place. I disagree. There will not be sustained economic growth unless it is accompanied by political reform.'¹⁷⁴ [¹⁷⁴ *Eastern Province Herald* 21 May]

In May the president of the ANC, Mr Oliver Tambo, addressed a gathering of businessmen in London, after which some of the businessmen were reported to have claimed that the ANC's call for 'blanket'

sanctions against multinationals was softening. Delegates were also reported to have said that the conference marked a 'realisation' within the ANC of the role of business as a force for change.¹⁷⁵ [¹⁷⁵ *Sunday Times* 31 May] Among the other speakers at the conference was the executive director of the South African Institute of Race Relations, Mr John Kane-Berman, who said that opportunities existed for business to erode apartheid in a practical way but that this required sustained strategic action.¹⁷⁶ [¹⁷⁶ Speech by Mr J S Kane-Berman, executive director of the SAIRR, London, 27 May 1987]

In June the Bureau for Information published a memorandum on the state of emergency. It argued that the greater stability which the state of emergency had brought about had been a major factor in restoring business confidence and that it had led to an upswing in the economy. The memorandum quoted the chairman of the AHI, Mr A D Niemandt, as saying the emergency's maintenance was viewed as 'conducive to improved business confidence' and 'essential to stabilise the labour market'. The memorandum also stated that the sharp rise in the business confidence index which ASSOCOM had reported in its March analysis was attributable to 'factors including improved economic expectations and renewal of foreign confidence. There can be little doubt that the national state of emergency contributed to this positive trend', it concluded.¹⁷⁷ [¹⁷⁷ *The Citizen* 17 June]

Speaking at a congress of the Federasie van Afrikaanse Kultuurvereniginge (FAK) in July, the chairman of the insurance group Sanlam, Mr Fred du Plessis, said that Afrikaans business should take the initiative in building a 'new civilisation' incorporating first and third world value systems. If they were to do this, Mr Du Plessis said, they would be embarking on a calculated risk of which they could not expect the government to relieve them. The government should, therefore, provide incentives for them to do so. 'We must find a way for the people of the third world in our community to find and exploit, through their own efforts, the opportunity to enjoy a larger slice of the wealth cake,' he said.¹⁷⁸ [¹⁷⁸ *Business Day* 16 July]

In September in his first annual review as chairman of JCI, Mr Hofmeyr warned the government that although its emergency security measures had broken the pattern of unrest and violence, there had been little progress in addressing the underlying causes. 'While nobody can seriously doubt that lasting stability and order can exist only in a just and free society, with equal political and economic rights for all, the government remains reluctant to commit itself to meaningful negotiation,' he said.¹⁷⁹ [¹⁷⁹ *The Star* 15 September]

At the inauguration of the University of Stellenbosch's new business school in September, an executive director of Anglo, Dr Zach de Beer, said that South African business in the next century would be 'heavily concerned with defending and maintaining free enterprise' because of the inevitability of the emergence of strong socialist groups. He said that many black South Africans had come to equate capitalism with apartheid because of the discrimination they had suffered in an 'allegedly capitalist society'. 'There is a real danger that they may wish to throw out the baby of free enterprise with the bathwater of apartheid. It behoves every committed supporter of free enterprise to start now, working to bring the benefits of the system more and more within the reach of our black citizens, so that they too

may become believers in it,' he said.¹⁸⁰ [¹⁸⁰ *The Citizen* 17 September]

The South African economy had 'hit a ceiling' and was unable to expand because the majority of people were excluded from meaningful participation in the system, the managing director of the South African Permanent Building Society, Mr Bob Tucker, said at a Five Freedoms Forum conference in September. He argued that South Africa did not have a free enterprise economy but 'a vigorous form of paternalistic capitalism'. He said that the country had a classical developing economy in which first and third world sectors co-existed 'cheek by jowl'. The overwhelming majority 'are deprived of any real sense of participation or ownership', he added.¹⁸¹ [¹⁸¹ *Ibid* 26 September]

In October the Bureau for Market Research of the University of South Africa published a report entitled *The Business Environment and Marketing Strategies of Manufacturing Industries in 1988*. The report found that the majority of executives of the top 100 industrial companies in South Africa listed on the JSE believed the overall political situation in South Africa would deteriorate in 1988. Of these 76% thought labour unrest and strikes would increase in 1988 as compared to 1986. Some 82% predicted that pressure on business to shoulder more social responsibility would intensify.¹⁸² [¹⁸² *Ibid* 17 October]

Speaking at a conference convened by the Institute for Industrial Relations in October, the national education officer of the Congress of South African Trade Unions (COSATU), Mr Alec Erwin, said, 'Big business must stop hiding behind the idea that their contribution to change is in the realm of industrial relations.' Mr Erwin stressed the need for a redistribution of wealth in the country if the majority was to have an acceptable standard of living.¹⁸³ [¹⁸³ *The Star* 22 October]

Responding in November to the state president's demand that business leave politics to the politicians, Mr Rosholt said that 'business cannot possibly comply. In the South Africa of today there is no longer any clear distinction between political and socio-economic issues. They are inextricably linked. There are indeed very few matters of political significance which do not in some way impinge on the economy and business. Business has no option but to work for the removal of all bars to economic growth, even if some of those bars have apolitical flavour'.¹⁸⁴ [¹⁸⁴ *Ibid* 10 November]

Controversy surrounding funding of African National Congress (ANC) advertisements

In January full-page advertisements appeared in several newspapers commemorating the 75th anniversary of the African National Congress (ANC) and calling for the lifting of the ban on the organisation. Early in February, the state president, Mr P W Botha, claimed in Parliament that the managing director of Barclays National Bank (later renamed First National Bank), Mr Chris Ball, had made available R150 000 for the advertisements.

Mr Ball denied this, and challenged Mr Botha to repeat the allegations outside Parliament. The chairman

of Barclays, Mr Basil Hersov, issued a statement declaring that neither Mr Ball nor the bank had had any knowledge of the advertisements prior to their publication.

In early February Mr Botha appointed the judge president of the Cape, Mr Justice G Munnik, as chairman and sole member of a commission to investigate the funding of the advertisements and whether or not Mr Ball had in any way been involved.¹⁸⁵ [¹⁸⁵ *Ibid* 6 February]

The leader of the Progressive Federal Party (PFP), Mr Colin Eglin, said that Mr Botha was plunging South Africa into an era of 'McCarthyism' by using hearsay rumours to 'wreak vengeance' from a position of privilege on prominent opponents of his policies. He argued that the way Mr Botha had linked Mr Ball to the advertisements had been 'disgusting'.¹⁸⁶ [¹⁸⁶ *Cape Times* 7 February]

In March Mr Ball was questioned for seven hours by the Munnik commission. His political views, including those on the lifting of the ban on the ANC and the release of the organisation's jailed leader, Mr Nelson Mandela, were probed.¹⁸⁷ [¹⁸⁷ *Daily News* 14 March] He was required to explain how he had come to advance R100 000 (the Munnik commission believed that the overdraft of R100 000 was used in part to pay for the advertisements, which had cost approximately R150 000) to Mr Yusuf Surtee, managing director of a retail clothing group. Mr Ball explained the role that he, as managing director, played in bringing business to his bank. He said that Mr Surtee had been instrumental in transferring substantial business accounts to Barclays through contacts in South Africa and abroad.

When he was asked why he had granted a R100 000 overdraft facility after the request had already been turned down by two managers, Mr Ball replied that in view of his contact and Mr Surtee's relationship with the Kharbai family (which had bought out Mr Surtee's clothing business), he had been sure that the Kharbai family would stand surety for Mr Surtee.

During the questioning Mr Ball twice said that he had had no discussions about the ANC advertisements before they had been published, had not been involved in funding them and still did not know who had paid for them.

Mr Ball was accompanied by four bodyguards at the hearing. He said that since the bank had been 'branded as the ANC bank' he had received death threats and there had been attacks on branches of the bank.¹⁸⁸ [¹⁸⁸ *The Sunday Star* 15 March]

The Munnik commission published its report late in April. The commission found true the allegation by the state president that Mr Ball knew the money he was advancing by way of an overdraft would be used to sponsor an advertisement calling for the lifting of the ban on the ANC.¹⁸⁹ [¹⁸⁹ *Sowetan* 29 April] The commission said that it was highly improbable that Mr Ball had not known what the purpose of the R100 000 overdraft granted to Mr Surtee was. The overdraft had in fact been used to pay for the newspaper advertisements

The judge said that his overall impressions of Mr Ball were that he had displayed a 'lack of candour' and had given 'a series of evasive answers'. Mr Ball had said that on being told by Mr Surtee that the loan was for personal business use, he had not asked any further questions. The commission questioned why Mr Ball had not investigated Mr Surtee's financial standing, or why he had not found out why the branch manager had turned down Mr Surtee's request

The judge said that as the loan had been taken for only a month; there had been a large element of risk involved. Mr Ball said that his reason for asking no questions was by implication linked with his main reason for granting the loan, namely his reliance on Mr Surtee's connection with a prominent Indian business family.¹⁹⁰ [¹⁹⁰ *Business Day* 29 April]

The commission described Mr Surtee as 'a man of no financial substance and an opportunist' and found that on a balance of probabilities, he had lied to the commission when he had said that he had not himself known the purpose of the overdraft.¹⁹¹ [¹⁹¹ *The Sunday Star* 3 May]

After the report of the Munnik commission support for Mr Ball was mobilised by Barclays executives who released a press statement to 'put across the message that the slate is clean with Mr Ball; in fact we regard it as not even being marked. We know him as an honourable man and he will continue to enjoy our trust and confidence in our dealings'.¹⁹² [¹⁹² *Business Day* 4 May]

Business Day commented that 'Ball's veracity was put on trial without any of the safeguards which our legal system provides to avoid miscarriages of justice. He faced no charges; he could not know in advance what line of reasoning the commission required him to answer; he needed to discharge an onus—one which would not have been placed on him in a court of law—to disprove circumstantial evidence about his own state of mind. His situation was the reverse of that subsumed in the basic tenet of our law that a man is innocent until proven guilty'.¹⁹³ [¹⁹³ *Ibid* 30 April]

The director of the University of the Witwatersrand's Centre for Applied Legal Studies, Professor John Dugard, said, 'One must congratulate the judge president for completing his report just before the election. It comes at a convenient time for the state president.'¹⁹⁴ [¹⁹⁴ *The Weekly Mail* 30 April]

In May Mr Dave Bailing MP (PFP) said in the course of heated parliamentary argument that Judge Munnik should have recused himself from the Ball inquiry because Barclays had closed his accounts more than once for being overdrawn and 'a bad risk'. Mr Dalling said he had obtained his information from 'an enterprising journalist' and not from the bank. Mr Dalling was accused of breach of parliamentary privilege for revealing this information.¹⁹⁵ [¹⁹⁵ *Business Day* 21 May]

Later in the year a select committee, chaired by Mr D P A Schutte MP (National Party), was appointed. The committee reported early in 1988. It found that Mr Dalling had not, in fact, breached any parliamentary rules, but that he had exercised poor judgement and should apologise. Thereafter, Mr Dalling formally apologised in Parliament. The committee recommended that the parliamentary rules

should be extended so that they would cover similar situations in the future.¹⁹⁶ [¹⁹⁶ Information supplied by the Progressive Federal Party research office, 19 May 1988]

In late May the senior general manager of First National Bank, Mr Jimmy McKenzie, denied reports that had appeared in Afrikaans newspapers that as a result of the affair the bank had lost 40% of its deposits.¹⁹⁷ [¹⁹⁷ *The Citizen* 28 May]

In May the Divisional Council of Camdebo (eastern Cape) announced that it was to withdraw its account from First National Bank. The chairman of the Camdebo council, Mr A J Oelofse, said that the move was in protest against the bank's 'becoming involved in politics'.¹⁹⁸ [¹⁹⁸ *Eastern Province Herald* 26 May]

In June the National Party-controlled Benoni Town Council (east Rand) warned that it would withdraw its account from First National Bank if it did not denounce in the strongest terms the actions of Mr Ball. The town council had been banking with First National Bank for 80 years. The bank was given until 19 June to respond.¹⁹⁹ [¹⁹⁹ *The Sunday Star* 1 June] A Benoni councillor, Dr P D C Erasmus, said that he would withdraw his motion if the bank distanced itself from the ANC.²⁰⁰ [²⁰⁰ *Sunday Tribune* 14 June] On 14 June First National Bank placed advertisements in several newspapers saying that it did not have an affiliation with any political group. Dr Erasmus said, 'I feel they have acceded to the request of the Benoni Town Council. They have gone far beyond that. They have definitely and in no uncertain terms rejected the ANC and terrorism.' A full council meeting later decided to stay with the bank.²⁰¹ [²⁰¹ *The Star* 15 June]

Rumours also began to circulate that the tree in First National Bank's new logo contained ANC symbols. *Rapport* said that the 'despised ANC rabbit' that supposedly appeared in the pattern made by the branches of the new logo was to be altered accordingly.²⁰² [²⁰² *Rapport* 24 May] First National denied that there was any connection between rabbits and the ANC. It said that the logo was being altered so that it could be more easily reproduced in plastic and vinyl.²⁰³ [²⁰³ *The Citizen* 25 May]

Business and labour

The chairman of Shell (South Africa), Mr John Wilson, condemned government attacks on the Congress of South African Trade Unions (COSATU) (see chapter on *Labour Relations*), such as 'the raiding of offices, the banning of meetings and the indiscriminate beating and arrest of hundreds of workers', as a 'transparent attempt to crush an increasingly powerful government opponent'. Mr Wilson said that state action was not likely to crush the union. 'Rather, it will strengthen the resistance and the support, will have adverse ramifications for stable industrial relations, the effects of which will be felt throughout the industry. It is likely, too, to fuel bitterness and growing polarisation between capital and labour,' he said.²⁰⁴ [²⁰⁴ *The Citizen* 13 May, *The Weekly Mail* 22 May]

The general secretary of COSATU, Mr Jay Naidoo, said in July that there was no possibility of working

with business against apartheid. He maintained that even under the state of emergency there was no indication that business was prepared to go further than a verbal condemnation of apartheid. 'A lot of their profits have accrued directly out of apartheid,' he said.²⁰⁵ [²⁰⁵ *Business Day* 3 July]

In July it was reported that the South African Federated Chamber of Industries (FCI) had submitted a memorandum to the minister of manpower. The memorandum had been sent on 15 May during the South African Transport Services strike and in the context of police raids on Cosatu House (Johannesburg), which had raised fears that there was to be government action against the black trade union movement (see chapter on *Labour Relations*). The memorandum said the approach of the 'security establishment' that unions should involve themselves only in 'bona fide trade union activities' gave rise to the unrealistic view that the politicisation of unions could be reversed merely through the use of force. The FCI said such politicisation would continue until union members were given an effective say in running the country.²⁰⁶ [²⁰⁶ *Ibid* 3 July]

The director general of manpower, Dr Piet van der Merwe, said that the government would not reply formally to the FCI memorandum.²⁰⁷ [²⁰⁷ *Ibid* 6 July]

Twenty days into the strike by members of the National Union of Mineworkers (NUM) in August (see chapter on *Labour Relations*), the general manager of the exchange control department of the South African Reserve Bank issued a directive to all authorised bank dealers on how to handle overseas funds destined for the NUM. The telex message read: 'Authorised dealers are hereby instructed not to accept any transfers from abroad for credit of or intended for the benefit of the above mentioned organisation [NUM]. Should any transfers of a foreign exchange nature come to the notice of authorised dealers, such funds should be held in suspense and details of the transaction furnished to the exchange control department of the South African Reserve Bank immediately.'²⁰⁸ [²⁰⁸ *City Press* 30 September] The strike ended on the following day. No further information was available.

Employers and rent

In June the minister of constitutional development and planning, Mr Chris Heunis, presented the Promotion of Local Government Affairs Amendment Bill to Parliament. If passed, the bill would effectively empower local authorities to issue, unilaterally, gamshee orders against employers to pay outstanding rent and service payments owed by their employees out of their salaries or wages. At the time that the bill was introduced, rent arrears were estimated to amount to more than R294m (see chapter on *Housing*).

The bill was wider in scope than its predecessor, the Black Local Authorities Second Amendment Bill, which had attracted widespread criticism and opposition when tabled in Parliament in 1986. The rent collection clause in that bill was eventually excised.

The relevant clauses contained in the new bill bypassed judicial processes by allowing a local authority to file a statement with the clerk of a magistrate's court spelling out the amount payable by an individual. This would have the effect of a civil judgement given lawfully in the court, and would form the basis of an attachment order against the debtor. It could also amount to an attachment order against the debtor's employer, obliging the employer to pay the local authority the amount owed out of the employee's salary or wages. Any employer who failed to comply with the attachment order served would be guilty of an offence and liable to a fine not exceeding R2 000 or twelve months' imprisonment, or both.²⁰⁹ [²⁰⁹ *Business Day* 10 June]

The Association of Chambers of Commerce of South Africa said that it would vigorously oppose the government's rent collection scheme, which, it maintained, would create more problems in an already tense industrial relations environment. The South African Federated Chamber of Industries (FCI) expressed similar reservations. The executive director of the Afrikaanse Handelsinstituut (AHI), Mr Fritz Stockenstrom, said that the AHI had objected to the previous move to force employees to collect rent.²¹⁰ [²¹⁰ *Ibid*]

In June the senior vice president of the American Chamber of Commerce in South Africa, Mr Bill Hubbard, said that the government should expect increased industrial unrest, new sanctions and disinvestment if it pursued its plan to compel employers to act as rent collectors to break the rent boycott. He said the private sector was outraged by government proposals to push through the controversial rent collection plan under the umbrella of a new Promotion of Local Government Affairs Amendment Bill.²¹¹ [²¹¹ *Sowetan* 15 June]

In July the Chamber of Mines of South Africa joined other business organisations in condemning the bill. 'The bill may well have the effect of compounding further the confusion in some people's minds over the relationship between the business sector and the state,' the chamber said.²¹² [²¹² *Business Day* 8 July]

Decentralisation of Industry

The programme for the decentralisation of industry was first introduced by the government in 1960. In 1975 the national physical development plan amended the programme, altering the Physical Planning Act of 1967. In November 1981 a new industrial decentralisation programme was announced, and it was introduced on 1 April 1982.

Under the new plan there are four levels of decentralisation incentive: the most favourable benefits are for industrial development points, followed by deconcentration points. other industrial points and ad hoc cases. Limited concessions are available at the four main industrial centres the country (see 1986 *Survey* Part 1 p42).

Policy

In May in its report *A Strategy for Employment Creation and Labour Intensive Development*, the committee for economic affairs of the President's Council (PC) said that the government's decentralisation policy had resulted in the transfer of jobs from the centre to the periphery at considerable cost to the taxpayer without necessarily creating additional employment.

The report said that 'resources are scarce and there is a great need for employment creation. The committee is therefore of the opinion ... that the available resources should be used to the optimum by creating more employment opportunities in net terms; ie, development policy should not result in existing employment opportunities being replaced but in additional jobs being created. In light of this approach the committee recommends that the policy of industrial decentralisation be reconsidered'.²¹³ [²¹³ *A strategy for Employment Creation and Labour intensive Development*, committee for economic affairs of the President's Council, p163]

The committee recommended that due regard should be paid to the following:

- the necessity of creating new employment opportunities at the lowest possible total cost, a requirement which implies that the cost advantage involved in the utilisation of the infrastructure and the agglomerate advantages found in the larger urban centres should always be taken into consideration;
- the great concentration of black unemployment and underemployment; and
- the possibility of exploiting agglomerate advantages through the stimulation of the development of the smaller metropolitan and urban areas of intermediate size (for example, Bloemfontein and East London).²¹⁴ [²¹⁴ Op cit, p163-164]

The committee said that in evidence given to it, it was stated that the policy of industrial decentralisation sometimes created jobs at a specific point, which were neutralised by the destruction of jobs at another point. Claims were also made in evidence that 'there is growing evidence that many decentralised industries will not survive once their concessions run out. This is particularly serious when the decentralised industries have been attracted from overseas, only to depart once their subsidies have expired, for then it can be argued that South African taxpayers have made foreign shareholders rich in return for no lasting benefit to the South African economy.'²¹⁵ [²¹⁵ *Eastern Province Herald* 21 May, *The Citizen* 21 May]

According to the report, the reconsideration of the decentralisation policy did not mean that rural areas, including the homelands, should not be the focus of development initiatives. The development of these areas should be 'actively intensified', the report said. It suggested that agriculture, mining, tourism, raw material processing and small business could be promoted there.²¹⁶ [²¹⁶ *A strategy for Employment Creation and*

Labour Intensive Development, committee for economic affairs of the President's Council, p164]

While the committee urged the government to reconsider its decentralisation policy, it said that it had not investigated decentralisation in detail and did not wish to make any categorical statements on the matter.²¹⁷ [²¹⁷ *The Citizen* 20 May]

Statistics

According to the annual report of the Board for the Decentralisation of Industry for the period 1 April 1986 to 31 March 1987, 1 124 applications for incentives for new projects, expansions to existing projects and relocations were received. Of these, 1027 were approved while 21 were being held over so that more information could be gained and certain policy guidelines clarified. The 76 applications which did not qualify were rejected in terms of the prescribed norms. Besides applications for the standard incentive package, a further 44 applications for long-term concessions for existing undertakings and 95 applications for the simplified wage incentive scheme for small industrialists were approved.

In 1985/86, 1243 applications for standard incentives were approved (see 1986 *Survey* Part 1 p46).

A regional breakdown of the 1 027 approved applications, the expected employment to be created, and total anticipated investment is as follows:

Application for decentralisation benefits: 1986/87

Region

Applications approved

Expected jobs

Expected investment

Natal/KwaZulu (E)

257

21 54

(31,3%)*

332,7

OFS **/QwaQwa (C)

215

22 565

(32,8%)

239,3

Eastern Cape (D)

159

5 261

(7,7%)

248,9

Northern Transvaal/ parts of

Lebowa and Gazankulu

122

5 595

(8,1%)

91,8

Western Cape (A)

82

3 117

(4,5%)

117,8

Pretoria/ Witwatersrand/ Vereeniging/ KwaNdebele (H)

76

5 380

(7,8%)

146,5

Eastern Transvaal/ KaNgwane/ parts of Lebowa and Gazankulu (F)

59

3 638

(5,3%)

51,7

Northern Cape/ Western Transvaal (B)

34

987

(1,4%)

19,3

Western Transvaal/ parts of

Bophuthatswana (J)

20

333

(0,5%)

8,9

Walvis Bay

3

362

(0,5%)

5,7

Total

1 027

68 789

(100%)

1 262,7

*

Percent of expected jobs

**

Orange Free State

These figures exclude those parts of the Transkei, Bophuthatswana, Venda and the Ciskei (the TBVC areas) which qualify for incentives. Figures for these areas are kept by the homeland administrations, and were not obtainable.

In 1985/86 total expected investment was R1 299,8m and the anticipated number of jobs, 87 635.

Of the 1 027 applications approved in 1986/87, 608 were for new projects, 211 were for the expansion of existing projects and 157 were for internal relocations. There were also 51 relocations from abroad,

involving 9 831 job opportunities and an expected capital investment of R104,9m.

In 1985/86, 92 applications from abroad were approved, involving a total investment of about R234m and 19 977 employment opportunities.

Port Elizabeth/Uitenhage (eastern Cape) received the highest number of applications (85). In November 1984 increased incentives had been introduced there and in 1985/86 Port Elizabeth/Uitenhage had 75 applications, compared with 17 in 1984/85. The next highest number of applications was at Phuthaditjhaba (QwaQwa) (80), followed by Bloemfontein (Orange Free State) (53) and Isithebe (KwaZulu) (50).

The largest number of jobs was expected to be created at Botshabelo (Orange Free State) (9 983), followed by Phuthaditjhaba (9 580), Isithebe (6 533), Ezakheni (KwaZulu) (4 656) and Ekangala (KwaNdebele) (3 845).

The highest capital investment was for Port Elizabeth/Uitenhage (R165,2m), then Isithebe (R109,4m), followed by Phuthaditjhaba (R100,2m).²¹⁸ [²¹⁸ *Report of the Board for the Decentralisation of Industry*, 1 April 1986 to 31 March 1987]

A total of R463m was paid out in respect of decentralisation and deconcentration benefits during the twelve months to 31 January 1987, the minister of constitutional development and planning, Mr Chris Heunis, said in Parliament

General developments

Addressing the Nelspruit Afrikaanse Sakekamer in March, the president of the Afrikaanse Handelsinstituut (AHI), Mr C du P Kuun, appealed for business to take ‘a fresh look’ at purposeful decentralisation programmes. Mr Kuun said there was a break-offpoint beyond which it was more expensive to create employment opportunities in the cities than in the rural areas. He believed that scientific study could possibly show that arguments against decentralisation rested on false assumptions. He said that business in the metropolitan areas was heavily subsidised by the government. As an example of this, he cited the national railways tariff structure of the South African Transport Services, subsidised African housing in urban areas and subsidised suburban rail costs.²²⁰ [²²⁰ *The Citizen* 24 March]

In May the chief economist at the South African Federated Chamber of Industries (FCI), Mr Pieter Haasbroek, said that the government’s industrial decentralisation policy was a luxury South Africa could not afford. Mr Haasbroek was commenting on the findings of *A Strategy for Employment Creation and Labour Intensive Development*, a report by the committee for economic affairs of the President’s Council (see above).

Mr Haasbroek said that ‘if the policy was cost-effective—which it has proved itself not to be—it would

be a different matter altogether'. He said that there were cheaper methods of creating employment than those contained in the decentralisation policy.²²¹ [²²¹ *Business Day* 22 May]

In July a visiting British academic, Mr William Cobbett, who had been in South Africa to research industrial decentralisation, criticised the government's decentralisation policy for leading to a spate of liquidations of homeland companies. Mr Cobbett also said that he thought that many liquidations were deliberate. 'One has to be a blind idiot not to make profits with all the concessions, but it makes good business sense to go bust,' he said. Holding companies started operations in the homelands to take advantage of the incentives, he said, but subsequently moved the money out of those businesses and declared them bankrupt, often buying back machinery at a discount from the liquidators.²²² [²²² *Ibid* 2 July]

In an article published in *The South African Labour Bulletin* in March, Mr Cobbett examined the effects of decentralisation on Botshabelo (Orange Free State). Mr Cobbett's study was based on a random sample of 25% of the factories in Botshabelo. He said that 'from a variety of often surprising sources the reality behind Botshabelo began to emerge—this involved, in financial terms, large-scale deception and defrauding of the state and its agencies and, in human terms, the super-exploitation and dehumanising of the workforce. The first is possible because of the inefficiency of the state's agencies coupled with totally unscrupulous businessmen, the second is possible because of the compliance of the state coupled with totally unscrupulous businessmen.' Mr Cobbett cited the following examples

- companies relocating to a decentralisation point 'load the quotes' of the cost of the move;
- the state has no independent valuation of loan applications. Many loans that would have been rejected by a competitive bank, Mr Cobbett claims, were easily obtainable from the state; and
- through a variety of methods companies were cheating on wages.²²³ [²²³ Cobbett W, Industrial decentralisation and exploitation: the case of Botshabelo', *South African Labour Bulletin*, March/April]

In July the deputy director of the Natal AAM/Kingsgate clothing group, Mr Eye Dhali, said that in one Isithebe street all the foreign operations had closed. He estimated that there had been a minimum of twenty liquidations in the area in the previous twelve months.²²⁴ [²²⁴ *Business Day* 2 July]

The chairman of the Board for the Decentralisation of Industry, Mr C G de Villiers, said that the board did not have a complete picture on the number of firms that had gone into liquidation. He said that the board only paid concessions to firms while they were still in production. An academic in the Department of Economics at the University of Cape Town, Mr Anthony Black, said that concessions had been given far too easily. He said that procedures were being made more strict as a number of foreign-owned companies had experienced financial difficulties and liquidations had followed. Mr Barry Visser of Barry Visser and Associates Decentralisation Consultants said that he was aware that many American companies had left under pressure to disinvest.²²⁵ [²²⁵ *Ibid*]

In September, following reports of widespread abuse of decentralisation incentives, an official of the decentralisation board said that ‘abuse of certain elements of the scheme did take place and sometimes still crop up. However, these are isolated cases if viewed against the number of projects established and claims being processed.’²²⁶ [²²⁶ Ibid 2 September]

Earlier in the year the board had introduced a productivity scheme to monitor the cost-effectiveness of incentives and to help regional industries improve their competitiveness. The steps included:

- changing the way employment incentives were to be applied from 1 October;
- immediately ending concessions for industries identified as raw-material oriented or locality-bound;
- phasing out transport rebates for cement bricks or products and for industries processing raw minerals; and
- withdrawing concessions for non-viable industries.

Mr Ian Rademeyer of Mike Perry and Associates said that these measures would bring into better focus the viability of businesses seeking to decentralise. Mr Rademeyer said, however, that transport rebates for raw materials were needed to attract large concerns to form core industries. He said that private bureaus should be established to administer incentives for salaries and wages, which formed the biggest area of abused.²²⁷ [²²⁷ Ibid]

Regional developments

Region B (northern Cape)

In March the northern Cape regional representative of the Board for the Decentralisation of Industry, Mr L Loubser, said that among the advantages of establishing industries in Kimberley were the established infrastructure and the siting of the city. ‘Kimberley is the most centralised city in South Africa and with the road and rail rebates available, industrialists can afford to be very competitive,’ he said. In the previous year there had been very few bankruptcies in Kimberley, Mr Loubser added.²²⁸ [²²⁸ *Diamond Fields Advertiser* 20 March]

Speaking in Upington in May, the chairman of the regional development advisory committee (RDAC) for Region B, Mr S Immelman, said that urgent attention needed to be given to the absence of any real industrial growth, the shortage of water and the relative poverty facing people in the region.

Regarding industrial development, Mr Immelman said that ‘progress has been hopelessly too slow. Although three development points exist in our region, they are far from the PWV [Pretoria/Witwatersrand/ Vereeniging] area and you cannot expect to encourage industrialists to the northern Cape unless you make it as attractive as possible for them’.

However, Mr Immelman said that the region had an almost inexhaustible supply of mineral resources, while a large percentage of the county’s food was produced there.²²⁹ [²²⁹ Ibid 15 May]

Region D (eastern Cape)

In April 1986, in response to the high levels of unemployment in the eastern Cape, the government requested the Department of Constitutional Development and Planning to investigate the possibility of co-ordinating all government capital projects which had already been identified in region D so as to achieve the maximum employment in the shortest possible time.

An eastern Cape strategic development team was created for this purpose. The team decided to focus on the Port Elizabeth/Uitenhage area during the first phase in view of the severe unemployment in the area and because a relatively large number of capital projects had already been undertaken or were planned for the area.²³⁰ [²³⁰ Infoma January/February]

In May the report of the committee for economic affairs of the President’s Council, *A Strategy for Employment Creation and Labour Intensive Development*, recommended that future employment planning for Region D should be aimed at a variety of engineering and manufacturing activities to prevent a setback in a specific, dominant branch of the economy from having an overall effect on the economy of the region. The report also recommended that an investigation be conducted into the mining and processing of minerals, such as coal.

Region H (Pretoria/Witwatersrand/Vereeniging and KwaNdebele)

Expansion of the Ekandustria industrial site and Ekangala residential project near Bronkhorstspuit began during 1987. The development, to be undertaken jointly by the South African government and the KwaNdebele administration, involved a capital investment of R150m for the region’s infrastructure over a three-and-a-half year period. Water reticulation, roads, electricity, a railway line (with a station) and 10 000 residential plots were planned.²³² [²³² *Southern Africa Today* March]

Union responses to decentralisation

In June the Chemical Workers’ Industrial Union (CWIU) and Matthey Rustenburg Refiners (see 1986 *Survey* Part 1 pp56–57) reached deadlock at a conciliation board hearing over the closure of the

company's Wadeville (Germiston) platinum refinery and the opening of a new refinery in Bophuthaiswana.

The CWIU published a statement to the effect that several hundred workers were likely to lose their jobs in the move, and insisted that the new refinery be built as close to the present site as possible. The workers had 'a fundamental objection to the Bantustan system and the way in which employers use the system to increase their profits at the expense of workers', the CWIU statement said.²³³ [²³³ *The Citizen* 19 June]

In August about 200 members of the CWIU downed tools at the company's Germiston factory in protest against the relocation.²³⁴ [²³⁴ *The Star* 18 August] The union claimed that although protracted negotiations on the issue had taken place, the company had remained intransigent and had continued with the construction of the new plant. The stoppage was a legal strike and followed a ballot, the union said.²³⁵ [²³⁵ *Sowetan* 19 August]

In December workers at the refinery again went on strike to protest against alleged management delays over negotiation on wages and retrenchment. The management of the refinery responded with a two-week legal lockout. During negotiations over the conditions of return, management tried to persuade the workers to accept the move and to desist from further strikes over the issue. The workers refused to accept the principles behind the move but acknowledged that it was going to take place.²³⁶ [²³⁶ Interview with Ms C Bonner, Chemical Workers' Industrial Union, 28 March 1988]

Negotiation was taking place around retrenchment benefits in March 1988. Management had guaranteed the workers jobs until the end of 1988. The new refinery was expected to open in September 1988, full production being attained by January 1989. Some workers were expected to move to the new refinery in order to keep their jobs.²³⁷ [²³⁷ *Ibid*]

THE ECONOMY

The Macro-Economic Picture

The South African economy grew by 2,6% in 1987, the minister of finance, Mr Barend du Plessis, said during the no-confidence debate in Parliament in February 1988. Mr Du Plessis said that government spending had been largely responsible for the economic improvement—the growth rate was only 0,7% in 1986. The chief economist at Nedbank, Mr Edward Osborn, said that the performance fell short of Mr Du Plessis's prediction, when he drew up the 1987/88 budget, of 3% growth in 1987.¹ [¹ *Business Day* 9 February]

Details of South Africa's growth performance since the Second World War are contained in the following table, taken from the June 1988 edition of *Trends* which is published by the Bureau for

Economic Research at the University of Stellenbosch.

*Gross Domestic Product (GDP): Real Growth **

GDP
GDP per capita
Year
Rm
Change per annum
R
Change per annum

1947

26 206

—

2 213

—

1948

28 144

7,4%

2 215

4,8%

1949

28 799

2,3%

2 214

0,0%

1950

30 411

5,6%

2 286

3,2%

1951

31 923

5,0%

2 347

2,7%

1952

32 908

3,1%

2 366

0,8%

1953

34 498

4,8%

2 424

2,5%

1954

36 584

6,1%

2 512

3,7%

1955

38 436

5,1%

2 579

2,7%

1956

40 512

5,4%

2 657

3,0%

1957

42 101

3,9%

2 697

1,5%

1958

43 034

2,2%

2 692

-0,2%

1959

44 791

4,1%

2 735

1,6%

1960

46 729

4,3%

2 731

-0,2%

1961

48 703

4,2%

2 772

1,5%

1962

51 462

5,7%

2 853

2,9%

1963

55 399

7,7%

2 989

4,8%

1964

59 304

7,0%

3 111

4,1%

1965

62 927

6,1%

3 211

3,2%

1966

65 645

4,3%

3 258

1,4%

1967

70 522

7,6%

3 409

4,6%

1968

73 404

4,0%

3 449

1,2%

1969

77 612

5,7%

3 549

2,9%

1970

81 694

5,3%

3 709

4,5%

1971

85 981

5,2%

3 800

2,4%

1972

87 674

2,0%

3 773

-0,8%

Gross Domestic Product (GDP): Real Growth * (continued)

GDP

GDP per capita

Year

Rm

Change per annum

R

Change per annum

1973

91 130

3,9%

3 819

1,2%

1974

97 636

7,1%

3 985

4,4%

1975

99 827

2,2%

3 968

-0,4%

1976

101 296

1,5%

3 924

-1,1%

1977

101 329

0,0%

3 828

-2,4%

1978

104 236

2,9%

3 844

0,4%

1979

107 621

3,2%

3 875

0,8%

1980

113 689

5,6%

3 994

3,1%

1981

119 114

4,8%

4 084

2,2%

1982

118 210

-0,8%

3 955

-3,1%

1983

115 710

-2,1%

3 816

-3,5%

1984

121 661

5,1%

3 881

1,7%

1985

120 141

-1,2%

3 735

-3,8%

1986

121 336

1,0%

3 689

-1,2%

1987

124 470

The governor of the South African Reserve Bank, Dr Gerhard de Kock, said in February 1988 that he expected GDP growth to be about 3% during that year.² [² *The Citizen* 10 February 1988] The May 1988 issue of *Economic Spotlight*, published by Volkskas, said nominal GDP could be just more than R190bn in 1988.

Some observers believe the official figures underestimate the size and the growth rate of the economy. Unrecorded economic activity by people employed or self-employed in the informal sector could add between 10% and 40% for GDP, according to various estimates.³ [³ *Business Day* 22 July 1988]

Trends gave the following figures for GDP and GDP per capita changes in specified periods:

GDP increases*

GDP

GDP per capita

Years

yearly change

yearly change

1947-87

4,0%

1,3%

1960-87

3,7%

1,1%

1970-87

2,5%

0,0%

1950-59

4,4%

2,0%

1960-69

5,8%

3,0%

1970-79

3,1%

0,5%

1980-87

1,3%

-1,1%

*

At constant 1985

The chairman of Sanlam, Dr Fred du Plessis, said that South Africans were poorer now than in 1974, because economic growth had been lower than population growth.⁴ [⁴ SA Foundation News, October 1987] Mr Aubrey Dickman, the chief economist at the Anglo American Corporation, said that other developing countries which South Africa should compare itself had done much better in that their GDPs had grown faster than population, as a result of which they had had real increases in per capita income. He mentioned in this context Brazil, Greece, Portugal, Chile, Spain, Hong Kong, Singapore, Korea, Mexico, and Malaysia.⁵ [⁵ *Financial Mail* 17 June 1988]

Real gross domestic fixed investment (GDFI) continued to fall in 1987, but at a much slower rate than in 1986. Total real gross domestic fixed investment, seasonally adjusted at annual rates, was R23,3bn compared to R23,6bn in 1986. However, real private fixed investment showed its first annual increase since 1981, standing at the seasonally adjusted figure of R13,6bn, up from R13,2bn in 1986.⁶ [⁶ South African Reserve Bank, *Quarterly Bulletin*, March 1988]

According to *Trends*, GDFI changes in specified periods were as follows:

Gross Domestic Fixed Investment*

Period

Change per annum

1947-87

3,9%

1960-87

3,6%

1970-87

0,9%

1950-59

3,9%

1960-69

7,7%

1970-79

3,2%

1980-87

-4,0%

*

At constant 1985 prices

The use of manufacturing capacity rose from the decade's lowest recorded figure of 77,4% in June 1986 to 80,6% in September 1987. This was, however, still 5,7 percentage points below that of the average manufacturing capacity in 1981, at 86,3% the highest recorded in the decade thus far.⁷ [⁷ Ibid]

In 1987, for the third consecutive year, South Africa had a strong surplus on the current account of the balance of payments. The South African Reserve Bank gave the surplus as R6,2bn. In 1986 the current account surplus was R7,2bn. According to the reserve bank, the drop in the surplus was 'attributable

entirely to an 11% increase in the value of merchandise imports'.⁸ [⁸ Ibid] In January 1988, however, the monthly balance on the current account was negative for the first time since 1984. The Standard Bank noted in its economic review that 'a current account deficit cannot be allowed to emerge because a substantial trade surplus is needed to meet repayment obligations under the debt standstill agreement'. However, the director general of finance, Mr Chris Stals, said that he had had no indication from creditor banks that they were worried, since South Africa had scheduled a smaller debt repayment for 1988.⁹ [⁹ *Business Day* 14 March 1988]

In 1987 South Africa repaid R1,2bn of its foreign liabilities. In 1986 repayments totalled R

South Africa continued to be a net exporter of capital in 1987, when there was a net outflow of R3,1bn. However, this was a significant decrease on the 1986 figure of R6,1bn. The reserve bank said that the outflow of long-term capital had declined by R1,4bn and that of short-term capital by R1,7bn.¹¹ [¹¹ Ibid]

In May 1988, the government took steps to cool consumer demand because it was necessary to protect the country's foreign exchange reserves. A rapid rate of consumer spending in the first quarter of the year (10% higher than in the first three months of 1987) would, it was feared, pose a serious threat to the current account of the balance of payments by sucking in too many imports.¹² [¹² *Sunday Times* 8 May 1988, *Business Day* 22 June 1988] By mid-1988 the surplus on the current account had disappeared, although Dr De Kock said that this would be a temporary phenomenon.¹³ [¹³ *Finance Week* 7-13 July 1988]

After a mixed performance in the first nine months of 1987, the value of the rand against the dollar showed a strong upward trend in the final quarter. In that period the dollar declined on international currency markets. By the end of the year the rand had risen 12,6% while the dollar had declined by 17,8% against the Deutschmark.¹⁴ [¹⁴ *Business Day* 4 January 1988]

Earnings from gold exports from South Africa were 6,5% higher in 1987 than in 1986, although the volume of gold exports declined by 14%. This discrepancy was attributed to the 21,5% increase in the dollar price of gold: from an average of \$368 in 1986 to \$447 in 1987. In rand terms, however, the price rose by only 8% to average R909 for 1987.¹⁵ [¹⁵ South African Reserve Bank, *Quarterly Bulletin*, March 1988] In dollars, the gold price was lowest on 18 February at \$390 and highest on 14 December at \$502,75. In rands, the lowest fixing was also on 18 February at R815.15 but it was highest on 20 October at R986,08.¹⁶ [¹⁶ Information supplied by the South African Reserve Bank, 14 June 1988] By mid-1988 gold was priced above R1 000, but this was due to a weak rand rather than a strong dollar gold price.

In January 1988 the commercial rand traded above 52 American cents for the first time in nearly three years. However, analysts warned that the rand's steep rise should be seen solely in the light of the sharp decline of the dollar. By mid-July 1988 the rand had slipped back to 42 American cents.¹⁷ [¹⁷ *Business Day* 15 July 1988] In 1987 the rand declined by 11% against the Japanese yen, by 7% against the Deutschmark

and by over 9% against sterling.¹⁸ [¹⁸ *The Star* 5 January 1988] The exchange rate of the financial rand strengthened by 39,5% in the first nine months of 1987 and then by a further 7,1% during the rest of the year. Further improvements took place from December 1987 to March 1988. By 18 March 1988 the financial rand was trading at 20,2% below the commercial rand, this being the closest the two had traded since January 1986.¹⁹ [¹⁹ South African Reserve Bank, *Quarterly Bulletin*, March 1988] However, the financial rand subsequently weakened: by mid-July the discount to the commercial rand had widened to 51%.²⁰ [²⁰ *The Weekly Mail* 15-21 July 1988]

After the sharp drop in share prices on the Johannesburg Stock Exchange (JSE) from 20 October (see below), overseas investors bought up over R228m in JSE shares, the reserve bank said, causing a massive reversal of the trend that had seen net sales of securities by non-residents soar to R1,4bn in the first ten months of the year.²¹ [²¹ *The Star* 4 April 1988]

During 1987 a record 211 companies obtained listings on the JSE, with unprecedented levels of oversubscription. Confidence in the JSE was also reflected in the JSE Actuaries Overall Index, which rose 42% from 1973 on 1 January to peak at 2 804 on 19 October. However, according to Liberty Life's *Investment Communiqué*, in October 'growing fears of a recession in the United States, on the back of a rising trend in interest rates attributed to huge budget and trade deficits, brought the Dow Jones index to its knees. Stock markets around the world declined sharply in sympathy' On 20 October the JSE Actuaries Overall Index declined 12% and ended the year at 1 819, 35% below the peak.²² [²² Liberty Life, *Investment Communiqué*, No 11988]

Economic analysts at Volkskas said that 'the underlying reason for the sharp downward adjustment in share prices is to be found in the performance of the American stock exchange and certain developments in that economy'. Volkskas cited the large growth in federal spending and the deficit on the current account as the main causes of reservations amongst international investors which precipitated the crash. The report expressed fears that the crash did not augur well for economic growth in South Africa.²³ [²³ Volkskas, *Economic Spotlight*, November 1987]

However, the reserve bank remained more optimistic, saying that 'by early December 1987 no evidence had become available as yet, however, that the stock exchange losses of October/November were having or would have a seriously detrimental effect on domestic private sector propensities to consume or invest'.²⁴ [²⁴ South African Reserve Bank, *Quarterly Bulletin*, December 1987]

Interest rates were stable during 1987. The banks' prime overdraft rate was set at 12% on 24 December 1986. This was raised to 12,5% on 24 January 1987. The next adjustment was nearly a year later, when the rate was raised to 13% on 21 January 1988. However, in March 1988 the reserve bank increased bank rate from 9,5% to 10,5%, the first change in bank rate since December 1986 and the first increase since January 1985. As a result of this increase, the banks' prime overdraft rates were also raised in March 1988, from 13% to 14%.²⁵ [²⁵ South African Reserve Bank, *Quarterly Bulletin*, March 1988]

According to the Central Statistical Service (CSS) the rise in the consumer price index (CPI) in 1987 was 16,1%, compared with 18,6% in 1986 and 16,2% in 1985.²⁶ [²⁶ *The Citizen* 26 January 1988] The governor of the reserve bank, Dr Gerhard de Kock, said, 'We were right two years ago when we said the inflation rate would come down. The high rate had been largely the result of the massive depreciation of the rand. Once the rand stopped depreciating, the inflationary effect had to ease. I am surprised economists did not see this.'²⁷ [²⁷ *Business Day* 24 February 1988]

By May 1988 the year-on-year inflation rate had dropped to 12,9%—the first time since October 1984 that the rate dropped below 13%.²⁸ [²⁸ *The Citizen* 23 June 1988]

The Bank for International Settlements reported in June 1988 that South Africa's inflation rate was the third highest among industrialised nations. In the twelve months to March, it said, only Turkey and Israel fared worse.²⁹ [²⁹ *The Star* 15 June 1988]

Business Day analysts said that although the lower CPI 'reflects the trend in other indicators, like the falling production price index which presages the CPI by two months, a stronger rand, stable fuel price and low home bond rates', they cautioned that 'food prices still put an upward pressure on the rate'.³⁰ [³⁰ *Business Day* 26 January 1988] The CSS said that it was 'alarming' that food prices had risen by an average of 22,9% in 1987, mainly reflecting higher prices for meat, fish and vegetables, all staples in household budgets.³¹ [³¹ *The Citizen* 26 January 1988]

The average inflation rate for selected years is given below:

Average annual rate of inflation 1946 to 1986³²

Year

Consumer Price Index Change

1946-86

6,8%

1960-86

8,5%

1970-86

12,2%

1950-59

3,8%

1960-69

2,5%

1970-79

10,4%

1980-86

14,8%

32 [³² Bureau for Economic Research, University of Stellenbosch, *Trends*, December 1987]

Annual rate of inflation 1980 to 1986³³

Year

Consumer Price Index Change

1980

13,3%

1981

15,2%

1982

14,7%

1983

12,3%

1984

11,7%

1985

16,2%

1986

18,6%

1987

16,1%

33 [³³ Ibid]

The Association of Chambers of Commerce of South Africa (ASSOCOM) has developed an index of business confidence. With 1983 as a base, it attempts to measure the business mood of the country. ASSOCOM arrives at the index through analysis of 13 economic indicators which it believes have the greatest bearing on the business mood. As measured by the index, the business mood in South Africa was better in 1987 than it was in 1986. The average index for 1987 was 95,5, an increase of 13% over the figure of 84,3 for 1986.³⁴ [³⁴ ASSOCOM, *Business Confidence Index No 1, 1988*, January 1988]

However, the Bureau for Economic Research at the University of Stellenbosch reported in June 1988 that black consumers were starting to lose confidence in the strength of the economy.³⁵ [³⁵ *Business Day* 7 June 1988]

Information Trust Corporation recorded that the total number of business failures in 1987 (1 809) was the lowest since 1980, when 1 441 were recorded. The figure was a dramatic decrease on the 1985 figure of 3 061 liquidations. Sequestrations of individuals in 1987, compared with 1986, showed a decrease of 10%. The real rand value of judgements against individuals also showed a decrease

International Links

Throughout 1987 and up to the time of writing (June 1988), pressure mounted for the severance of South

Africa's diplomatic and economic links with other countries. Prominent in the campaign were various American politicians, among them Democratic Party Congressmen and that party's nominee for the 1988 presidential election.

According to the managing director of the Trust Bank, Mr Chris van Wyk, South Africa had experienced a capital outflow of R20bn since mid-1984 as a result of sanctions and disinvestment. This would rise to R25bn by 1990. 'Add to this an estimated cumulative export loss of R10bn, subtract a saving of about R5bn in interest and dividend-payments, and the total net cumulative loss of foreign reserves due to sanctions and disinvestment will amount to some R30bn by 1990,' he said.³⁷ [³⁷ Ibid 10 June 1988]

A report published by an American government agency said, using UN data, that sanctions had caused South Africa to lose R1,2bn in exports in the first nine months of 1987. Exports to the US had declined by R834m because of sanctions, while the loss of exports to 19 other countries was R414m. South Africa had been unable to redirect coal, uranium, iron, and steel exports, but had been able to offset losses in agricultural products, the report claimed.³⁸ [³⁸ *The Citizen* 25 June 1988]

According to the Washington-based Investor Responsibility Research Centre (IRRC), 162 US companies and 115 others had divested from South Africa since 1 January 1984. Forty-nine of the second group were British, 12 Canadian, 8 French, 7 Australian and 7 West German. This left 606 multinationals with direct investment or employees in South Africa. Of these, 195 were British, 150 American, and 137 West German.³⁹ [³⁹ *Financial Mail* 1 July 1988]

From 1982 to 1985, the swing away from direct foreign investment to indirect foreign investment in South Africa accelerated. In 1986 this trend was reversed, but the same year showed a decrease in total investment of 12% for the first time during the five-year period, as is shown by the following:⁴⁰ [⁴⁰ Calculated from the South African Reserve Bank, *Quarterly Bulletin*, March 1988, Tables S-74 and S-75]

*South Africa's foreign liabilities**

Year

Direct investment

Indirect investment

Total

Rm

Proportion of total

Rm

Proportion of total

Rm

1982

17 360

44%

22 503

56%

39 863

1983

19 319

42%

26 673

58%

45 992

1984

26 224

39%

40 764

61%

66 988

1985

27 927

34%

53 493

66%

81 420

1986

27 551

38%

44 353

62%

71 904

*

At current prices

During 1987 pressure for the curtailment of economic links with South Africa continued. A United States (US) State Department report published in May 1987 said that 25 industrialised democracies had imposed various economic sanctions on South Africa to urge the South African government to abandon apartheid. It said that common sanctions imposed by South Africa's trading partners included:

- a ban on new investment in South Africa by 20 countries,
- a ban on imports of gold coins (Krugerrands) by 18 countries;
- a ban on imports of South African iron and steel by 17 countries: and

- a ban on new loans to South Africa by nine c

For opinion on the impact of disinvestment on jobs, the reader of this *Survey* is referred to the chapter on *Employment*.

Asia

Israel

In March the Israeli inner cabinet decided that Israel would not sign any new military contracts with South Africa and would appoint a special committee to determine ways of downgrading relations in non-military areas. Israel did not deny that it was supplying South Africa with arms technology under existing agreements. *Business Day* reported that Israel was concerned that it could lose military aid from the United States (US) if it did not reduce its links with South Africa.⁴¹ [⁴¹ *Business Day* 19 March] The minister of foreign affairs, Mr Roelof (Pik) Botha, said that the decision of the Israeli government to ban new military contracts with South Africa was a direct result of pressure by the US.⁴² [⁴² *The New York Times* 21 March] In 1986 Israel's exports to South Africa were R1100m, compared with imports of R362m, but some estimates put the arms trade between the two countries at R600m–R1,2bn.⁴³ [⁴³ *Business Day* 15 July]

In September the Israeli cabinet adopted sanctions against South Africa patterned on European Community sanctions. The cabinet:

- banned new investments in and government loans to South Africa;
- barred the use of Israel as a transit point for sanctions-breaking third countries;
- froze the quota of iron and steel imports from South Africa;
- banned the import of oil and Krugerrands;
- ruled out new scientific agreements;
- prohibited civil servants from visiting South Africa without cabinet approval; and
- resolved to reduce scientific, sporting and cultural links.

A member of the Israeli Parliament, Mr Yossi Sarid, demanded that the cabinet sanctions be made law to guarantee that the government adhered to them. Mr Sarid said that he had submitted the proposal because the minister of trade and industry, Mr Ariel Sharon, opposed the measures. 'Without such a law,

the government's decision would be meaningless,' Mr Sarid said.⁴⁴ [⁴⁴ *The Natal Mercury* 21 September]
According to the Israeli embassy, the cabinet sanctions were not made law.

Japan

In April it was reported that South African steam coal suppliers had substantially undercut Australian coal merchants who usually supplied about 66% of Japanese needs, and had concluded a deal to supply steam coal to Japan.⁴⁵ [⁴⁵ *Eastern Province Herald* 23 April]

In yen terms Japanese trade with South Africa decreased from 1980 to 1986. This trend continued in 1987, possibly in response to sanctions imposed by Japan in 1986. However, due to the strong performance of the yen against the dollar, in dollar terms Japan's trade with South Africa increased during 1987, and by October 1987 Japan had replaced the US as South Africa's major trading partner. In the first ten months of 1987, Japan's two-way trade with South Africa had reached R6,2bn, while the US's two-way trade for the same period was R5bn. In 1986 US trade with South Africa totalled R7,3bn while trade with Japan in that year was only slightly behind at R7,2bn. South Africa accounted for about 1% of Japan's foreign trade.⁴⁶ [⁴⁶ *The Star* 31 August, *The Weekly Mail* 30 October] During the period under review Japan came under growing American and other pressure to reduce its economic links with South Africa.⁴⁷ [⁴⁷ *Business Day* 22 July 1988]

People's Republic of China

At a seminar on trade with the People's Republic of China held in Johannesburg in November, it was disclosed that private sector organisations had made trade contact with that country. A National Party member of the President's Council. Mr Craig Williamson, said that, in the government's view, local commerce and industry were free to develop trading links with any other nation, but that there would not be any official comment or admission about the trade from either government.⁴⁸ [⁴⁸ *The Star* 6 November]

Republic of China (Taiwan)

In November the minister of economic affairs and technology, Mr Danie Steyn, said at the annual general meeting of the South Africa-Republic of China (Taiwan) Chamber of Economic Relations that exports from South Africa to Taiwan had increased by 63% in the first eight months of 1987, while imports from that country to South Africa had risen by 104% compared with the same period of the previous year.⁴⁹ [⁴⁹ *Business Day* 13 November]

Later that month a South African embassy trade official, Mr Albertus Pienaar, said that he expected two-way trade between South Africa and Taiwan would reach \$1bn in 1987. Mr Pienaar said that Taiwan's foreign exchange reserves of about \$71bn were the second largest in the world, and that South Africa wanted 'a slice of investment' from that country. South Africa was particularly interested in Taiwanese

electronics and machine tools and therefore offered investors a five-year visa, large government subsidies for wages, low-rent factories and houses and was also considering giving investors permanent residence. Mr Pienaar said that there were 85 Taiwanese-owned factories in South Africa, including textile and footwear companies. He did not give the value of the investments but said that he expected the number to top 100 by the end of 1987.⁵⁰ [⁵⁰ Ibid 20 November]

By the end of the year, exports to Taiwan had reached \$480m, a growth of 47% on the figure for 1986. Imports had grown 94% on the 1986 figure and totalled \$432m. Total trade was therefore \$913m in 1987, 66% up on the 1986 figure.⁵¹ [⁵¹ Information supplied by the Taiwanese Embassy]

Turkey

In July *The Citizen* reported that 'Turkey officially condemns South Africa's apartheid policy but trade between the two has been expanding, despite the absence of diplomatic relations'. In 1986 South African exports to Turkey totalled R405m, compared with Turkish exports of R10m.⁵² [⁵² *The Citizen* 25 July]

Australasia

Australia

In March Australia published its first administrator's report on the voluntary code of conduct for Australian companies with interests in South Africa. The administrator did not disclose the names of Australian companies: 'The companies believe, in varying degrees, that naming them in my report would make them targets for attack that passed over any good they might be doing,' he said. The report, nevertheless, described the extent of Australian commitments at February 1987. At this time there were:

- ten Australian companies with wholly-owned subsidiaries in South Africa, with about 640 African employees between them. Two of these had announced their intention to withdraw. A third was selling 51% of its shares to long-serving employees. The seven remaining companies, together with a 60%-owned company, had between them about 670 African employees;
- three Australian companies with 50% ownership of South African companies. Of these, one was in the process of selling to South African interests, while the other two had between them about 1200 African employees; and
- two significant minority shareholdings, where the Australian shareholders had no managerial influence.

The report also listed the names of seven companies that had announced the sale of their interests in South Africa in the 12 months to March 1987 (see chapter on *Employment*).⁵³ [⁵³ *Code of Conduct for*

Australian companies with interests in the Republic of South Africa: first report of the administrator, March 1987]

In October South African Airways made its last flight to Australia, exactly a year after the Australian government had decided to suspend the airline's landing rights.⁵⁴ [⁵⁴ *Business Day* 27 October]

Europe

France

In April the US State Department claimed that France had continued to upgrade and maintain major weapons systems for South Africa since the 1977 United Nations (UN) arms embargo. The report referred to French-designed armoured vehicles and combat aircraft.⁵⁵ [⁵⁵ *Ibid* 3 April] The French prime minister, Mr Jacques Chirac, denied the allegations, and said that France had not supplied South Africa with arms for ten years.⁵⁶ [⁵⁶ *Ibid* 4 April]

The Netherlands

In January international anti-apartheid groups agreed to intensify their campaign against Royal Dutch Shell. The groups said that they wanted the company to cut its links with South Africa. The groups, which were from Belgium, Britain, the Netherlands, North America and Scandinavia, said that they would be making Shell the prime target of their disinvestment campaign (see *United Kingdom* and *United States* below).⁵⁷ [⁵⁷ *The Star* 27 January]

In the same month SHV Holdings NV, the Dutch parent company of the South African wholesale chain Makro, announced that it was disinvesting from South Africa as a result of losing its insurance cover for its operations in the Netherlands. The company's British insurers, Commercial Union, had cancelled cover for political risks following a fire at a wholesale store in the Netherlands a few weeks earlier. There had been several successful attacks on the company's operations over the previous 18 months.⁵⁸ [⁵⁸ *The Citizen* 20 January]

Spain

In June a spokesman of the Spanish foreign ministry said that Spain had banned any new direct investment in South Africa as evidence of Spain's commitment to the abolition of apartheid. The ban did not apply to existing investment, or to investment by multinationals in which Spanish companies had interests.⁵⁹ [⁵⁹ *The New Nation* 11 June]

Scandinavia

In March, **Sweden** announced that it would impose a total unilateral trade ban on South Africa and

South West Africa/Namibia from 1 July 1987, with a deadline of 1 October 1987. The Swedish measures, however, stopped short of disinvestment which, the Swedish foreign trade minister, Mrs Anita Gradin, said, would involve a costly and complicated process of compensation. Certain medical supplies and printed matter would not be affected by the ban. The ban extended to all other goods, including those passing through third countries, and called for a parallel ban to be extended to services. Exceptions were to be made on an individual basis if the ban was found to benefit South African companies directly by removing competition, or if it was to create an unacceptable level of Swedish unemployment.

The Citizen reported that although about 300 firms had trade links with South Africa, the bulk of this trade was conducted by fewer than a dozen firms, most of them mining concerns. Trade had fallen off sharply after the Swedish government had called on companies to boycott voluntarily South Africa in 1985.⁶⁰ [⁶⁰ *The Citizen* 13 March]

The Star reported that Swedish exports to South Africa were worth R244m in 1986, about 20% down on the 1985 figure. South African exports to Sweden fell by about 66% in 1986 to R45m.⁶¹ [⁶¹ *The Star* 2 October]

An industrial sociologist at the University of the Witwatersrand, Professor Duncan Innes, pointed out that the new legislation left substantial loopholes for the Swedish firms still operating in South Africa. For example, the Swedish-owned engineering group, Alfa Laval, had received the following telex from its parent company in Sweden: 'The new legislation, although stopping us from exporting goods or services directly or via third countries, does not stop the supply of goods manufactured or purchased by non-Swedish Alfa Laval subsidiaries. Such goods are not regarded as being of Swedish origin, nor does it force us to disinvest from South Africa.'⁶² [⁶² *The Weekly Mail* 20 March]

After the declaration of the unilateral trade ban on 1 October, Sweden announced that 294 companies had been ordered to stop trade with South Africa. Three medical companies were exempted from the ban on humanitarian grounds, and a decision was still to be reached on three other companies.⁶³ [⁶³ *The Star* 2 October]

Norway imposed an extensive unilateral trade ban against South Africa in March. The law threatened tanker owners with fines or jail sentences or both if they were found carrying oil to South Africa or Namibia. However, tanker-owners still had the opportunity to dock at South African harbours if the final destination of their vessels was unknown at the start of the voyage. The Norwegian government was criticised for temporarily exempting five companies from the trade ban.

The Citizen reported in July that Norway's trade with South Africa had dropped in the first four months of 1987 by about 75% from the same period of 1986, and therefore accounted for only 0,2% of South Africa's foreign trade. Trade figures for the same four-month period dropped 62% to R8,8m while exports were down by 88% to R5,2m.⁶⁴ [⁶⁴ *The Citizen* 20 July]

The March Norwegian and Swedish bans followed a total **Danish** trade ban, which was introduced in June 1986; conditional sanctions imposed by Norway in November 1986 and voluntary **Finnish** trade restrictions which had seen Finnish trade with South Africa in 1986 drop by 97% in comparison with 1985 figures.⁶⁵ [⁶⁵ *Ibid* 13 March] In May a bill was tabled in the Finnish Parliament to cut trade links formally from 1 July.⁶⁶ [⁶⁶ *The Star* 23 May]

United Kingdom

In January the Anti-Apartheid Movement (AAM) announced that during 1987 it would be concentrating its activities on Shell. The AAM had decided to seek a boycott of all Shell products in the United Kingdom (UK) and to canvass local authorities for support. Several local authorities had already agreed to stop bulk buying from Shell, the AAM said. Organising around the slogan that Shell petrol 'fuels the apartheid regime', the general secretary of the AAM, Mr Mike Terry, said that Shell had been singled out because it was the worst offender of the oil embargo and held extensive mining interests in South Africa.⁶⁷ [⁶⁷ *The Citizen* 13 January, *Business Day* 14 January] By March the AAM had arranged pickets of Shell's service stations in the UK.⁶⁸ [⁶⁸ *The Citizen* 3 March] The AAM also planned to picket Standard Chartered Bank and a mining house, the Rio Tinto Zinc Corporation.⁶⁹ [⁶⁹ *Ibid*]

In August the chairman of the Standard Bank Investment Corporation (Stanbic) Mr H P de Villiers, announced that an agreement had been reached for the sale to South African institutions of the 39% shareholding in Stanbic held by Standard Chartered.⁷⁰ [⁷⁰ Standard Bank Investment Corporation, news release, 11 August]

In January it was reported that representatives of the South African government and the government of the Isle of Man had met to discuss South Africa's use of the island's free port. This was denied by the Manx chief minister, Mr Miles Walker, who said that there had been no contact 'at any level' with the South African government since 1985. When clarity on the situation was demanded by the (British) Labour Party, British government sources said that South African companies could set up operations in the free port area providing no international sanctions agreements were infringed. A report that appeared in the British newspaper *The Independent* claimed that South Africa's Industrial Development Corporation in consultation with the Manx authorities, intended to ship South African goods to the island, change labels and then re-export the goods to the European Community.⁷¹ [⁷¹ *Business Day* 23 January] In a related development in July *The Independent* reported that De Beers Consolidated Mines planned to use the Isle of Man's free port as a base for processing industrial diamonds destined for sale on European markets, and that other South African companies seem likely to follow suit. The report was confirmed by De Beers officials in Johannesburg.⁷² [⁷² *The Natal Witness* 2 July]

In July a bill to deprive local councils of the right to boycott South African goods, such as sherry and oranges, was given a second reading in the House of Commons by a majority of 74. If the bill became law, up to 100 mostly Labour-controlled local councils in the UK, which operated anti-apartheid boycotts, would no longer be able to make non-commercial judgements about the origin of the goods or

services they bought.⁷³ [⁷³ *The Star* 8 July] The bill was subsequently passed by the House of Commons and sent to the House of Lords early in 1988.

British exports to South Africa rose 11,4% from £851m in 1986 to £947m in 1987; but British imports from South Africa fell 20,7% from £829m in 1986 to £657m in 1987. In 1986 UK direct and portfolio investment in overseas countries was put at R780bn, with investment in South Africa comprising 5% of the total. But by October Kleinwort Grieveson, the securities arm of the investment banking group Kleinwort Benson, estimated that after a spate of disinvestments the South African component of UK overseas direct and portfolio investment was less than 3%.⁷⁴ [⁷⁴ *Eastern Province Herald* 14 October]

West Germany

About 300 affiliates of West German companies operated in South Africa, employing about 45 000 people, mostly African. In the first nine months of 1986 exports to South Africa fell by 20%, to \$1,6bn.⁷⁵ [⁷⁵ *The New York times* 19 January] In November 1987 it was reported that South African exports to West Germany had dropped by 27% in the first seven months of 1987, while West German exports to South Africa had fallen only 0,3%.⁷⁶ [⁷⁶ *Business Day* 2 November]

North America

A report published by the Investor Responsibility Research Centre in October listed 87 Canadian and United States companies that had 'severed all ties to South Africa since January 1986'.⁷⁷ [⁷⁷ Cooper A, *US and Canadian business in South Africa 1987*, Investor Responsibility Research Centre, p153]

Canada

In July a Canadian government report rejected disinvestment from South Africa. The report said that there was 'considerable evidence' that the withdrawal of foreign companies, instead of contributing to economic and social change, had the opposite effect, 'particularly when disinvestment results in South African ownership' The report said that in 1986 four Canadian companies had sold off their South African subsidiaries and a fifth had suspended operations. During the first four months of 1987 six firms had disinvested and others were considering doing so. The report gave four reasons for the disinvestment of Canadian companies:

- management needed to spend a disproportionate amount of time on relatively small, South African branches;
- income from South African branches in general amounted to only 1% or 2% of company income;

- economic recession and social turmoil had made South Africa an unattractive investment area; and
- companies had been pressurised by the divestment of Canadian university endowment and pension funds, which had hurt share prices.⁷⁸ [⁷⁸ *The Star* 13 July]

According to the Canadian embassy, Canadian imports from South Africa dropped 58% from 1986 to 1987, from C\$373m in 1986 to C\$155m in 1987. Canadian exports to South Africa dropped 25% over the same period: from C\$151m in 1986 to C\$113m in 1987.⁷⁹ [⁷⁹ Information supplied by Canadian embassy, 8 June 1988]

United States

In January the United States (US) exempted ten strategic minerals from sanctions against South Africa. Trade in the minerals listed was estimated at R4bn annually. The director general of mineral and energy affairs, Mr Louw Alberts, said that ‘the Americans seem to be waking up to the realities of sanctions and the position of South Africa in the western world’s mineral supply’.⁸⁰ [⁸⁰ *The Natal Witness* 20 January] In February the US State Department told Congress that the US economy and military remained dependent on South Africa for the ten minerals and asserted that without South Africa the Soviet Union would be the only source for sufficient amounts of the items needed to build jet engines, process steel, refine petroleum and perform other industrial functions.⁸¹ [⁸¹ *The New York Times* 8 February]

By March, 11 South African companies that had requested that they be removed from the US’s list of 166 companies banned under the Comprehensive Anti-Apartheid Act of 1986 (US) had been removed from the list. The companies had been wrongly classified as parastatals.⁸² [⁸² *The Star* 22 January, *The Citizen* 13 March] One of the companies was Sasol, (an oil-from-coal scheme) which had won its appeal in early February, although the Sasol 3 operation at Secunda was still blacklisted.⁸³ [⁸³ *The Star* 2 February] However, in April the revised list was extended to include several new companies and numbered 230.⁸⁴ [⁸⁴ *The Sunday Star* 5 April]

In May it was reported that in the 20 months from January 1985, 55 US companies, employing 8 679 people, had left South Africa. Of these, only 14 liquidated their local operations, affecting 594 employees. The remainder were sold to local buyers, management or overseas concerns.⁸⁵ [⁸⁵ *The Weekly Mail* 8 May] In September the *Sunday Tribune* reported that South African exports to the US had dropped by 46% from R2,6bn in the first half of 1986 to R1,4bn in the first half of 1987. Imports from the US were unchanged at R1,2bn but South Africa’s trade surplus with the US had fallen from R1,4bn to nearly R200m.⁸⁶ [⁸⁶ *Sunday Tribune* 20 September]

An official American study claimed on the basis of United Nations data that South African exports to the

US had dropped by R834m in the first nine months of 1987 as a result of sanctions.⁸⁷ [⁸⁷ *The Citizen* 25 June 1988]

At the time of writing the American congress was debating proposed legislation to compel all American companies to leave South Africa and ban all trade other than US agricultural exports and South African strategic mineral exports

United Nations (UN)

On 20 February the UK and the US vetoed a United Nations (UN) Security Council resolution calling for selective mandatory economic sanctions against South Africa because of the country's racial policies. West Germany also voted against the resolution, while France and Japan abstained. The other western member of the 15-member council, Italy, surprised observers by voting for the motion, which was sponsored by five non-aligned countries: Argentina, the Congo, Ghana, the United Arab Emirates, and Zambia.⁸⁸ [⁸⁸ *Ibid* 23 February]

Other collective responses

In October the 66 members of the African, Caribbean and Pacific group agreed to ban air links and trade with South Africa. The group also called on the international community to withdraw all investments from South Africa, to ban new loans and to refrain from rescheduling existing loans.⁸⁹ [⁸⁹ *Ibid* 2 November]

At the Commonwealth conference in Vancouver in October, discussion on apartheid was again prominent but the group decided against further sanctions against South Africa. However, Commonwealth leaders planned to increase pressure through other methods and to equip neighbouring countries better to respond to threats from the South African Defence Force. A statement was released which read: 'With the exception of Britain, [we] will create a new system of evaluating sanctions to assess their impact and embark on a study of South Africa's dealings with the international financial community with a view to imposing restrictions in this sphere [We] will continue to take action (sanctions in the case of all countries, except Britain) individually or collectively to promote the dismantling of apartheid.'⁹⁰ [⁹⁰ *The Sunday Star* 18 October]

Trade statistics

South African imports increased by 7% in 1987 to reach R28,74bn over R26,85bn in 1986. Exports rose 1,3%, reaching R42,72bn in 1987 compared with R42,16 in 1986.⁹¹ [⁹¹ Preliminary statement of trade statistics of the RSA released by the commissioner for customs and excise, P.5.01, January to December 1987]

A breakdown of these figures according to world zone for the whole of 1987 was not provided by the

commissioner for customs and excise. According to an official in the commissioner's office, this information had been restricted as strategic information since 1986 and could be obtained only from the director general of the Department of Trade and Industry, who would require an assurance that the information would be for 'internal use' only and would not be made available to third parties.

However, trade information for January to July 1987 was published by the commissioner for customs and excise:

South African imports and exports: 1986 and 1987 Period: January - July

Imports

Exports

1986

1987

1986

1987

Rm

Rm

Rm

Rm

Africa

334,3

312,3

1 007,7

975,2

Europe

6 778,6

7 119,0

5 993,4

5 767,8

America

2 041,3

2 106,8

2 576,2

1 733,9

Asia

2 634,4

3 378,5

3 584,9

4 098,5

Oceania

165,4

162,2

207,7

125,2

Unclassified goods and BOP* adjustments

3 838,5

2 832,8

10 110,8

11 475,2

Ships and aircraft stores

—

—

38,1

40,9

Total

15 792,5

15 911,6

23 518,8

24 216,7

*

Balance of

Budgets

The mini budget

As a result of the election for the House of Assembly on 6 May 1987, the reading of the main budget was delayed, the minister of finance, Mr Barend du Plessis, tabling a Part Appropriation Bill (or mini budget) on 9 February 1987. Mr Du Plessis said that 'it is estimated that an amount of R29,2bn, made up

as follows, will be sufficient to cover expenditure until as late as the end of November':⁹² [⁹² *Hansard* (A) 2 cols 459-460, 9 February]

Mini budget: 1987

R

General affairs department

17,9bn

Administration for own affairs

6,2bn

Transvaal provincial administration

2,1bn

Natal provincial administration

0,8bn

Orange Free State provincial administration

0,6bn

Cape provincial administration

1,6bn

Total

29,2bn

Mr Du Plessis said that 'the Part Appropriation Bill seeks to continue the two-pronged macro-economic strategy the government has been pursuing for some time now aimed at providing a modest but necessary stimulus via, on the one hand, supply-side measures embodied in tax relief and, on the other hand, social expenditures that simultaneously address the more pressing needs of our less-privileged people and boost aggregate dem

The main budget

Delivering the introductory speech on the Appropriation Bill at a joint sitting of the three parliamentary houses in June, Mr Du Plessis said that ‘the budget is closely linked to the stimulatory nature of recent budgets and measures designed to bring the economy out of recession and put it back on the path of sound growth. Successive tax concessions and target-related additional government expenditure have already achieved a great deal of success in this regard’.⁹⁴ [⁹⁴ *Hansard* (A) 5 col 1522, 16 June]

Regarding taxation, the minister said that the government had not made any significant changes to the tax system over the past few years in anticipation of the report of the commission of inquiry into the tax structure of the Republic of South Africa (the Margo commission). With the submission of the report to the government, however, the minister said that ‘important choices on taxation will shortly have to be made’ (see *Taxation* below).⁹⁵ [⁹⁵ *Ibid*]

Mr Du Plessis said that ‘the budget also reflects the mandate given by the majority of white voters both to their representatives in the House of Assembly and to the government to embark on far-reaching new steps towards the broadening of democracy’.⁹⁶ [⁹⁶ *Ibid* cols 1522-1423, 16 June] He cited the state president’s address at the opening of Parliament which had ‘referred succinctly to the need for economic growth as a requirement in this process. Constitutional development cannot take place in isolation, but has to be preceded by and accompanied by economic and social processes to create the conditions in which renewal may be continued on the basis of security’.⁹⁷ [⁹⁷ *Ibid* col 1523, 16 June]

The principles underpinning the budget were explained by Mr Du Plessis as follows: ‘Appropriate financial and economic policies, upliftment in the social and educational spheres, and the provision of equal opportunities for training, and the accumulation of assets and wealth—by such means as the present imaginative promotion of home ownership—are therefore not only right and just, but at the same time also underpin the system. In several ways the budget contributes to this.’ Mr Du Plessis said that while the budget should show ‘the compassion due by a Christian government’, it should also:

- ‘remain true to the sound conviction that it is every person’s responsibility to be as self-sufficient as possible’;
- ‘remain true to the sound point of departure that the creation of employment is primarily the task of the private sector’; and
- ‘provide for the maintenance of law and order in the face of an unprecedented escalation of the risk of violence, and where possible act pre-emptively in this regard’.⁹⁸ [⁹⁸ *Hansard* (A) 5 cols 1423-1524, 15 June]

The budget was the first to form part of a five-year expenditure plan that was to cover the period

1987/88 to 1991/92 and had been approved by the cabinet at the end of 1986. The aim of the plan, Mr Du Plessis said, was 'to give substance to the government's declared intention of allowing greater scope for private sector activity in the economy. The plan endeavours to achieve a relative reduction in total public sector expenditure, that is from almost 38% of the gross domestic product (GDP) in 1985/86 to approximately 35% in 1991/92. The process of privatisation and deregulation which has already been launched is closely bound up with this objective'.⁹⁹ [⁹⁹ *Hansard* (A) 5 col 1526, 16 June]

According to the printed estimates tabled in Parliament at the time of the budget speech, total estimated expenditure for 1987/88 was R46,32bn, an increase of 23% on the 1986/87 budget of R37,45bn and of 15% on the revised figure of R40,32bn for 1986/87.¹⁰⁰ [¹⁰⁰ *Ibid* col 1538, 16 June] The estimated revenue for 1987/88 was R37,99bn. This was an increase of 15% on the revised estimate of R34,13bn for 1986/87.¹⁰¹ [¹⁰¹ *Ibid* cols 1540 and 1550, 16 June]

However, once additional proposals in the budget speech itself were taken into account, total estimated expenditure would be R46,87bn. This adjusted expenditure level represented an increase of 16% on the revised figure for 1986/87.¹⁰² [¹⁰² *Ibid* col 1550, 16 June] Similarly, once taxation changes were included, the adjusted total for revenue was R38,44bn, giving a final deficit before borrowing of R8,43bn. This excess of expenditure over revenue before borrowing was estimated by Mr Du Plessis at 5% of GDP.¹⁰³ [¹⁰³ *Ibid* col 1547, 16 June]

The budgeted allocations of expenditure to the various government departments were as follows:¹⁰⁴ [¹⁰⁴ Estimate of the revenue and expenditure to be defrayed from the state revenue account during the financial year ending 31 March 1988, RP2 and 4 - 1987, annexure3]

The national budget*

1986/87

1987/88

Vote

Rm

Rm

State president

12

14

Parliament

33

42

Bureau for information

29

31

Commission for administration

153

207

Improvement of conditions of services

1 077

1 074

Development planning

5 320

6 514

Foreign affairs

1 363

2 176

National education

122

132

Development aid

2 403

3 030

Education and training

1 132

1 488

Defence

5 123

6 683

Manpower

204

199

Public works and land affairs

1 246

1 426

Justice

212

240

Prisons

408

490

Agricultural economics and marketing

426

575

Trade and industry

594

1 031

Mineral and energy affairs

871

768

Finance

6 386

7 398

Audit

13

0

Home affairs

84

149

Transport

751

785

Administration: House of Assembly

4 536

4 979

Administration: House of Representatives

1 696

1 961

Administration: House of Delegates

683

730

National health and population development

1 826

2 208

Police

1 071

1 530

Environment affairs

140

135

Total**

38 206

46 319

*

The figures for 1986/87 are final estimates; the 1987/88 figures are those given at the time of the budget speech.

**

Rounded; figures may th

Expenditure on defence in the estimates at the time of the budget speech increased in 1987/88 by 31% on the final estimate for 1986/87.¹⁰⁵ [¹⁰⁵ Ibid] Educational expenditure for all race groups, including the 'independent' homelands, increased by 20% over the previous year to reach R8,13bn in 1987/88 (see chapter on *Education*), or 18% of the total budget. Expenditure on police, defence, justice and prisons rose from R6,81bn in 1986/87 to R8,94bn in 1987/88 (see chapter on *Security*).¹⁰⁶ [¹⁰⁶ Estimate of revenue and expenditure RP2 and 4-1987, op cit, annexure 3]

The South African Federated Chamber of Industries said that in the current conditions of still-hesitant growth and low investor confidence, a substantial case could be made for stronger stimulation through tax cuts and a larger deficit before borrowing. The Association of Chamber of Commerce of South Africa said that it was still concerned over the high level of state spending and regretted there had not been more scope for further tax cuts. The Afrikaanse Handelsinstituut said that the extent of the deficit of just above 20% of budgeted income was dangerously high.¹⁰⁷ [¹⁰⁷ *Business Day* 4 June 1987]

The Congress of South African Trade Unions commented that the increase in expenditure on defence and the police showed that the government was incapable of a budget which seriously addressed the country's problems. 'The most telling indictment of the budget is the fact that these items can increase by such large amounts when the expenditure on social services appears to have increased by a mere 5%,' the statement said.¹⁰⁸ [¹⁰⁸ *The Weekly Mail* 5 June] The National Council of Trade Unions said that the budget was 'aimed at placating the white voters in keeping with the attitude of the National Party and the basis on which it fought the election'.¹⁰⁹ [¹⁰⁹ *The Star* 4 June 1987]

The South African Defence Force said in an explanatory memorandum on its budget vote that the increase in defence was modest when one considered the inflation rate and the extent of renewal programmes. The memorandum said that 'the SADF has made every endeavour to curtail the real

increase in expenditure required to meet its long-postponed modernisation and re-equipment programmes to between 5% and 6% per annum only during the next five years'.¹¹⁰ [Ibid]

According to Dr Ronnie Bethlehem, group economics consultant at the Johannesburg Consolidated Investment Company, budgeted spending on key areas had changed as follows between 1969/70 and 1987/88:¹¹¹ [Quoted in R W Bethlehem, *Economics in a Revolutionary Society - Sanctions and the Transformation of South Africa*, Ad. Donker, 1988]

Exchequer Estimates of expenditure

Rm

Proportion of total

1969/70

1979/80

1987/88

1969/70

1979/80

1987/88

Education

148

765

8 617

6,4%

6,3%

18,6%

Defence

303

2 044

7 018

13,0%

16,7%

15,2%

Police, prisons, courts etc

255

802

2 764

11,0%

6,5%

6,0%

Interest on debt

147

1 343

6 096

6,3%

11,0%

13,2%

Sub-total

853

4 954

24 495

36,7%

40,5%

52,9%

Other

1 471

7 283

21 824

63,3%

59,5%

47,1%

Total

2 324

12 237

46 319

100,0%

100,0%

Subsidiary budgets

The votes in the main budget for the three own affairs houses may be broken down as follows:

*House of Assembly budget**

1986/87

1987/88

Rm

Rm

Welfare***

684

770

Health services

59

65

Agriculture and water supply

539

591

Education and culture

3 070

3 339

Local government, housing and works

272

294

Budgetary and auxiliary services

25

20

Improvement of conditions of service

226

198

Total**

4 875

5 277

*House of Representatives budget**

1986/87

1987/88

Rm

Rm

Budgetary and auxiliary services

19

27

Education and culture

870

1 010

Local government, housing and agriculture

351

394

Health services and welfare

471

550

Improvement of conditions of service

64

70

Total**

1 774

2 050

House of Delegates budget*

1986/87

1987/88

Rm

Rm

Budgetary and auxiliary services

9

11

Local government, housing and agriculture

187

165

Education and culture

365

403

Health services and welfare

124

152

Improvement of conditions of service

27

28

Total**

711

760

*

The figures for 1987/88 are not strictly comparable with those for 1986/87, which are the final revised estimates.

**

The 1987/88 figures differ from those given in the main budget as each house has its own source of revenue in addition to the grant from the main budget.¹¹²

Welfare was previously provided for under the Health Services and Welfare vote, through the welfar

The budget of the ten homelands for 1987/88 were as follows:

Homeland budgets: 1987/88

*Rm**

Bophuthatswana

1 518

Ciskei

859

Gazankulu

377

KaNgwane

229

KwaNdebele

181

KwaZulu

1 296

Lebowa

865

QwaQwa

232

Transkei

1 604

Venda

493

*

These figures include allocations from the central government in the national budget as well as revenue raised by the homeland administrations from within the homelands.

Further details of the homeland budgets are provided in the chapter on *The Homelands*.

Revenue allocated to the various legislatures from the national budget for 1987/88 is as follows:

Grants from national budget to various legislatures: 1987/88*

Rm

Assembly

5 379

Delegates

730

Representatives

1 961

Bophuthatswana

N/A

Ciskei

628

Gazankulu

257

KaNgwane

147

KwaNdebele

121

KwaZulu

903

Lebowa

638

QwaQwa

127

Transkei

450

Venda

221

*

Homeland figures exclude tax transfers from the central government and

Public spending allocations

The deputy minister of finance, Dr Org Marais, said in reply to Conservative Party criticisms of alleged government generosity to blacks that if one took 1980 figures the per capita subsidy for education, health, pensions, and other social services was R440 for whites as against R80 for blacks.¹¹³ [¹¹³ *The Citizen* 13 April 1988]

Taxation

In February the minister of finance, Mr Barend du Plessis, introduced new taxation tables in terms of the mini budget. The primary rebate was increased to R920 for a married taxpayer and R650 for an unmarried taxpayer. In the case of couples where both partners were earning income, the first R20 000 of the wife's earnings, or 22,5% of her net earnings, whichever was the greater, would not be taxable. The new rates applied from the tax year starting on 1 March 1987.¹¹⁴ [¹¹⁴ *Ibid* 12 February]

After the tax concessions introduced in the mini budget had been announced, the director of the Econometrix Research Unit, Dr Azar Jammine, warned that taxpayers should not assume that the year's tax bill would be lower. Dr Jammine said that although tax rates had been trimmed to absorb part of the impact of fiscal drag, it was inevitable that 1987 pay increases would mean heavier tax demands on most salary and wage earners. 'When the initial applause subsides and there is calm analysis of the mini budget, taxpayers will find that only the higher income groups look likely to benefit and that the buying power of the vast majority of lower and middle income families will be even lower,' he said. In May the Econometrix Research Unit claimed that the contribution of individual taxpayers to annual government revenue had risen from R2,08bn in 1980 to R11,03bn in 1987. As a proportion of total government revenue, personal income tax had risen from 15% in 1980 to 32%.¹¹⁵ [¹¹⁵ *The New Nation* 7 May]

A Progressive Federal Party (PFP) election pamphlet that appeared in May claimed that taxpayers were paying 400% more tax than they were at the time of the 1981 election. A PFP spokesman, Mr Brian Goodall, said the figure had been arrived at using statistics of the South African Reserve Bank.¹¹⁶ [¹¹⁶ *The Natal Mercury* 4 May]

In September Mr Du Plessis told Parliament that of the employees registered under the PAYE system Africans had paid R171m in income tax in the 1986/87 financial year. Asians had paid R257m, coloured people R315m and whites R9bn.¹¹⁷ [¹¹⁷ *Cape Times* 3 September] In 1985/86, Africans registered under the PAYE system had paid R115m in taxes. Commenting on the 49% increase in African taxation under PAYE, Dr Jammine said that 'fiscal drag in the tax system has ignited the fuse on a labour relations time bomb. It has become crucial that the government accelerates the tax reform programme and takes action in the next budget to cut income tax rate, lift the tax threshold and reduce the sharpness of the curve in

regional tax rates'.¹¹⁸ [¹¹⁸ *Diamond Fields Advertiser* 3 September]

Figures compiled for the Margo commission by the Department of Inland Revenue revealed that in the 1986/87 financial year, the total amount of income tax paid by Africans (including those not registered under PAYE and not submitting returns) was R400m.

The deputy minister of finance, Dr Org Marais, said that blacks paid more than half of the R14bn collected in sales tax and customs duties in 1987/88. As far as company and mine taxes were concerned, black workers also contributed to the profitability of these companies, he said, in answer to Conservative Party criticism that the government was raising white but cutting black taxes.¹¹⁹ [¹¹⁹ *The Citizen* 13 April 1988]

The Margo commission

The commission of inquiry into the tax structure of the Republic of South Africa under the chairmanship of Mr Justice Cecil Margo handed its report to the government in December 1986. In August 1987, after the 516-page report had been translated into Afrikaans, it was tabled in Parliament. The state president, Mr P W Botha, invited the private sector to submit comments on the recommendations to the Department of Finance. This department set up a task group to process these submissions and held a series of meetings with representatives of the private sector. In October the state president's conference with businessmen was dominated by discussion of the report. Members of the commission also attended.¹²⁰ [¹²⁰ *White Paper on the Report of the Commission of Inquiry into the Tax Structure of the Republic of South Africa (The Margo Report)*]

Further research was conducted into some of the issues raised in the report, both by the Department of Finance and by members of the commission. In February 1988 a final report was submitted to the cabinet by the task group. Thereafter, the government published a white paper containing its decisions on the Margo commission's recommendations. Some of these are set out below.

The white paper said that 'many of the recommendations of the Margo commission accepted by the government will mean far-reaching changes in the tax structure now existing in South Africa. Allowing for proper preparation for these changes, the proposals can in many cases only be implemented in the 1989/90 fiscal year'. The Department of Finance was to commence the preparation of the necessary legislation and conduct further discussions with the private sector.¹²¹ [¹²¹ *Ibid*]

Of particular significance were the Margo commission's recommendations regarding general sales tax (GST), value added tax (VAT), comprehensive business tax (CBT) and regional services levies, which were not all accepted by the government in its white paper.

The commission recommended that GST be retained at a much lower rate—ultimately 4%—and that it be made a pure consumption tax resting on a broad base. It also suggested that the exemption of some

foodstuffs be removed. As an alternative, the commission suggested that invoice VAT replace GST entirely. This latter recommendation was accepted by the government and Mr Botha announced in February 1988 that GST would disappear with the introduction of VAT.

Related to this decision, the government also rejected the commission's proposed CBT. The commission had proposed that a national CBT rate should be calculated into a single regional rate to take the place of regional establishment and services levies. The government, however, decided that for the time being regional levies should remain unchanged

The Margo commission also recommended that the special relationship which existed between the Transkei, Bophuthatswana, Venda and the Ciskei (the TBVC territories) and 'South Africa' demanded a more comprehensive system of financial relations than the Customs Union Agreement. The government's response was that 'the commission's recommendations for the revision of the agreement, which are already being studied in another forum, must ... be proceeded with as soon as possible'.¹²² [¹²² Ibid]

General sales tax (GST)

In January an official of the Department of Inland Revenue disclosed that general sales tax (GST) collections for 1986/87 were expected to fall short of the budget expectation by at least R250m. The shortfall was ascribed to the recession, which had reduced disposable income through inflation and thereby reduced consumer spending. The budget anticipated GST collections to the value of R9,48bn but in the first eight months of the financial year collections had reached only R5,83bn.¹²³ [¹²³ *Business Day* 19 January]

Regional levies

During 1987 the Margo commission's recommendations on regional levies and the financing of regional services councils (RSCs) were rejected by the government (see *The Margo Commission* above). During 1987 the first RSCs became operational. At the end of 1987, there were three RSCs in the Cape, one in the Orange Free State and 12 in the Transvaal (see chapter on *Government and Constitution*). The private sector was expected to start financing the RSCs from July, the government providing bridging finance for the councils until the first collections were made. It was understood that the Department of Inland Revenue was prepared to levy the 0,1% turnover tax and the 0,25% payroll tax as soon as the RSCs were launched.¹²⁴ [¹²⁴ Ibid 27 January] Preliminary estimates indicated that R800m would be collected from the turnover and payroll taxes during the first year of operation.¹²⁵ [¹²⁵ Ibid 5 February]

Speaking during a televised discussion on RSC levies in March, the chief executive (policy) of the Department of Finance, Mr Gerhard Croeser, said that he expected companies, which were to pay levies on their turnover and wage bills, to pass the levies, on to the consumer. He added that consumers would

ultimately derive benefits from the RSCs.¹²⁶ [¹²⁶ *The Citizen* 27 March]

During the same discussion, the chairman of the Association of Chambers of Commerce of South Africa (ASSOCOM), Mr Raymond Parsons, said that business was 'very unhappy' about the new taxation. The levy on wages 'is certainly not going to work in favour of job creation', he said.¹²⁷ [¹²⁷ *Ibid*]

WELFARE

Policy

The chief director (welfare services) of the Department of National Health and Population Development, Dr Wallace Anderson, said in October that comments of private welfare agencies on the government's proposed national welfare policy had been studied and incorporated into his department's report to a cabinet subcommittee on social affairs. 'The situation is now very complicated as there are two forms of policy operating, a centralised one for blacks and the own affairs departments for whites, Indians and coloured people,' Dr Anderson said. The policy was likely to be completed, but not finalised, by the end of 1987, he added.¹ [¹ *The Star* 22 October]

A co-ordinating committee on welfare policy claimed that the government was trying to control welfare services along strictly ideological lines, while reducing state responsibility for such services. Through privatisation, the government sought to place financial responsibility with private agencies, the private sector, and the local community and still retain tight control over the delivery of services.² [² *Ibid*]

Hundreds of social workers pledged to work to counter the government's proposed welfare policy should it be implemented as originally outlined. The resolution was taken in July at a conference arranged by the University of the Witwatersrand School of Social Work. Government welfare strategy emphasised the privatisation of services and the self-reliance of communities on their personal resources. The conference condemned the approach because 'it will entrench apartheid and accentuate existing differences among the people of South Africa and will create further differences and conflict'. The policy would also mean more expensive services accessible to fewer people at a time when escalating unemployment and rising costs were causing hardships for the majority of South Africans, the conference resolution argued.³ [³ *The Star* 10 July]

The Society of Social Workers also condemned the government's welfare proposals as costly and cumbersome and said that they entrenched apartheid. A draft policy document had been sent to the society and the organisation had returned it to Dr Van Niekerk in a changed form. The policy document was then sent to a parliamentary committee without further consultation with private welfare agencies. Mrs Simone Bavery, the Society of Social Workers' national president, said that a telegram had been sent to Dr Van Niekerk requesting a copy of the final draft. 'We were very disturbed by the original draft. We were told regional conferences would be organised to discuss our reaction but this did not

come about and there has been no response to comments we made on the original draft. We do not accept that for an issue of this magnitude there was no time to consult us. The government makes strong statements that we are in partnership but does not put them into practice,' she claimed.⁴ [⁴ Ibid 6 July]

The chairman of the ministers' council and minister of housing in the House of Delegates, Mr Amichand Rajbansi, said in June that if child and welfare workers continued to use their organisations for political purposes, the House of Delegates would take control of statutory cases. The leader of the Progressive Reform Party (PRP), Mr Pat Poovalingam, said that he would support Mr Rajbansi if steps were taken against social workers who did not do their work properly.⁵ [⁵ Ibid 18 June]

Meiring report

The report of the joint committee on pension benefits appointed in 1986 under Mr J Meiring, deputy minister of foreign affairs, was published in February. Its brief was to inquire into the satisfactory provision of pension benefits, the transferability of pensions and the commutation of a part of lump-sum benefits into annuities. In 1978 the interdepartmental committee of inquiry into certain specific pension matters (the Louw committee) had investigated similar problems and its findings had been published in March 1980, but, owing to industrial unrest, some of the report's recommendations, specifically those on the freezing of pension payouts, had not been implemented. The joint committee's report said that there was a need to examine separately the following issues, which were vital to a better understanding of South Africa's pension system:

- that western models were not necessarily the most appropriate;
- that the cost of the current pension system was increasing dramatically;
- that the status of the social and family lives of the community was changing;
- that the labour movement had its own particular pension-related difficulties;
- that the country had a large third world population which had its own needs as far as pensions were concerned; and
- that there was a need to promote job creation and lessen the current level of unemployment.

The report set out the following six principles as being appropriate for a pension system in South Africa:

- a reduction of the state's long-term liability to provide old-age pensions with the recognition that it had a continued responsibility to provide for millions of people who were unable to provide for themselves;

- the encouragement of the private sector to expand its role in pension provision;
- the encouragement of individuals and employers to assume responsibility by making advance financial provision and the creation of an environment that encouraged individuals to be self-reliant;
- the offering of as many options as possible to assist individuals and employers to make provision for retirement;
- the encouragement of voluntary and negotiated preservation of interests; and
- the provision of a minimum pension.⁶ [6 *Sunday Times* 23 August]

The report opened the way to a new social security system, much along the lines of that being planned in Britain. This would mean that individuals would be able to choose their own scheme and remain with it regardless of how many times they changed their jobs.

Mr David Tweedale, director of Price-Forbes Employee Benefits Consultants, pointed out that the current pension system, which was run on uniform principles, was unable to provide a wide variety of benefits for all sections of the population. The report placed the onus on the private sector to ensure adequate social welfare. 'There will never be a better opportunity to demonstrate that the principles of free enterprise can work in the public interest,' Mr Tweedale said.⁷ [7 *Sunday Tribune* 24 May]

Legislation

A number of acts relating to welfare were passed during the period under review.

The **Pension Laws Amendment Act** amended a provision in the Government Service Pensions Act of 1936 which enabled public servants to 'buy back' their pensions at bargain rates. The amendment was recommended by a Johannesburg actuary, Mr D Malan, who had been hired to assess the R12bn state pension fund. The inquiry followed an outcry after it had been discovered that civil servants had been able to 'buy back' their pensionable service periods at basement rates to an age when they were still at school. Critics said that taxpayers would eventually have to pay into the fund to keep it afloat. The chief director of pensions, Mr Japie Visser, confirmed that the amendment to the act meant that 'the fund will, in terms of the new formula, be fully compensated for the benefits accruing to the member as a result of the added service bought'. Mr Visser said that 30 000 applications to buy back service were lodged yearly but only about 20% of applicants eventually used the facility (see *Civil Service Pensions* below).⁸ [8 *The Citizen* 25 September]

The **Children's Status Act** was designed to improve the status of the extramarital child and to bring it

into line, as far as possible, with that of the legitimate child. The South African Law Commission had examined the position of the illegitimate child and had found that illegitimacy had a prolonged legal effect on many aspects of a person's status. The minister of justice, Mr Kobie Coetsee, said that 'historically, these negative aspects are the result of society's condemnation of extramarital, adulterous and incestuous relationships. Efforts were made to discourage these relationships by denying the child certain privileges which affected his status. It is clear that such an attitude does not have the desired effect and that the innocent child is the person who suffers'.⁹ [⁹ *Hansard* (A) 14 col 6013, 16 September]

Budgets

The following amounts were allocated to welfare services in the 1986/87 and 1987/88 financial years:¹⁰
 [¹⁰ Republic of South Africa, *Estimate of expenditure to be defrayed from the state revenue account during the financial year ending 31 March 1987 and 1988*, RP2-1987, RP2-1988]

Welfare budgets

1986/87

1987/88

R

R

Constitutional Development and Planning (Africans in white-designated areas)*

373 990 000

N/A

House of Representatives (coloured)

409 267 000

629 787 000

House of Delegates (Indian)

106 547 000

157 610 000

House of Assembly (white)

684 097 000

769 936 000

Total

1 573 901 000

*

From the financial year 1987/88 the health and welfare budget for Africans was administered at provincial level under community development. Figures for this period were not available at the time of writing.

N/A - not available

The minister of the budget and welfare in the House of Assembly, Dr Dawie de Villiers, said that the funding of welfare organisations needed urgent reconsideration. Speaking in Parliament in June, he said that although welfare subsidies had increased by 750% in the past ten years. if the same formula were to be used to allocate funds in the future, the shortfall between 1987 and 1991/92 would grow to R236m. A new formula would have to be developed. At the time of his speech no new applications for funds were being processed and approved projects were seven to eight years in arrears.¹¹ [¹¹ *The Natal Witness* 25 June]

The executive director of the Johannesburg Child Welfare Society, Dr Adele Thomas, said at a press conference in December that the total running cost for welfare services for 1986/87 was R4,8m, of which only R1,6m was from government subs

Personnel

The minister of national health and population development, Dr Willie van Niekerk, said in May that 1 025 African, 694 coloured, 332 Indian and 4 391 white social workers were registered with the Council for Social and Associated Workers.¹³ [¹³ *Hansard* (A) 6 q cols 299-300, 22 June]

The South African National Council for Child and Family Welfare announced on 19 February that salary parity for African social workers (with coloured, Indian and white social workers) had been approved

with effect from December 1986. The announcement was welcomed by all social workers and particularly the council, as it directly affected the subsidies paid to private welfare organisations for approved social work posts. The chairman of the council, Professor Daan Eloff, said that the racial pay disparity had forced many qualified African social workers to look for other jobs. The national president of the South African Black Social Workers' Association, Mr Felix Dlamini, said that the step was long overdue.¹⁴ [¹⁴ *The Star* 20 February]

Children

The following amounts were allocated to child welfare in the 1987/88 financial year:¹⁵ [¹⁵ Information supplied by the Progressive Federal Party (PFP) research department, 29 March 1988]

Child welfare budget: 1987/88

R

African:*

Transvaal

5 000 000

Natal

2 669 000

Cape Province

3 707 000

Orange Free State

1 920 000

Coloured

150 837 000

Indian

45 412 000

White

113 656 000

Total

323 201 000

*

From 1987/88 the African welfare budgets for health and welfare were administered at provincial level under community services in the Department of Constitutional Development and Planning.

The Child Care Act of 1983, which replaced all but one of the provisions of the Children's Act of 1960, came into operation on 1 February. It provides for all population groups but its application is racially based.¹⁶ [¹⁶ *Government Gazette* no 10593, Proclamation 17, 30 January, *The Star* 2 February] The ministers of welfare of the three houses of Parliament are responsible for its application regarding coloured people, Indians and whites. African welfare falls under the minister of education and development aid in the case of white-designated areas and under the ten homeland administrations elsewhere.¹⁷ [¹⁷ South African Institute of Race Relations (SAIRR), *Quarterly Countdown* Five, First quarter]

The South African Council for Child and Family Welfare welcomed certain provisions of the act, for instance the fact that unlike the Children's Act, it provided for all population groups. A spokesman said, however, that the council would like to see the act made applicable to all children and not only to certain categories, so that children in unrest situations would also be covered.¹⁸ [¹⁸ *The Star* 2 February]

Proposals for a children's charter were submitted by the South African National Council for Child and Family Welfare to the South African Law Commission, which had been investigating drawing up a bill on the protection of human and group rights. The proposals were also sent to the minister of national health and population development, Dr Willie van Niekerk. Some points of the charter were that:

- all children should be entitled to all benefits on an equal basis;
- all children should be entitled to equal education opportunities;
- all children should receive protection and relief in times of disaster or conflict;
- society should be structured in such a manner that all children should be entitled to the right to be

brought up in a spirit of peace;

- no child should be separated from his or her parents unless for his or her own benefit; and
- the child should be protected from practices which could foster racial, religious or any other form of discrimination.¹⁹ [¹⁹ Ibid 14 May]

The minister of constitutional development and planning, Mr Chris Heunis, said in Parliament in February that no children's homes for Africans were administered by the state but that ten were run by private institutions. The homes that were privately run accommodated 775 children as at 31 January. Mr Heunis acknowledged that there was a shortage of homes for African children, especially in the age group 0–6 years and in the Orange Free State, and the eastern and western Cape. The minister said that encouragement was given to private organisations who wanted to help children in need of care and that a state home was to be built at Soshanguve (north of Pretoria), the erection of which would commence during the 1987/88 financial year.²⁰ [²⁰ *Hansard* (A) 4 q col 456, 23 February]

In July the minister of the budget and welfare in the House of Assembly, Dr Dawie de Villiers, appointed a committee of inquiry into foster care in South Africa. Because of the constitutional system, in terms of which welfare is an own affair, the investigation would be confined to white children. Dr De Villiers explained that 'since there are at present plus-minus 7 000 white children in foster care, there is an urgent need to eliminate shortcomings in the existing foster care system, and to ensure that the best possible services are rendered to foster children'. Social workers pointed out, however, that the foster care system was a national problem and that shortcomings were far worse in the African community.²¹ [²¹ *Business Day* 31 July]

The Johannesburg Child Welfare Society said that state grants to foster parents were as follows: whites R153 a month, coloured people R123 a month, and Africans R79 a month. The grant to African foster parents stopped when the child turned 16 years of age, whereas children of other race groups were subsidised up to the age of 18.²² [²² *Sowetan* 2 December] The society would continue to push for parity in grants, the chairman, Mr N E C Barlow, said in the group's annual general report for 1987. Mr Barlow added that the society assisted, on average, 5 622 children and their families each month and faced increasing needs for social services even though subsidies for additional social workers remained frozen and individual work loads were often up to 120 cases a month. To maintain its services, the society had to raise R1,2m from the private sector to meet its expenditure of R3,7m, of which 21% was for administration and 79% for direct se

Child detainees

In the last quarter of 1987 a code for the care of children in detention was prepared by the South African Paediatric Association, the South African National Council for Child and Family Welfare, and others. Dr

O Ransome, chief paediatrician at the Coronation Hospital (Coronationville, Johannesburg) and vice chairman of the council, gave the details of the code at a seminar in December. He said that a child was legally defined as an individual under the age of 19 years.²⁴ [²⁴ *Child Welfare* vol 14 no I, January/February 1988]

The categories of children covered by the code were:

- children in need of care;
- children awaiting trial and unsentenced children;
- children detained under the Internal Security Act of 1982 or in terms of the emergency regulations;
- sentenced children; and
- infants of mothers in prison.

‘Detention is being justified when it is recognised that children may behave in such a way that society must act to protect itself, but I would like to suggest that detention of children is only justified when it improves on the child’s home environment for the furtherance of his development. Detention as a retributive punishment can never be justified,’ Dr Ransome said. He added that legislation was ‘hopelessly’ inadequate for the protection of children who fell foul of the law. The Child Care Act, for example, he said, was supposed to protect children from abuse and neglect, but it offered no protection to children in detention. He also said that the Internal Security Act gave no protection ‘whatsoever’ to children.²⁵ [²⁵ *Ibid*]

The code set out the following suggestions:

- arrest, if this is necessary, should be done with the utmost discretion and gentleness by someone who is aware of the trauma that arrest occasions. The parents must be notified;
- awaiting-trial children should be released into the custody of their parents; and
- children should never be interrogated without a parent or social worker being present.

The code defined the minimum standards for the physical environment in places of detention—sleeping accommodation, ablution and lavatory facilities, exercise and recreation facilities. It also defined the medical facilities and duties of health personnel, as well as dental care, nutritional requirements, the reporting of illness or death, and the rights of parents. It dealt with maintenance of discipline and punishment in institutions, the inspection of institutions and investigation of complaints, and defined

psycho-social factors including spiritual care and ongoing schooling.²⁶ [²⁶ Ibid]

In May the Johannesburg Child Welfare Society announced that it would take a public stand against the detention of children, saying that it found the situation 'highly undesirable'. Dr Adele Thomas, director of the society, said at a press conference that the society would lobby for the release of children and try to gain access to detained children to ensure that 'they were not being abused'. 'Most of the detained children have not been charged officially, and I believe that those who have been charged with criminal acts, were charged of criminal acts just to cover up the emergency regulations,' she claimed. Those who had been charged should not be detained as the Child Care Act provided for juvenile criminals and not political detainees, she pointed out. The act was superseded by 'legislation pertaining to the emergency regulations, and children detained today have no legal protection'.²⁷ [²⁷ *The Citizen* 23 May]

Mrs Priscilla McKay, director of the Pinetown Child Welfare Society, claimed in July that research had shown there were children held in almost every police station in the country, often on petty offences, because places of safety and rehabilitation facilities for African children were full. Speaking at a conference organised by the Southern African Society for the Prevention of Child Abuse and Neglect, she said that it often took between six and seven months before a child was placed into a rehabilitation centre.²⁸ [²⁸ *The Star* 10 July]

Mrs McKay claimed that 80% of children coming out of detention had been abused physically and emotionally. The Pinetown Child Welfare Society had statements from two 14-year-olds regarding their abuse. One claimed that a tyre stuffed with newspaper doused in petrol had been placed around his neck and he had been given a box of matches and told to light it or confess. The other alleged that he and seven other boys had been stripped and lined up against a wall for policemen to stone. Each hit to the genitals or head scored 100 points.²⁹ [²⁹ Ibid]

The Detainees' Parents Support Committee (DPSC) claimed that between June 1986 and July 1987, 40% of emergency detainees were children aged 18 years or younger. By the end of December 1987, 230 or 37% of the detainees listed by the DPSC were children. Of these, six children were 14 years old, 22 were 15 and 45 were 16 years old (see chapter on *Security*).³⁰ [³⁰ *Detainees' Parents Support Committee* Review of 1987, 31 January 1988]

Old people

The following amounts were allocated for the care of the aged in the 1987/88 financial year:³¹ [³¹ Information supplied by the PFP research department, 29 March 1988]

Budget for old people: 1987/88

R

African:

Transvaal

172 314 000

Natal

46 105 000

Cape Province

83 159 000

Orange Free State

70 059 000

Coloured

201 251 000

Indian

49 244 000

White

499 551 000

Total

1 121 683 000

Speaking at the opening of an old-age home in June, the administrator of the Transvaal, Mr Willem Cruywagen, called for a more active part by the community in the care of the aged as the government could not carry the burden on its own. 'A large part of the responsibility of caring for the aged according to their needs and aspirations in the cultural context, falls back on the community,' he said. It was up to every individual, family and community to plan for and help with the accommodation and care of the

growing number of elderly people.³² [³² *The Citizen* 29 June]

The minister of the budget and welfare in the House of Assembly, Dr Dawie de Villiers, said in Parliament that there were 405 subsidised homes, including four departmental homes and 110 private homes for old people. These homes accommodated 34 550 people but the minister acknowledged a shortfall in respect of provision of service centres for the frail aged.³³ [³³ *Hansard* (A) 4 q col 555, 23 February]

The minister of national health and population development, Dr Willie van Niekerk, said in October that indications were that the aged population in South Africa would increase from 1m to about 4m by the year 2020. While stressing the need to investigate 'all aspects of ageing and the aged population', he reiterated that 'it is the duty of every citizen to ensure his elderly family is properly cared for and safe'.³⁴ [³⁴ *The Citizen* 7 October]

Following many attacks on old people, a standing committee on housing prepared a loan scheme for white men over the age of 65 and white women over the age of 60 who owned their homes and earned less than R1 000 a month. The government loans would be made available for burglar proofing up to an amount of R2 000.³⁵ [³⁵ *The Natal Witness* 24 November]

The minister of local government, housing and agriculture in the House of Delegates, Mr Somaroo Pachai, said in July that no homes were to be built by his department for aged Indians as 'this function is carried out by registered welfare organisations in consultation with the Department of Health Services and Welfare'.³⁶ [³⁶ *Hansard* (D) 8 q cols 77-78, 27 July]

South Africa's first old-age home for Africans, the Soweto Home for the Aged, was due to open in September 1988. The chairman of the home, the Rev Tom Mbabane, said that R2,5m had been raised to construct the home and this would be exhausted by the time the home was completed. The home, which would cater for 122 senior citizens, was already fully booked. A survey revealed that a further 4 000 Sowetan senior citizens needed to be h

Social pensions

The following amounts were allocated for social pensions in the 1987/88 financial year:³⁸ [³⁸ Information supplied by the PFP research department, 29 March 1988]

Pension allocations: 1987/88

R

African:

Transvaal

172 314 000

Natal*

76 294 000

Cape Province*

133 012 000

Orange Free State

108 082 000

Coloured

315 605 000

Indian

84 103 000

White

475 660 000

Total

1 365 000

*

The budget for African welfare services is detailed under the community services vote in the provinces and each province gives different guideline for its budget. Those market with asterisks show that the amount includes pensions, allowance and general welfare. Those without asterisks are figures for pensions only.

The following amounts were allocated for pensions in the homelands in the 1987/88 financial year:³⁹ [³⁹ Estimates of expenditure for the various homelands]

Homeland pensions: 1987/88

R

Bophuthatswana

18 728 500

Ciskei

45 725 000

Gazankulu

22 714 305

KaNgwane

15 551 100

KwaNdebele

17 003 000

KwaZulu*

280 953 520

Lebowa*

109 376 600

QwaQwa

N/A

Transkei*

214 437 000

Venda

48 165 100

*

Welfare and pensions not separated in budget.

It was announced on 17 February that social pensions for all races would increase by R20 a month, with effect from 1 October.

The effect of the increase was as follows:⁴⁰ [40 SAIRR, *Quarterly Countdown* Five, First quarter]

Pension increases after October 1987

Pensions

Old

New

R

R

African

97

117

Coloured

147

167

Indian

147

167

White

198

218

An official of the National Council for the Care of the Aged, Mrs Nomsa Mtsweni, said that the increase was very low, especially for those pensioners paying up to R50 a month in rental.⁴¹ [⁴¹ *The Citizen* 18 February]

The minister of national health and population development, Dr Willie van Niekerk, said that the houses of Representatives and Delegates proposed to reach parity with white pensions within the next four years but that as far as the African population was concerned 'this matter is under consideration and no final comment can be submitted at this stage'.⁴² [⁴² *Hansard* (A) 4 q cols 351-352, 23 February]

Mr Roger Burrows MP (Progressive Federal Party), said that the reductions in welfare spending that the government had implemented over the past few years seemed to be part of a privatisation programme which should have been debated fully in public before it was implemented. He asked whether this was part of the government's five-year plan to privatise care of the aged.⁴³ [⁴³ *The Citizen* 25 June]

The minister of the budget and welfare in the House of Assembly, Dr Dawie de Villiers, said at the National Party's annual Natal congress in October that the government would not be able to continue providing assistance for the country's aged as previously. While the number of white pensioners had increased by only 6,3%, the cost of raving pensions was up by 198%. 'This trend cannot continue,' he said. 'There is a limit to what the economy and the taxpayer can afford and we will have to change our attitude towards the care of the aged.' He added that parity in pensions paid to all the race groups had to be reached but that extended families and communities would have to look after the elderly.

Mr Harry Schwarz MP (PFP) said that Dr De Villiers' statement 'must have come as a shock not only to pensioners, but to South Africans generally. While one agrees that people should, as far as possible, provide for their own old age and that families have obligations towards their elderly, there is no way that the state can escape responsibility if the society wishes to regard itself as a caring society'. He added that the removal of discrimination in pensions should be to bring those who are deprived up to the level of the others and not the reverse.⁴⁴ [⁴⁴ *The Star* 20 October]

The minister of constitutional development and planning, Mr Chris Heunis, said that as at 31 January 1987, 285 863 Africans in white-designated South Africa were receiving old-age pensions. Mr Heunis was unable to say how many Africans applied for old-age pensions in 1986 or how many applications had been turned down or granted as 'special records are not kept of the information required'. A new data system was being implemented to supply this type of information, he said. Mr Heunis estimated that in 1986, 38 116 Africans were granted pensions in white-designated South Africa.⁴⁵ [⁴⁵ *Hansard* (A) 4 q cols 480-481, 23 February] The deputy minister of development planning, Mr P J Badenhorst, said in Parliament in August that the department had no campaign to inform people eligible for pensions and who had not applied for them about their rights. It was up to the individual to determine for himself or herself what privileges he or she was entitled to, he said.⁴⁶ [⁴⁶ *Hansard* (A) 7 q col 474, 4 August]

The number of white people who applied for pensions during 1987 was 15 236. A total of 11 487 applications were granted, 3 749 turned down and non

Payout facilities

Africans are the only group whose pensions are paid out once in two months and this has led to much controversy. A campaign was launched in 1987 by various community organisations to change the payout to once a month. Africans had to queue for long periods, at times sleeping at the payout points, in order to receive their pensions.⁴⁸ [⁴⁸ *Business Day* 5 August]

At least four pensioners in the Transvaal never received their money because a departmental error said they were dead. Mrs Sidah Dire was not paid for eight months because of her premature 'death', while Mr Daniel Madikgetla was not paid on 12 January. He was told by an official at the Department of Home Affairs in Johannesburg that he was dead. 'The official came with my file and that of my late wife and asked whose pay I was looking for because both of us were supposed to be dead. I asked him to explain how a dead person could be talking to him,' said Mr Madikgetla.⁴⁹ [⁴⁹ *Sowetan* 28 January] Mrs Isabel Kekana was also supposed to be dead according to the authorities. Her granddaughter, Ms Queen Kekana, said if the authorities thought she was dead, why did they not produce a death certificate.⁵⁰ [⁵⁰ *Ibid* 19 March]

Mr Heunis said that a computer system providing for transfer of African pension funds into banks and building societies had been developed and was in the process of being implemented. The implementation would occur at provincial level, 'as soon as the various provincial administrations to whom the function of payment of social pensions of blacks has been transferred, have arranged their payment structures'. Mr Heunis said that the changes would be phased in over three financial years, namely 1987/88, 1988/89 and 1989/90.⁵¹ [⁵¹ *Hansard* (A) 7 q col 474, 4 August]

Welfare offices opened in Soweto to enable pensioners to apply to receive their pensions from payout

facilities either at banks, building societies or the Post Office, the National Council for the Care of the Aged announced in February. However, pensioners applying for the first time would first have to acquire new identity books and a savings account.⁵² [⁵² *Sowetan* 12 February]

In September Mr Heunis said in Parliament that pensions for Africans were still not being paid monthly and were not being paid into building society or banking accounts. 'Although important objectives have been phased in to effect monthly payments, the provincial administrations must, however, establish well-equipped payout structures where cash payments of social pensions can be dealt with effectively,' Mr Heunis said. Various technicalities had delayed the setting up of an efficient system, he added.⁵³ [⁵³ *Hansard* (A) 15 q cols 992-993, 24 September]

The payout scheme met with opposition from the Post Office and financial institutions. A spokesman for the Post Office said in February that it had decided not to administer payouts for Africans because of the large number of people involved. The Standard Bank said that while it sympathised with the needs of pensioners, it required a minimum balance of R50 in clients' accounts. A branch of the South African Permanent Building Society in Jabulani (Soweto) had been handling applications from pensioners but had been flooded. The manager, Mrs Connie Nkosi, said she had asked the pensioners to stay away while the society sorted out the backlog. First National Bank's manager in Dube (Soweto), Mr Joe Molefe, was cautious about allowing pensioners to open accounts with nil balances.⁵⁴ [⁵⁴ *Sowetan* 26 February]

A welfare worker, Mrs Nonkululeko Madalane, said that the Post Office's refusal to administer African pensions, especially in light of the fact that it already administered pensions for Indians, coloured people and whites, was 'naked racism'.⁵⁵ [⁵⁵ *Ibid* 27 February]

The banking institutions, accused of racial discrimination against African pensioners, responded by saying that the state had 'passed the buck' and forced them to become paymasters for elderly people. When the government had proposed the payout plan, it had not consulted the banking institutions. Banks did not have the staff to cope with the estimated 400 000 pensioners who queued bi-monthly for their money, several bank officials said. One banking source added that 'each transaction costs money. We would simply be paying out on accounts which are not financially worthwhile'.⁵⁶ [⁵⁶ *Diamond Fields Advertiser* 27 March]

Detained pensioners

Disabled people and pensioners in detention held for longer than four months expressed fears over losing their pensions. A spokesman for the Detainees' Parents Support Committee (DPSC) alleged that security police members influenced magistrates to cancel the bi-monthly pensions of former detainees. The disability grant of a disabled detainee, Mr Josia Mathebula, was withdrawn by a Waterval Boven (eastern Transvaal) magistrate, Mr Bar Wire, after Mr Mathebula was released from six months in

detention. The state claimed that pensioners used their money to make petrol bombs, the DPSC spokesman said. A spokeswoman for the Department of Development Aid said that pensions automatically fell away if they were not collected for more than six months. She added, 'If the person fails to reapply, he will never get his pension grant unless he presents himself to the local commissioner with all the required documents.' Mr Mathebula claimed through his attorney that the practice was unfair as in his case he could not have collected his pension while in detention.⁵⁷ [⁵⁷ *The New Nation* 8 January]

Civil service pensions

In August Dr Andreas Wassenaar, former head of Sanlam, attacked the government's pension policy and estimated that over-generous concessions to civil servants would cost taxpayers R30bn over the next 20 years. Mr Wassenaar called for a commission of inquiry into state pension funds, which, he said, were destined to go bankrupt. Mr Wassenaar alleged in his book *En route to Fairyland*, that:

- a 25-year-old civil servant earning R10 000 a year could buy service back to age 16 at a cost of R216 000—which he could borrow from the state—to obtain an extra gratuity of R1,6m and a pension of R438 000 a year when he retired at 65; and
- it would cost R7m to pay for the additional benefits of each civil servant.

Dr Wassenaar demanded a judicial commission of inquiry into the state pension fund.⁵⁸ [⁵⁸ *Business Day* 17 August]

According to Dr Wassenaar public service pensions had become the best in the country thanks to a series of regulations promulgated in the *Government Gazette*. While the fund is controlled by an act of Parliament, 'the important rules which control the fund are, however, not embodied in the act but in the regulations approved by the minister and published in the *Government Gazette*', he said. In 1965, he pointed out, the taxpayer contributed rand for rand to public servants' pensions. In 1968 a regulation raised the taxpayer's contribution to R2,29 to every rand paid by the public servant. By 1984 the taxpayer was paying R2,75 to the public servant's single rand.

The chief director of the state pension fund, Mr J C Visser, acknowledged that a shortfall of R7,61bn had been reported by an investigating actuary in 1986 but he said that contributions were sufficient to make up the difference. A government appointed interdepartmental committee representing the Department of National Health and Population Development, the Commission for Administration and the Department of Finance, was investigating all aspects of the government service fund, Mr Visser said.⁵⁹ [⁵⁹ *Ibid*]

Various other pension fund experts came out in support of Dr Wassenaar and called for a drastic

overhaul of the government pension fund. The general manager of Sanlam and honorary secretary of the Actuarial Society of South Africa, Mr Desmond Smith, said it was clear that financial discipline was lacking. 'Over the past 12 years the government fund has not been subjected to the same financial discipline as private funds because actuarial evaluations had been dropped in 1976,' he said. He likened the practice of payouts being funded by current contributions to a company paying dividends out of capital. When actuarial evaluation was reintroduced in 1986, a R7,6bn actuarial shortfall was uncovered, he said. A pensions expert and former PFP MP for Edenvale, Mr Brian Goodall, said it was not unusual for pension funds to experience difficulties as they relied heavily on taxes but he added, 'In South Africa we seem to have a lack of foresight. You would have thought we would have learned from the lessons of the world. But the civil servants are an important electoral support group—they command a lot of votes. There has been a continuous attempt to placate them, and to redistribute wealth in favour of the public sector.'⁶⁰ [⁶⁰ Ibid 20 August]

During the budget vote on the Commission for Administration in August, both opposition parties called for investigations into the position of the state pension fund. Mr Roger Burrows (PFP) recalled that in April 1984 it was revealed that more than 83 000 civil servants had applied to buy back service between 1982 and 1983 and he said that this should be cause for real concern.⁶¹ [⁶¹ Ibid 25 August] Professor S C Jacobs (CP) said that it was difficult to determine how accurate the R7,6bn estimated shortfall was but that it required an immediate investigation. He said that there were signs that the government regarded the public service as being only at the service of the NP.⁶² [⁶² *The Citizen* 25 August]

The minister of national health and population development, Dr Willie van Niekerk, announced in September that the government was to change the public servants' pension buyback scheme. Dr Van Niekerk also published the most recent actuary's report on the fund, which revealed a deficit of R16,9bn. Dr Wassenaar was not satisfied with the changes in the **Pension Laws Amendment Bill**, which amended that **Government Services Amendment Act** of 1936, saying that it was impossible to calculate if the new measures would solve the problem as Dr Van Niekerk had not explained the new formula.⁶³ [⁶³ *The Star* 9 September] An amendment in a *Government Gazette* notice limited the buyback scheme but did not remove it. The amendments to the principal act prescribed a market-related rate at which service could be bought back and the minimum age was increased from 16 to 18. The chief director of pensions, Mr Japie Visser, said that the amendment would ensure that the 'fund will, in terms of the new formula, be fully compensated for the benefits accruing to the member as a result of the added service bought'. Existing 'buy-back' contracts would remain valid.⁶⁴ [⁶⁴ *Business Day* 25 September; *Hansard* (A) 18 q cols 1049-1052, 29 September]

Disabled people

The following amounts were allocated to welfare services for disabled people in the 1987/88 financial year (excluding pensions):⁶⁵ [⁶⁵ Information supplied by the PFP research department, 29 March 1988]

Budget for the disabled : 1987/88

R

African:

Transvaal

85 645 000

Natal

25 443 000

Cape Province

45 790 000

Orange Free State

35 454 00

Coloured

123 436 000

Indian

35 336 000

White

103 665 000

Total

454 769 000

The minister of national health and population development, Dr Willie van Niekerk, said in October that an estimated 13% of white-designated South Africa's population was disabled. This accounted for about

3,5m people. He emphasised again the need to place much of the responsibility of caring for the disabled in the hands of the community and private sector. 'It is my department's viewpoint that handicapped people should as far as possible function independently and that they form an integral part of the community. Services rendered by the public as well as private sectors should therefore be concentrated on increased self-sufficiency and integration,' Dr Van Niekerk said.⁶⁶ [⁶⁶ *The Star* 26 October]

The Self-Help Association of Disabled Alexandra (SHADAX) was developing a nearby warehouse for use as a disabled education and workshop centre. There were an estimated 12 000 disabled people in the township (near Johannesburg) with only limited weekly facilities offered at the meetings of the local Women for Peace and the Alexandra Centre for the Aged. SHADAX pioneered commercially viable workshops for paraplegics in Soweto and Alexandra. By June 21 disabled Alexandra residents were employed at the centre.⁶⁷ [⁶⁷ *Ibid* 29 June]

Ms Kathy Jagoe, former director of the Disabled Students' Programme at the University of the Witwatersrand, said that the causes of disability differed according to race. No accurate figures were available but Ms Jagoe estimated that while most whites were injured in road accidents and sport, most Africans were disabled through domestic, social or 'unrest' violence. At the national symposium for the disabled in Bloemfontein the Disabled People South Africa (DPSA) made the following statement: 'The condition of poverty and unequal opportunity of black and rural disabled people arises from the disadvantages which are economic, social and political. We believe that this situation has been created by the policy of apartheid which includes unequal pensions, unequal education and unequal hospital facilities. Until this changes our people will be doubly handica

The Organisation for Appropriate Social Services in South Africa supported this claim when it spoke on the politics of disability. 'Disability is a political issue for a number of reasons. Who is becoming disabled? Why are they disabled? Why are they discriminated against? Why are there insufficient facilities and services for them? All these questions, in the final instance, can be seen to be related to the social and political inequalities in South African society,' the group said in its magazine. It pointed out that in a 'normal non-unrest situation' the differences in injury concerning the African and white populations related to their different environments. Africans were most often disabled by township violence, as Ms Jagoe suggested above, but also as a result of high-risk jobs in mines and factories and of epidemics of diseases such as poliomyelitis and measles. During 'unrest' the picture changed. 'In the last few years increasingly we know of people being injured in the spine (even with bullets going through as high as the neck), blinded by birdshot, brain injured by bullets through the skull and even now suffering permanent hearing loss through torture.'⁶⁹ [⁶⁹ *Organisation for Appropriate Social Services in South Africa* vol 2 no I]

It was claimed that unequal care offered at African hospitals often led to unnecessary deaths. In large African hospitals without spinal care units, medical staff estimated that more than 80% of patients with paralysis developed pressure sores in the hospitals. These often led to septicaemia and death. An African person with a spinal injury had, on average, four years to live according to a *Weekly Mail* report, and 'the reason has nothing to do with the injury'. Another cause of death of the disabled was kidney failure

caused by bladder infections, the result of ignorance and inadequate sanitation.⁷⁰ [⁷⁰ *The Weekly Mail* 13 March]

The chairman of the SHADAX, Mr Friday Mavuso, said in July that apartheid made the lives of paraplegics much more difficult. He said that the Group Areas Act of 1966 was the main obstacle preventing paraplegics from leading normal lives. The act made it impossible for African paraplegics with jobs in white-designated areas to live close to work. As a result, few paraplegics could get to work owing largely to the transport problem. 'A taxi driver in the morning rush hour will not fold up my chair and help me into the car,' Mr Mavuso said. Paraplegics, he pointed out, could travel in trains and buses in America due to legislation ensuring accessibility to transport for the disabled, whereas in South Africa there were no laws protecting the disabled. Americans could sue for discrimination against paraplegics if they were denied access to transport or buildings. He said there was a 'glimmer of hope' with regard to the building regulations passed in 1986 which contained a clause stating that every new building had to be accessible to disabled people.⁷¹ [⁷¹ *Sowetan* 16 July]

Alcoholism and drug addiction

The following amounts were allocated for rehabilitation services for alcoholism and drug addiction in the 1987/88 financial year:⁷² [⁷² Information supplied by the PFP research department, 29 March 1988]

Rehabilitation budgets: 1987/88

R

African:

Cape Province

N/A

OFS*

N/A

Natal

197 000

Transvaal

355 000

Coloured

2 503 000

Indian

279 000

White

11 689 000

*

Orange Free State

Speaking at a conference at the Institute of Public Health in October, the director of the South African Council of Alcoholism and Drug Abuse, Dr Sylvain de Miranda, said that drug abuse in South Africa had increased during the period under review, the police seizing more than R2bn worth of illicit drugs and more than 50 000 people being arrested for drug-related offences. He said that the country's socio-economic problems had an impact on local drug dependence and gave the example of young African gluesniffers who started using the drug in order to avoid cold and hunger. To imitate overseas treatment programmes without trimming them to suit the local needs, would be counterproductive, he said. Treatment should be tailored to suit the individual, the drug and the socio-economic environment, Dr De Miranda added.⁷³ [⁷³ *The Star* 15 May]

A breakdown of drugs confiscated by the police in 1986 is as follows:⁷⁴ [⁷⁴ *Hansard* (A) 4 q cols 318-320, 23 February]

Drugs confiscated by police: 1986

Drug

Mass/units

Estimated value

R

Cocaine

945

grams

236 250

Dagga

2 114 163

kg

2 114 163 000

Heroin

1 014

grams

253 500

LSD*

1 712

units

17 120

Mandrax

135 769

tablets

678 845

Other opiates

1 150

grams

230 000

Other tablets

43 170

215 850

*

Lysergic Acid Diethylamide

The minister of national health and population development, Dr Willie van Niekerk, asked the National Advisory Board on Rehabilitation to investigate the abuse of drugs at schools. He said that the youth should be ‘prevented from experimenting with or using any form of drug’, and suggested that an age limit be set for people p

In May the Johannesburg branch of the National Council on Alcohol and Drug Dependence called on the Transvaal Education Department (TED) to recognise an education programme on combating drug abuse at schools. The director of the council, Mrs Leigh Wilcocks, said that skilled people should be allowed into the schools to speak to the pupils about drugs. ‘This is already done,’ she said, ‘but it is not official policy. I understand that all sorts of fanatics want to go to the schools. Shocking the daylights out of our children doesn’t work on its own.’ Mrs Wilcocks warned about the need for skilled education which would avoid the problem of merely arousing the curiosity of the pupils and said that ‘when they first experiment most youngsters don’t realise they are forming a relationship with a dangerous chemical—a relationship that will probably last longer than marriage today’.⁷⁶ [⁷⁶ *The Star* 15 May]

The chief superintendent for specialised education, Dr Jacobus de la Rey, said that the TED would be open to the programme as long as it was in line with educational policy. He likened the potentially acceptable programme to the veld school system which he said could provide a good ‘grounding’ as part of the wider educational system which ‘endorsed the basic principles of the Bible’s truths and norms’.⁷⁷ [⁷⁷ *Ibid*]

The most abused socially accepted drug in South Africa was alcohol, Dr De Miranda said in March. The

most abused illicit drug was dagga and the second most abused illicit drug was Mandrax. a brand of sleeping tablet. Dr De Miranda said that ‘a feature peculiar to South Africa is the smoking of white pipes—a mixture of dagga with crushed Mandrax. This abuse is posing a major health threat in all communities’. He added that the use of Mandrax was increasing in the African community where a ‘huge’ problem was already experienced with six- to 12-year-old gluesniffers.⁷⁸ [⁷⁸ Ibid 18 April]

Lenasia’s first centre for alcohol and drug abuse opened in April. The centre was opened by the Johannesburg Indian Social Welfare Association (JISWA) and would provide counselling and educational services. The director of JISWA. Mr Cassim Saloojee. said. that drugs had long been a problem and the ‘community was clamouring for a service. Lack of services have meant that addicts had to be institutionalised to get care’.⁷⁹ [⁷⁹ Ibid 4 April]

URBANISATION

Statistics

Figures for proportions of the various race groups in South Africa (including the ‘independent’ and non-independent homelands) which were urbanised in 1987, and projected figures for the year 2000, were provided by the Human Awareness Programme (HAP) and Dr E J Jammie, a housing and planning consultant for the Council for Scientific and Industrial Research (CSIR), respectively:¹ [¹ Human Awareness Programme pamphlet on urbanisation, undated; *Business Day* 28 October]

Population in urban areas: 1987 and 2000

1987

1987

2000

Number

Proportion

Proportion*

African

10 500 000

40%

75%

Coloured

2 200 000

70%

86%

Indian

850 000

93%

92%

White

4 400 000

90%

93%

Total

17 950 000

*

Projected figures

In December the administrator of the Transvaal, Mr Willem Cruywagen, said that between 1951 and 1980 the urban African population had increased from 5,2m to 10,6m, and that it was expected to rise to 37,2m by the year 2000. He believed that these figures did not include hundreds of thousands of Africans who 'preferred' to commute from rural areas to the cities on a daily basis. Mr Cruywagen

pointed out that the doubling of the urban African population over the next 13 years would place an enormous strain on resources, such as housing and the provision of emplo

Policy

During the period under review the government continued to implement the policy outlined in the *White Paper on Urbanisation* published in 1986 (see 1986 *Survey* Part 1 pp331–334).

Speaking in Bloemfontein in May, Dr A J G Oosthuizen, a member of the steering committee of the President's Council (PC), said that the early identification of sufficient land for urbanisation (especially for Africans) was a prerequisite for the successful implementation of the policy set out in the white paper. Dr Oosthuizen maintained that the government had done much to remove unnecessary 'red tape' and other obstructions to the development of land in urban areas for housing. He pointed out that the responsibility for housing Africans had shifted from the state to the private sector, which was 'well-equipped' to deal with the matter. He said that as far as possible housing should be provided on a cost-recovery basis, with the standard of housing related to the needs and financial ability of the occupants. However, where necessary the government would continue to acquire land and provide services and infrastructure to the elderly and the poor of all races. Dr Oosthuizen said that decentralisation, which was a key element in the government's urbanisation strategy, had to be revised to bring it more into harmony with 'market forces', that is, economic considerations (see chapter on *Business*). He added that urbanisation had to take place according to a 'spatial distribution' across the country, with a differentiation in incentives and disincentives for different regions.³ [³ *The Citizen* 22 May]

It was reported in September that the effects of the abolition of influx control on patterns of urbanisation remained unclear. A senior planner for the Urban Foundation, Mr Mike Morkel, said that there was circumstantial evidence of a significant influx of Africans into the cities since the promulgation of the Abolition of Influx Control Act in 1986. However, as no accurate figures were available for the previous size of the squatter population, there was no baseline from which to establish the extent of the increase. Mr Morkel said that work was in progress to assess a 1985 aerial survey of the Witwatersrand which would provide an estimate of the squatter population before the legislative changes. Further aerial surveys would be undertaken annually. He believed that similar work was being done in other parts of the country to determine urbanisation patterns.⁴ [⁴ *Business Day* 10 September]

In September Mr Geoff Budlender of the Legal Resources Centre in Johannesburg said that the authorities were now exercising stricter control over land through various laws regulating squatting (see *Squatters* below). However, he believed that squatter settlements had been under threat from the authorities for years, and that their growth was as much due to the acute shortage of housing for Africans as to the recent influx of people from rural areas. Mr Budlender maintained that Africans were now freer to come to the cities but that they were severely restricted by the lack of available accommodation.⁵ [⁵ *Ibid*]

In the same month it was reported that a consortium of five town planning firms had been appointed to assist in the identification of land in the Pretoria/Witwatersrand/Vereeniging (PWV) area. The minister of constitutional development and planning, Mr Chris Heunis, said that since January 1986 some 18 000ha of land in the PWV area had been designated as development areas for Africans in terms of the Black Communities Development Act of 1984, while 4 600ha had been proclaimed as coloured group areas and 243ha as Indian group areas in terms of the Group Areas Act of 1966. Mr Heunis pointed out that the identification of land was the first step in urban development, which he claimed was being speeded up. The executive director of the Southern African Institute of Housing, Mr Daan Roelvert. said in September that bottlenecks in the development of land remained a major obstacle to orderly urbanisation and the provision of housing. It appeared that the appointment of the private consortium was an attempt to develop and forestall criticism from property developers about the delays in providing land for urban development.⁶ [⁶ *The Citizen* 1 September, *Sowetan* 24 September, *South African Builder*, Third Quarter]

Speaking at the annual meeting of the National Municipal Union (an organisation of municipalities) in Margate (Natal) in November, Mr Heunis said that the abolition of influx control had brought no change to the government's policy of regional industrial development. He said that the policy of planned urbanisation did not refer only to urbanisation in the existing metropolitan areas, but included rural points which had the potential to develop into alternative towns and cities. Mr Heunis pointed out that 80% of 'South Africa's' industrial production took place in four metropolitan areas, namely the PWV area, Durban/Pinetown, Port Elizabeth/Uitenhage and the greater Cape Town complex, which together represented only 4% of the geographical area of the country. This imbalance put too much pressure on existing infrastructure and social services in these areas. Mr Heunis said that one of the major principles of regional industrial development was deconcentration, with a view to each region's reaching the stage of self-generating growth as soon as possible.⁷ [⁷ *The Citizen* 13 November]

In an address to African town councillors in December the administrator of the Transvaal, Mr Willem Cruywagen, said that the government saw urbanisation as an inevitable process which had to be utilised in a positive manner to enhance the quality of life of all South Africans. He emphasised that the timely identification of land where people could settle and where commercial, industrial and social development could occur was a key principle in the proper management of urbanisation. He added that services provided to urban residents should be paid for by the residents themselves and that only in exceptional cases of need should such services be subsidised by the state. Mr Cruywagen said that local authorities were entrusted with the task of administering the urbanisation process, which would require imaginative planning and a humane approach to newcomers to urban areas. He criticised a town council which had evicted squatters and praised another council which had 'taken the trouble' to communicate with its squatters and provide them with accommodation.⁸ [⁸ *Sowetan* 10 December]

Comment

Speaking in Parliament in September Mrs Helen Suzman MP (Progressive Federal Party) argued that the

government had done ‘nothing of importance’ to solve the problem of squatters in the metropolitan and peri-urban areas since the *White Paper on Urbanisation*. She pointed out that the government had allocated R750m for housing during the 1987/88 financial year, and yet most of the construction of houses was taking place in the homelands, rather than in the metropolitan and peri-urban areas, where, she maintained, houses were most needed. Mrs Suzman contended that this decision reflected the government’s obsession with decentralisation. She said that the policy of decentralisation had failed everywhere else in the world and yet it was being enforced in South Africa, despite the fact that raw materials, infrastructure and markets were readily available in established urban areas.⁹ [⁹ *Hansard* (A) 13 cols 5719-5720, 8 September]

Mrs Suzman called on the government to allocate serviced sites in metropolitan areas for informal settlement rather than continue trying to ‘remove forcibly’ squatters and other African communities. These communities should be upgraded where they were at present rather than being removed to more inadequate accommodation such as tents. Mrs Suzman said that she could see no overall action plan for orderly urbanisation. Instead, the authorities were providing ad-hoc solutions and ‘crisis mismanagement’, with ‘thousands upon thousands of people [continuing] to live under the most miserable, unhygienic conditions, under constant harassment from police and the army for illegal squatting and trespassing’.¹⁰ [¹⁰ *Ibid* cols 5721-5722]

In a publication issued in April and entitled *White Paper on Urbanisation, 1986: Comments from the City of Cape Town*, it was stated that the government’s recognition of the need for the timely identification of land for further industrial and residential development was a positive step, as was the acknowledgement that many local development issues could more effectively be resolved at local authority level. However, the report maintained that a close reading of the white paper showed an unbridgeable gap between the government’s expressed objectives for urbanisation and the strategies it proposed to use. The effective pursuit of urbanisation was hampered by the government’s ‘fundamental concern’ to:¹¹ [¹¹ City Planner’s Department, *White Paper on Urbanisation, 1986: Comments from the City of Cape Town*, April]

- control and limit future growth of urban centres, and especially to control migration of Africans to these centres;
- devolve responsibilities for the implementation of the urbanisation process to communities, local authorities and private enterprise while centralising primary policy- and priority-setting powers at government level; and
- maintain political decision-making, residential location and virtually all other aspects of development within racially defined structures.

The publication said that the white paper meant that Cape Town’s development would be constrained by the probable exhaustion of industrial land by 1990, increasingly critical shortages of land for residential

use and burdensome financial demands on the city. The white paper failed to clarify how employment opportunities for urban residents were to be increased in the face of the limited land available for economic growth. The city's publication also criticised the white paper's proposal that financial responsibility for low-cost housing, transport, social services and the monitoring of urbanisation should be devolved to local authorities, while the power to set urbanisation policy, determine development priorities, distribute financial resources and release land for industrial and residential development remained with the central government. It was said that local authorities would thus become a buffer between those who set policy at central government level and the citizens who experienced the policy at local level.¹² [¹² Ibid]

The Cape Town City Council proposed the following priorities for an effective urbanisation programme:¹³ [¹³ Ibid]

- strategies to guide urbanisation should be oriented towards improving the quality of life of all, and especially the most disadvantaged;
- an urbanisation strategy should recognise that growth of urban centres was inevitable and beneficial to the national economy;
- development objectives should be addressed through incentive and not through coercion. Prohibitive measures to limit population movement to urban areas had been shown to be ineffective;
- local authorities should be given greater control over the release of land for industrial and residential development, and the right to determine how and by whom such land was used; and
- as resources were limited the efforts of individuals to provide for their own needs (eg squatter housing) should be supported.

The director of the urbanisation unit of the Urban Foundation, Ms Ann Bernstein, said in May that African urbanisation had been distorted by the homelands policy, influx control and decentralisation. She felt that the result had been the growth of large informal settlements in the homelands at places where they abutted on 'white' industrial centres, such as Winterveld (Bophuthatswana). Ms Bernstein believed that in this way Africans had avoided influx control and the shortage of land in the formal 'white' urban areas. She was concerned that government policy continued to discourage growth in the major urban areas, preferring to limit African settlement to decentralisation points such as Botshabelo (QwaQwa) and Ekangala (KwaNdebele). The Urban Foundation maintained that African urbanisation could not be deflected in this way, but that attention should urgently be given to acquiring and servicing land in existing urban areas. Ms Bernstein said that another disturbing aspect of government policy was the demolition of informal settlements, when they were part of the solution to the national housing shortage, which she said exceeded 700 000 units. She urged the government not to demolish any settlement unless alternative, affordable accommodation in the same area was available.¹⁴ [¹⁴ *Financial*

Mail 29 May]

In June Professor David Dewar of the School of Architecture and Planning at the University of Cape Town said that for effective urbanisation to take place there should be the greatest possible 'geographical mix and overlap' between residential, small-scale industrial, commercial and cultural activities. He said that the present pattern was for low-density dwelling units and for land use to be compartmentalised to the greatest possible degree. Professor Dewar felt that the current model of urban development was for African satellite cities to surround, but be removed from, the main metropolitan areas. Rather than being model new towns, these African settlements inevitably became ghettos of African poverty and 'millstones around the neck of the country'. He believed that the current pattern of development was exactly the opposite of what it needed to be in an integrated post-apartheid society.¹⁵ [15 *The Star* 11 June]

An article in the July edition of *African Affairs* by Mr Colin Murray, a lecturer at the Institute of Public Administration and Management, University of Liverpool (England), entitled 'Displaced urbanisation: South Africa's rural slums', outlined the pattern of urbanisation in the homelands. Mr Murray found that in terms of the sheer density of population in the homelands, about 56% of their population could be regarded as urbanised. Most of the concentration of people had taken place in huge slums which were 'urban' in terms of their population density but 'rural' in terms of the absence of proper urban infrastructure or services.¹⁶ [16 Murray C, 'Displaced urbanisation: South Africa's rural slums', *African Affairs*, July]

In November Professor Charles Simkins, associate professor at the school of economics at the University of Cape Town, pointed out that urbanisation was helping to reduce the African birth rate. He said that people moving to urban areas tended to adapt to birth rate tendencies there, which were lower than in rural areas. Thus, rapid urbanisation of the African population was part of the solution to stabilisation of population growth at manageable levels (see chapter on *Population and Race Classification*).¹⁷ [17 *Business Day* 4 November]

Upgrading of African townships

Another aspect of the government's urbanisation policy during the period under review was the upgrading of African townships in white-designated South Africa. In many cases the upgrading programmes were carried out under the supervision of joint management centres (JMCs) (see chapter on *Security*), with the involvement of South African Defence Force (SADF) and South African Police (SAP) personnel, municipal police and some African local authorities.

In October 1986 the minister of law and order, Mr Louis Le Grange, had specifically linked socio-economic reform to political stability when he said that security measures needed to be applied 'together with social upliftment' in the African townships. He claimed that African townships were in 'such a decrepit condition that it is no wonder that police are being stoned' and referred specifically to the absence of street lights, refuse removal, tarred roads and an adequate water supply in the townships. Mr

Le Grange saw upgrading as a means of winning the ‘hearts and minds’ of Africans and thus countering the ‘revolutionary onslaught’ of the African National Congress (ANC).¹⁸ [¹⁸ *The Citizen* 2 October 1986] In July Mr Mark Swilling, a lecturer in the Department of Political Science at the University of the Witwatersrand, claimed that the government was making ‘a fatal error’ in its upgrading policy. Mr Swilling maintained that African political rights were of fundamental importance, and that no solution to political violence was possible without addressing this issue.¹⁹ [¹⁹ *The Weekly Mail* 31 July]

In October it was reported that Alexandra (Johannesburg) was the showcase for what some critics described as the government’s ‘reform from above’ option—a policy of restricting local political activists by detaining them while the local mini-JMC supervised socio-economic upgrading of the area. The deputy minister of law and order, Mr Roelf Meyer, said that the overall aim of the upgrading project was to restore ‘normality’ to Alexandra. A sum of R116m was budgeted for the project, which included the building of 6 000 houses with basic services and the construction of 700 flats. In addition, stormwater drainage, electricity, waterborne sewerage, water supply to houses, street lighting and tarred roads were to be provided throughout the township. Other facilities which were to be built over a five-year period ending in 1990 were a health clinic, a post office, a technical training centre, a sports stadium and three schools.²⁰ [²⁰ *The Star* 16 March, *Business Day* 22 October]

The chairman of the local mini-JMC, Mr Steve Burger, said in July that the community had accepted the upgrading ‘in a very good spirit’. He claimed that the mini-JMC was not in a position to make decisions about the township, but was merely ‘assisting’ in the upgrading. The vice chairman of the Alexandra Civic Association, Mr Mack Lekota, maintained that the project was an attempt to divide the residents of Alexandra and to persuade them to forget about ‘politics and their rightful demands’. He felt that the sum of money being spent on the upgrading would be insufficient to meet the demand for housing and basic services. Mr Lekota said that there was widespread suspicion of the role of the mini-JMC in upgrading the township. He said that the quality of the upgrading was poor, and gave as an example Selbourne Road, a highway through Alexandra, which had been completed only a month previously as part of the upgrading programme, and which already had cracks and potholes in its surface.²¹ [²¹ *The Weekly Mail* 31 July]

Other major upgrading projects initiated in African townships during the period under review were:²² [²² *Cape Times* 12 March, 22 September; *Sowetan* 16 July, 18 August; *The Citizen* 5 August; *The Star* 16 September; *Eastern Province Herald* 2 October]

- a R30m project to provide waterborne sewerage, tarred roads, street lighting and serviced sites at Crossroads (Cape Town);
- a R5m project to upgrade the KTC squatter settlement (Cape Town);
- a loan of R1,3m by the Algoa Regional Services Council (RSC) to the Rini Town Council (Grahamstown) in the eastern Cape to upgrade Rini;

- a R10m project by the Evaton Town Council (Vereeniging) in the southern Transvaal to install stormwater drainage, high mast lighting and water supplies and to improve roads in the township;
- an allocation of R30m by the West Rand RSC for the improvement of townships on the west Rand, including Bekkersdal, Kagiso, Kokosi, Mohlakeng and Toekomsrus (all near Krugersdorp);
- an allocation of R28m by the Central Witwatersrand RSC for the upgrading of Soweto and Dobsonville (both near Johannesburg), including the provision of electricity, water supply and refuse removal, and the construction of roads; and
- a R20m project in Mamelodi (Pretoria) to upgrade roads, install electricity and sewerage, and build houses.

The chairman of the Central Witwatersrand RSC, Mr Gerrit Bornman, said in his budget address to the RSC in July that R363m would be required to clear the infrastructure backlog in African townships on the central Witwatersrand. He said that R58m had been requested to clear the backlog in Alexandra, R98m in Diepmeadow (Johannesburg), R18m in Dobsonville (Roodepoort) and R189m in Soweto.²³ [²³ *The Star* 8 July]

Control of African urbanisation

Policy

Despite the promulgation of the Abolition of Influx Control Act in 1986 (see 1986 *Survey* Part 1 pp339–345), allegations were made that other legislation continued to be used to hinder the free movement of Africans and to discourage the settlement of Africans in urban areas. In an article in May entitled ‘Freedom to move but no freedom to stop moving’, Mrs Josie Adler, a researcher for the Agency for Industrial Mission (AIM), alleged that the following legislation was being used to enforce influx control and particularly to prevent the growth of informal settlements:²⁴ [²⁴ *Sash* May]

- the Group Areas Act of 1966, the Black Land Act of 1913 and the Development Trust and Land Act of 1936, which prevented Africans from occupying or owning land outside the African townships, homelands and South African Development Trust (SADT) areas;
- the Prevention of Illegal Squatting Act of 1951, which provided for the summary eviction of persons unlawfully occupying land, and for the demolition of informal structures;
- the Trespass Act of 1959, which provided for the arrest of persons entering or remaining on property without the permission of the lawful occupier, and for sentence on conviction to a fine of up to R2 000

or imprisonment for up to two years, or both;

- the Health Act of 1977, which empowered local authorities to prohibit and prevent possible health risks, to ensure ‘satisfactory living conditions’ and to combat overcrowding;
- the Slums Act of 1979, which empowered authorities to order the demolition of buildings without compensation to the owner or occupant, if the premises were deemed unsafe, injurious to health, overcrowded, or if there was an inadequate water supply or inadequate lavatories;
- the Black Local Authorities Act of 1982, which enabled African local authorities to make bylaws relating, inter alia, to the control of slums in African townships;
- the Black Communities Development Act of 1982, which empowered the minister of constitutional development and planning to disestablish any town or portion of a town (including an African township) if he thought that the residents were living under conditions which endangered the health or safety of any group of persons. The Department of Development Planning was empowered to demolish any structure for such purposes without paying compensation; and
- public health and slum control regulations promulgated by local authorities and which empowered local authorities to demolish structures which were considered to be unsightly or dilapidated, or which failed to comply with minimum standards of hygiene.

The Progressive Federal Party (PFP) councillor for Bellevue in the Johannesburg City Council, Mr Tony Leon, claimed in April that the absence of serviceable land coupled with official harassment of Africans moving to urban areas prevented many Africans from settling in Johannesburg. The result had been the growth of large numbers of squatter settlements on the periphery of the Pretoria/Witwatersrand/Vereeniging (PWV) area.²⁵ [²⁵ *The Star* 1 April]

An article in *Reality* in July entitled ‘The legacy of influx control’ outlined some of the perceived consequences of the abolition of influx control. The article claimed that all Africans, except citizens of the Transkei, Bophuthatswana, Venda and the Ciskei (TBVC), now had the same rights as other race groups to work in urban areas. The new policy did, however, have the effect of giving job preference to Africans who were not citizens of the TBVC territories, since the latter still required permits to work and live in ‘South Africa’. The abolition of influx control had, nevertheless, been of ‘great benefit’ to South African employers, since they were no longer required to register their workers at labour bureaus, unless such workers came from the TBVC homelands. TBVC citizens could avoid such annual registration by regaining their South African citizenship (see *Citizenship* below).²⁶ [²⁶ Perkins P, ‘The legacy of influx control’ in *Reality*, July]

In the report of its Johannesburg advice office for 1987, the Black Sash said that it had in its 1986 report anticipated major problems regarding work permits for TBVC citizens. The problems had not materialised, however. ‘We have received no complaints from either employers or workers from the

TBVC homelands that they have been threatened with prosecution because employees do not have work permits,' the Black Sash said.²⁷ [²⁷ Report of the Johannesburg advice office to the Black Sash national conference, March]

The minister of law and order, Mr Adriaan Vlok, said in September that the influx control laws abolished in 1986 had given the police a bad name in the eyes of millions of South Africans. He said that more than 17m people had been arrested while the laws had been in force. Mr Vlok felt that the influx control laws had become outdated and that 'other methods' should be sought to deal with urbanisation.²⁸ [²⁸ *The Citizen* 3 September]

The director of the urbanisation unit of the Urban Foundation, Ms Ann Bernstein, pointed out that, with the abolition of influx control, the government no longer had the means to evict people from the cities, even though it could still demolish squatter shacks.²⁹ [²⁹ *Financial Mail* 1 July]

At the Transvaal provincial congress of the Conservative Party in August, various speakers demanded an immediate reinstatement of influx control, on the grounds that its abolition had threatened the security and political survival of whites. A number of delegates complained that since the lifting of influx control, white farms had been 'overrun' by African squatters. One delegate mentioned that some white owners of land were making enormous profits from the renting of plots to African squatters who wished to erect shacks.³⁰ [³⁰ *The Star* 20 August]

In September the report of the constitutional affairs committee of the President's Council on the report of the technical committee, 1983, and related matters (which covered the Group Areas Act and other legislation) recommended the revision and extension of the Slums Act. The report pointed out that there were areas which had been declared slums as far back as 1938, but where it had not been possible to take firm action. The report proposed that the Slums Act be revised to simplify administration and application processes.³¹ [³¹ *Diamond Fields Advertiser* 18 September]

It was reported that although Africans were free to move about, their right to settle legally in an urban area was constrained by the shortage of accommodation. In 1987 the housing backlog for Africans in white-designated areas was approximately 800 000 units and many families had been on housing waiting lists for 20 years or longer (see chapter on *Housing*). Middle-income families were able to buy houses but for large numbers of Africans in the lower-income group no affordable housing was available. It was reported that the result of the housing shortage had been the growth of informal settlements in the metropolitan areas and even in smaller towns.³² [³² *The Weekly Mail* 27 March]

Arrests for trespass

The minister of law and order, Mr Adriaan Vlok, said in Parliament in March that the police had arrested 77 458 Africans in 1986 for trespassing. This meant that an average of 212 Africans had been arrested

every day under the Trespass Act of 1959. Speaking in reply to Mr Vlok's disclosure of these figures, Mr Tiaan van der Merwe MP (Progressive Federal Party) accused the government of misusing the Trespass Act in an attempt to stop African squatting. Mr Van der Merwe said that the figure was an indication of the harassment Africans continued to suffer at the hands of the authorities, despite the abolition of influx control. He believed that the number of whites arrested for trespass was 'minimal' in comparison with the figure for Africans.³³ [³³ *The Daily News* 10 March]

Repatriation

In February and September the minister of home affairs, Mr Stoffel Botha, gave the following figures in Parliament for Africans 'repatriated' from white-designated South Africa to the 'independent' homelands during 1986. The repatriations took place in terms of (i) the Blacks (Urban Areas) Consolidation Act of 1945 (which was repealed on 1 July 1986) and section 16 of the Admission of Persons to the Republic Regulation Act of 1972, and (ii) sections 43 and 45 of the Admission of Persons to the Republic Regulation Act of 1972.³⁴ [³⁴ *Hansard* (A) 4 q cols 323-324, 23 February, *Hansard* (A) 13 q cols 827-828, 10 September]

Africans 'repatriated' to the 'independent' homelands: 1986

(i)

(ii)

Bophuthatswana

—
—
Ciskei

1
—

Transkei

143

11

Venda

2

Total

146

Citizenship

According to the Black Sash at least 9m Africans had lost their citizenship when the Transkei, Bophuthatswana, Venda and the Ciskei (TBVC) had been granted 'independence'. Mrs Josie Adler, a researcher for the Agency for Industrial Mission (AIM), said in May that by denationalising the citizens of the 'independent' homelands the government had made them aliens, and hence had made it possible to enforce a form of influx control against them, albeit not on an overtly racial basis.³⁵ [³⁵ *Sash* May]

In December 1986 the Appellate Division (AD) of the Supreme Court in Bloemfontein ruled that Mr Steve Tshwete, a citizen of the Ciskei, was entitled to live permanently in 'South Africa' without official permission. Mr Tshwete, who was born in Springs (east Rand), had lived at Peelton (near East London) in white-designated South Africa since 1979. He became a citizen of the 'independent' Ciskei in 1981. In 1984 Mr Tshwete was advised by the Department of Home Affairs that his exemption from visa requirements in terms of the Admission of Persons to the Republic Regulation Act of 1972 had been withdrawn. In 1985 an application by Mr Tshwete in the Eastern Cape Division of the Supreme Court in Grahamstown, for an order that he retain the right to live permanently in 'South Africa' without a permit, had been dismissed. Although he left South Africa to join the African National Congress in Lusaka (Zambia), an appeal against the Supreme Court judgement had been lodged. *The Weekly Mail* suggested that the AD ruling had a bearing on the right of other citizens of the 'independent' homelands to live in white-designated South Africa without the permission of the South African government.³⁶ [³⁶ *Sowetan* 4 December, *The Weekly Mail* 4 December]

In reply to a question in Parliament in February the minister of home affairs, Mr Stoffel Botha, said that in 1986, 2 909 Africans who were citizens of the 'independent' homelands had regained their South African citizenship in terms of the National States Citizenship Amendment Act of 1978, by becoming citizens of the non-independent homelands (see chapter on *The Homelands*). Mr Botha added that no applications for citizenship had been refused.³⁷ [³⁷ *Hansard* (A) 4 q col 349, 23 February] However, the Black Sash maintained that in January and February reports of refusal had reached its offices. It was reported that the definition of 'permanently resident' in white-designated South Africa, which was a prerequisite for the restoration of South African citizenship, was under dispute. The Department of Home Affairs

designated a person's place of permanent residence as being where his or her family lived. Many Africans from the 'independent' homelands had worked in 'South Africa' for decades, but had been unable to bring their families with them because of influx control laws. Lack of accommodation for Africans in urban areas still made this impossible. Hence such people were being denied South African citizenship.³⁸ [³⁸ *The Weekly Mail* 20 March]

Mrs Sheena Duncan, a former president of the Black Sash, contended in January that 6m residents of the TBVC homelands continued to be regarded by the South African government as aliens. They had to apply to labour bureaus in the homelands for employment in white-designated South Africa, and they required temporary work permits from the South African authorities in order to take up such employment. Prior to the abolition of influx control, Africans from the TBVC homelands could acquire South African citizenship after ten years of continuous and lawful employment and residence in urban areas. The right of acquisition no longer existed and furthermore work permits were issued to TBVC citizens on a temporary basis only.³⁹ [³⁹ *Reality* January]

The South African government announced in May that agreement had been reached with Bophuthatswana about citizenship and that Bophuthatswana citizens living in 'South Africa' and meeting legal requirements would now be able to reclaim their South African citizenship. The Department of Home Affairs said that the backlog of applications from Tswana citizens—some 253 986 in April—could thus be processed.⁴⁰ [⁴⁰ *The Star* 2 June] Previously the Bophuthatswana authorities had maintained that their citizens could not hold 'dual' citizenship, and in April the president of Bophuthatswana, Chief Lucas Mangope, had stated that any Bophuthatswana citizen wishing to obtain South African citizenship would have to renounce his or her Bophuthatswana citizenship.⁴¹ [⁴¹ *Ibid* 7 April]

In June, in answer to a question in Parliament, Mr Botha said that consideration would be given to the granting of 'dual' citizenship to residents of the TBVC homelands, if the authorities in these homelands requested dual citizenship. He maintained that figures for South African citizenship restored to TBVC citizens living in 'South Africa' could not be provided as such statistics were not kept.⁴² [⁴² *Hansard* (A) 6 q cols 271-272, 23 June]

In March 1988, in reply to a question in Parliament, Mr Botha said that the government had not received any requests from the 'independent' homelands for dual citizenship to be granted to their citizens permanently resident in white-designated South Africa.⁴³ [⁴³ *The Citizen* 3 March 1988]

Informal settlements

Policy

The deputy minister of constitutional planning in the state president's office, Dr Stoffel van der Merwe, said in September that there were 1 310 813 African 'squatters' in South Africa (excluding the

‘independent’ and non-independent homelands). Some 30 000 of them were in the Cape province, 156 715 in Natal (including some in KwaZulu), 1 142 in the Orange Free State and 850 000 in the Transvaal. He added that figures for the Orange Free State were incomplete, as information was available for only eight of the 41 districts in that province. Dr Van der Merwe stated that the largest concentration of squatters—731 864—was in the Pretoria/Witwatersrand/Vereeniging (PWV) area.⁴⁴ [⁴⁴ *Sowetan* 8 September] However, in March 1988 it was reported that there were at least 1,7m African squatters in the greater Durban area alone (which included parts of KwaZulu).⁴⁵ [⁴⁵ *Ibid* 8 March 1988]

A paper published in July by the Black Sash and the Agency for Industrial Mission (AIM), and entitled *Aspects of Homelessness on the Witwatersrand*, pointed out that the squatter population included the following.⁴⁶ [⁴⁶ Adler J, Beetge M, and Glover G, *Aspects of Homelessness on the Witwatersrand*, Black Sash and the Agency for Industrial Mission Shackdwellers Project, July]

- pensioners, including labourers who were too old to work for white farmers and retired urban workers who lacked the support traditionally found in rural African communities;
- people born in the particular area, whose parents had lived and worked in the area;
- people from urban areas who could not be accommodated owing to the enormous housing shortages, as well as building regulations promoting unrealistically high standards of housing construction;
- wives deserted by male workers, who had come to look for their husbands or to find work;
- migrant workers who had left bachelor hostel accommodation in order to live with their families; and
- people who had been unable to find work in rural areas.

The paper also reported the results of a survey of squatters in the PWV area. It had found that the average squatter there had been resident with his or her family for more than 15 years. The greatest proportion of squatter households had an income of between R101 and R300 a month. One tenth of the households surveyed had no regular income and one fifth had less than R100 a month.

In October a housing and planning research consultant for the Council for Scientific and Industrial Research (CSIR), Dr E J Jamine, said that it was a fallacy to believe that the mere removal of squatters and demolition of their structures would solve the squatter problem. He argued that the existence of informal settlements showed that African squatters were prepared to build their own shelters. If serviced land and basic building materials were made available, many families could embark on their own self-help housing programmes. Dr Jamine believed that many informal settlements could be upgraded into reasonably satisfactory living environments. However, he said that if South African urbanisation followed the same pattern as that in other third world countries, measures would have to be taken to

prevent the outbreak of disease in squatter communities.⁴⁷ [⁴⁷ *The Citizen* 28 October]

The member of the executive council (MEC) for local government in the Transvaal, Mr John Griffiths, suggested in July that the lack of land for African settlement was a major stumbling block in the formulation of a constructive squatter policy. 'There's no use in just breaking up shacks,' he said. The influx of Africans from rural areas was contributing to the growth of squatter camps, but Mr Griffiths warned against creating the expectation that the way to obtain housing was to become an 'illegal squatter'.⁴⁸ [⁴⁸ *The Star* 23 July]

It was claimed in July on the basis of research in 20 squatter areas in the PWV region that thousands of squatters were being displaced, and that some were being prosecuted for trespassing and squatting. The state was not providing sufficient affordable serviced land close to sources of employment. Repeated arrests and the destruction of shacks and personal property were said to be occurring.⁴⁹ [⁴⁹ *Ibid* 8 July, *The Weekly Mail* 10 July]

The Council for the Co-ordination of Local Government Affairs agreed at a meeting in Pretoria in November that the regulations controlling squatter camps should be amended. The new regulations, to be promulgated by the provincial administrators in terms of the Prevention of Illegal Squatting Act of 1951, would empower the provincial authorities to take the following steps:⁵⁰ [⁵⁰ *The Citizen* 28 November]

- prevent new people from moving into existing squatter camps;
- prohibit the erection of new shacks or the building of extensions to shacks;
- issue specific regulations in respect of a squatter camp which had been declared an 'emergency camp';
- maintain a register of squatters in any given area;
- appoint personnel to manage emergency camps; and
- withdraw permission for any person to live in an emergency camp.

Legislation

As this survey was going to press, a parliamentary standing committee was considering a Prevention of Illegal Squatting Bill. The bill made provision for the upgrading of squatter settlements but at the same time increased the penalties for illegal squatting.

Regional developments

Eastern Cape

In November the chief director of the Department of Community Services of the Cape Provincial Administration, Mr Dirk Matthee, reported that a survey had found that the squatter population of Port Elizabeth had grown by 50% in the previous six months. The number of people living in shacks had grown from 144 000 to 215 538 in the six-month period, and now comprised 201 372 Africans and 14 166 coloured people. He said that while 6 000 serviced plots were being developed by the state at Motherwell (Port Elizabeth), no state-funded houses or serviced plots were available to squatters.⁵¹ [⁵¹ *Eastern Province Herald* 7 November]

Professor R Davies, professor of development studies at the Institute of Social and Economic Research at Rhodes University, maintained that the shortage of accommodation for African and coloured people had reached 'critical proportions' and was 'snowballing' across the eastern Cape. Professor Davies said that some squatter areas were easy to distinguish, but that overcrowding in formal housing and squatter shelters in backyards were less apparent. He gave the example of Veeplaas (Port Elizabeth), which had not increased in area but whose population had nearly doubled in three years.⁵² [⁵² *The New Nation* 5 November]

Mrs Judy Chalmers of the Black Sash said that conditions in squatter areas in the eastern Cape were 'appalling by normal civilised standards' and a 'definite health hazard'. She claimed that while some squatters were living in shacks because they were too poor to afford houses, others were 'forced into shacks' because there were no available houses.⁵³ [⁵³ *Eastern Province Herald* 30 October]

In March it was reported that the squatter settlements of Veeplaas and Soweto (both near Port Elizabeth) had grown to such an extent that families had moved into an adjoining cemetery. Veeplaas housed 120 000 African squatters, of whom 2 000 people had set up informal dwellings in the old graveyard. The families shared two communal taps but had no lavatories. Some residents claimed that they had moved into the cemetery after being evicted from other areas. They said that each family paid R10 a month in rent and service charges to the Ibhayi Town Council for the use of the graveyard. The council, which was responsible for Veeplaas, said that no action would be taken against the squatters because no alternative accommodation was available.⁵⁴ [⁵⁴ *Ibid* 13 March]

In October council officials ordered 2 000 squatters in the Vuildraai area of Veeplaas to pull down their shacks and move to sites in the shanty settlement at Motherwell (Port Elizabeth) or to a transit camp at Tyoksville (Addo) within two months, or face eviction. The Ibhayi Town Council and the Cape Provincial Administration said that they did not know about the impending removals.⁵⁵ [⁵⁵ *South* 20 August, *Eastern Province Herald* 20 November]

A report in *South* in August drew attention to 120 000 Africans who were living in shacks in Soweto (Port Elizabeth), which had been erected in 1976 when thousands of homeless people from outlying Port Elizabeth townships were allocated plots in the area. The demand for homes had been so great that many

illegal backyard structures had also been built. Soweto had no crèches or health clinics, many roads were impassable because of rubbish lying in the streets, and the two schools in the area had been burned down during disturbances in 1985. During 1986 the community had been threatened with removal to Motherwell (see 1986 *Survey* Part 2 p493). A health inspector for the Port Elizabeth City Council described the township as ‘the filthiest and most appalling place that a human being could ever live in’,⁵⁶ [⁵⁶ *South* 13 August]

Members of the South African Police (SAP), Duncan Village municipal police and East London municipal guards raided a squatter settlement in Cambridge (East London) in the early hours of 7 November. An official of the East London City Council claimed that the African squatters were responsible for recent burglaries in neighbouring white suburbs. He alleged that stolen goods were recovered during the raid on the squatter camp. Some 17 shacks were burnt down during the raid and 50 people were left homeless. Miss Linda Berkowitz, a fieldworker for the Black Sash, said after the raid that the Black Sash had taken affidavits from the squatters to establish what had been lost in the raid, and that the squatters had laid charges against the SAP of malicious damage to property.⁵⁷ [⁵⁷ *Daily Dispatch* 1 December, *The New Nation* 3 December]

Eastern Transvaal

In May 400 African families erected shacks at the entrance to Siyathemba Village (Balfour). It was reported that they built the shacks because of frustration with the shortage of housing in the area. Since the establishment of the township in 1931 no houses had been built in Siyathemba by the now defunct Highveld Development Board and its successor, the Siyathemba Village Council. All of the 1 000 houses in the township had been built by local residents themselves. The mayor of Siyathemba, Mr D Mapuhushe, said that the council had hoped to build 200 new houses before the end of the year. He warned shackdwellers that only 165 families had been authorised to build informal dwellings, and that the remainder of the squatters would be prosecuted.⁵⁸ [⁵⁸ *Sowetan* 18 May]

Natal

In June the Durban City Council adopted a new policy towards squatters. All illegal shacks and squatter settlements within and outside the city would be identified and accepted as permanent communities, and their infrastructure should be upgraded. The City Engineer’s Department would identify land to be developed for rehousing squatters, and as land was acquired, squatters would be moved to more formal settlements.⁵⁹ [⁵⁹ *The Star* 3 June] The chairwoman of the health and housing committee of the Durban City Council, Mrs Margaret Winter, said that there had been ‘overwhelming support for the new policy from councillors right across the political spectrum’,⁶⁰ [⁶⁰ *The Natal Witness* 4 June] Speaking at his induction as mayor of Durban in September, Mr Henry Klotz said that the Durban City Council had accepted the ‘awesome’ challenge of rapid urbanisation and that its new policy for squatters was ‘historic’. He challenged the traditional white view of squatters as vagrants and said that many were ordinary people who worked in the city and sought a home for themselves and their families.⁶¹ [⁶¹ *The Natal Mercury* 8

September]

In November the Durban City Council agreed to contribute up to 1% of its annual rates income to the upgrading of squatter settlements outside the city.⁶² [⁶² *Business Day* 27 November] This contribution would amount to approximately R1,9m annually. However, the general manager of the informal settlements division of Innova Homes, Dr Bruce Boaden, said in July that Durban and its neighbouring municipalities would need to spend at least R120m a year for the next five years to reduce the housing shortage of the squatter population. In contrast to government estimates of 156 715 squatters in the Durban area (see above), he estimated that there were 1,5m squatters and 'informal settlers' in the greater Durban region.⁶³ [⁶³ *Sunday Tribune* 12 June]

In June the Joint Executive Authority (JEA) for KwaZulu and Natal decided to set up a committee to coordinate the provision of land and infrastructure for the squatter population of the greater Durban region.⁶⁴ [⁶⁴ *The Natal Mercury* 27 November]

Floods in Natal in September resulted in 590 000 squatters in the greater Durban area being left homeless, according to the Built Environment Support Group at the University of Natal (see chapter on *Housing*). The group estimated that the cost of rebuilding the homes of the squatters was between R40m and R60m, in addition to which infrastructure, such as schools, clinics, roads and water supply to the informal settlements needed to be repaired. The group believed that many African squatters had lost their jobs as impassable roads had made it impossible for them to get to work.⁶⁵ [⁶⁵ *Ibid* 3 October]

The Durban City Council took action to evict squatters during the period under review.

In October 45 African squatters living in an informal settlement at Reservoir Hills (Durban) appeared in the Durban magistrate's court on charges of contravening the Prevention of Illegal Squatting Act of 1951. The squatters had lived on the land owned by the Durban City Council, and the majority were unemployed. They were each sentenced to a fine of R150 or three months' imprisonment, suspended for three years on condition that they demolished their shacks within 14 days.⁶⁶ [⁶⁶ *Ibid* 21, 22 November] The chairwoman of the management committee of the Durban City Council, Mrs Sybil Hotz, said that the recently-announced new squatter policy had stipulated a moratorium only for squatters listed by the council as living in the greater Durban area as at 21 August, and that any squatters who settled in the city after that date would face 'council action'. She added that the Reservoir Hills squatters had presented a serious health hazard and that crime in the area was increasing owing to their presence.⁶⁷ [⁶⁷ *The Natal Witness* 22 October, *The Weekly Mail* 23 October]

In November Durban City Council officials used a bulldozer to demolish the shacks and belongings of another 68 squatter families at Clare Estate (Durban).⁶⁸ [⁶⁸ *The Natal Mercury* 20 November]

In December 23 squatter shelters were destroyed in another area of Clare Estate after the landowner, Mr

A Paul, ordered the squatters out of their dwellings and had his workers burn them down. The evicted squatters brought on urgent application in the Durban and Coast Local Division of the Supreme Court in Durban for the shacks to be rebuilt and for the landlord to be prevented from evicting the community. The squatters' application claimed that the Prevention of Illegal Squatting Act allowed landowners only to demolish the shelters of 'illegal tenants', and that their payment of rent to the landowner over a period of 12 years gave them legal status as bona fide tenants. The presiding judge, Mr Justice David Friedman, granted the squatters a reprieve until 4 February 1988, when the case was to continue.⁶⁹ [⁶⁹ *The Weekly Mail* 11 December, *City Press* 13 December]

In December the Durban City Council agreed to spend R430 000 on the provision of 200 serviced sites for African squatters on a piece of land between Ridgeview and Chesterville. Mrs Hotz said that all squatters who had built shacks on council land before 22 September would be eligible for the new scheme.⁷⁰ [⁷⁰ *The Natal Mercury* 8 December] The chairman of the Durban Central Residents' Association, Mr Sayed Mohammed, said that the council should look at the provision of housing for all squatters, and not just for those who were regarded as 'legal'. He pointed out that squatters at Clare Estate whose shacks had previously been demolished were still without homes.⁷¹ [⁷¹ *Ibid* 8 December, *Natal Post* 15 December]

Pretoria/Witwatersrand/Vereeniging (PWV) area

During the period under review the shelters of 4 600 Africans living in the Pretoria/Witwatersrand/Vereeniging (PWV) area were demolished. Demolitions occurred at Erasmia (Pretoria), KwaThema, Thokoza and Varkfontein (all east Rand), Grasmere, Honeydew, Kibler Park, Lenasia, McDonald's Farm, Mshenguville, Nancefield and Roodekrans (all around Johannesburg), Big Farm and Wilgespruit (both west Rand).⁷² [⁷² Various newspaper reports] During 1987 at least 1 000 squatters in the PWV area were arrested by members of the South African Police (SAP) and prosecuted on charges of trespass or squatting. In October a spokesman for the Agency for Industrial Mission (AIM) claimed that between June and September more than 450 squatters had been arrested in the area.⁷³ [⁷³ *Business Day* 29 October] In November it was reported that the Black Sash had records of 670 prosecutions of squatters in the PWV area since mid-September.⁷⁴ [⁷⁴ *The Weekly Mail* 13 November]

During the first quarter of 1987, 3 000 African squatters living in a coalyard in Thokoza (**east Rand**) were issued with notices by the Thokoza Town Council demanding their departure by 14 July. On 20 July in subzero temperatures council police demolished 100 shacks, rendering some 500 people homeless. The council issued a press statement claiming that the squatters constituted a health hazard and that the land was needed for middle-class housing development.⁷⁵ [⁷⁵ *Sowetan* 22 July] Mrs Helen Suzman MP (Progressive Federal Party) criticised the demolitions, saying that the Transvaal Provincial Administration (TPA) (which was ultimately responsible for squatters in the Transvaal) had assured her that no destruction of squatters' homes would occur without alternative accommodation being made available, and yet this principle had been violated.⁷⁶ [⁷⁶ *The Star* 23 May]

The assistant regional director of the Red Cross in the southern Transvaal, Mr Bongani Khumalo, said that the Red Cross would provide tents to accommodate the squatters temporarily, and that he had obtained an undertaking from the Thokoza Town Council not to harass squatters.⁷⁷ [⁷⁷ *The Citizen* 30 July] In August it was reported that council officials were preventing the erection of new shacks in the Thokoza settlement. Some 50 squatter families alleged that they had been threatened with assault if they did not demolish their shacks and move to a new site near the men's hostel.⁷⁸ [⁷⁸ *The Star* 12 August] In November council police, accompanied by members of the SAP, evicted 10 families and demolished their shacks. The police invoked emergency regulations to prevent newspaper reporters from entering the area.⁷⁹ [⁷⁹ *Ibid* 25 November]

In May it was reported that the white owner of a smallholding at Varkfontein (Benoni), Mr G Nieuwoudt, was letting stands to some 378 homeless African families for R60 a month each. The smallholding had no electricity or refuse removal service and was provided with six pit latrines for 2 600 people.⁸⁰ [⁸⁰ *Sunday Times* 24 May] In June local white residents brought an application against Mr Nieuwoudt in the Transvaal Provincial Division of the Supreme Court in Pretoria for removal of the squatters in terms of the Prevention of Illegal Squatting Act of 1951. The application was granted in October. After discussions between the TPA and the Daveyton Town Council it was announced in October that the TPA would allocate R6m to the Daveyton Town Council to inter alia, house the Varkfontein squatters. The council would provide 3 000 new sites with water and sewerage at Etwatwa East, of which 350 sites would be allocated to the Varkfontein squatters and the remainder to Daveyton residents requiring houses.⁸¹ [⁸¹ *The Star* 3 November, *The Weekly Mail* 13 November]

The TPA undertook to provide basic services at Etwatwa East until the proper infrastructure had been installed, which was scheduled for July 1988. On 3 November some of the squatters at Varkfontein were evicted by the TPA and moved to Etwatwa East.⁸² [⁸² *The Star* 5 November]

The Black Sash claimed that rental agreements for the Etwatwa East sites were signed before the move, and that they were 'one-sided and unfair'.⁸³ [⁸³ Report of the Urbanisation Working Group of the Black Sash to the Black Sashi national conference, March 1988]

In January officials and municipal police of the Soweto City Council used bulldozers to demolish about 400 shacks in the squatter settlement at Mshenguville (Soweto) near **Johannesburg**, leaving more than 1 000 Africans homeless. It was reported that council officials had demolished shacks at the camp on four previous occasions during the previous three months (see 1986 *Survey* Part 1 p357). During the demolitions squatters threw stones and petrol bombs at municipal policemen.⁸⁴ [⁸⁴ *Sowetan* 1 January] A spokesman for the Bureau for Information said that members of the SAP and the SADF later arrived at the squatter settlement and persuaded municipal officials to halt the demolitions until alternative accommodation could be found for the shackdwellers. It was reported that conditions in the camp were 'appalling' and doctors were said to fear an outbreak of disease of epidemic proportions there.⁸⁵ [⁸⁵ *Sunday Tribune* 11 January]

Local representatives of the Red Cross provided immediate accommodation for some of the homeless families at Mofolo (Soweto). The chairman of the housing committee of the Soweto City Council, Mr Julius Mdlalose, said on 7 January that the homeless squatters could return to Mshenguville until housing was found for them. He said that they would be housed in the Dlamini and Naledi emergency camps in February.⁸⁶ [⁸⁶ *The New Nation* 8 January] However, few of the squatters were subsequently moved.

In April about 2 000 Mshenguville squatters marched to the offices of the Soweto City Council to complain of exploitation by various people demanding money from them for living in the squatter camp, including a charge by the council of R15 rent a household.⁸⁷ [⁸⁷ *Sowetan* 2 April] Later in April the mayor of Soweto, Mr Nelson Botile, announced that the 4 500 squatters at Mshenguville would be resettled in a site-and-service camp in Dlamini and elsewhere in Soweto.⁸⁸ [⁸⁸ *The Star* 10 April]

In March Soweto City Council police destroyed the shacks of squatters at McDonald's Farm (also known as Chicken Farm) near Kliptown and removed some of their possessions.⁸⁹ [⁸⁹ *Ibid* 26 March] It was reported that 1500 shackdwellers were living in 494 shacks at McDonald's Farm. The settlement had started in 1983. A single tap was the only water source and the community had no other facilities.⁹⁰ [⁹⁰ *The Weekly Mail* 17 July]

On 14 July municipal police and members of the SAP demolished four shacks and allegedly assaulted residents who tried to prevent the demolitions. The squatters claimed that six people were injured by police, one of them seriously. The police claimed to have acted defensively as squatters had thrown stones at them. Journalists who attempted to photograph the demolitions were chased away by municipal policemen and several journalists were arrested. Photographs of Mrs Lola Morris, a resident of the settlement, being beaten by rifle butts, hit in the face and repeatedly lashed by municipal police were widely publicised. On the same day Mr Rupert Lorimer MP (PFP) appealed to the minister of constitutional development and planning, Mr Chris Heunis, to halt the demolitions and assaults of the squatters. Mr Lorimer was referred to the provincial director of land use control in the Transvaal, Mr J J van der Walt, who contacted the town clerk of Soweto, Mr Nico Malan, and persuaded him to impose a moratorium on the removal of the squatters.⁹¹ [⁹¹ *The Star* 15 July, *Business Day* 16 July]

The director of housing for Soweto, Mrs Estelle Bester, announced later in the week that the squatters would be removed to an emergency camp at Dlamini when it was ready, but that only 'people from Soweto' would be accommodated. She claimed that two thirds of the squatters came from other parts of the Witwatersrand and said that they would not be offered accommodation. Mrs Bester suggested that as development opportunities in Soweto were 'very limited' the council would have to 'look after its own children first'. The Black Sash said that it was a common strategy for African town councils to deny responsibility for some of the squatters on their land, and to claim that they had come from other areas and hence fell under the jurisdiction of another authority. Subsequently some of the squatters were moved on to a 'hastily prepared site' on a rubbish dump at Dlamini.⁹² [⁹² Report of the Urbanisation Working Group of the Black Sash to the Black Sash national conference, March 1988]

Residents of McDonald's Farm who were interviewed by *The Weekly Mail* said that they would prefer to remain where they were and they hoped that the settlement would be upgraded. Mrs Lettie Dladla, one of the squatters, said. 'We are prepared and willing to pay if we can stay here ... We are willing to do anything to keep this place.'⁹³ [⁹³ *The Weekly Mail* 17 July] In November the Soweto City Council issued eviction notices to some of the shackdwellers, allowing them 90 days in which to move. It was reported that the land had been allocated for middle-class housing development and that the developers wished to start building in January 1988.⁹⁴ [⁹⁴ *Sowetan* 23 November]

Between August 1986 and January 1987 a settlement of squatters at Weiler's Farm, a privately-owned farm near Walkerville (**Vereeniging**), expanded from a population of 2 000 to more than 7 000 Africans. The squatters lived in converted pigsties, wood and iron shanty dwellings and brick huts, and they were provided with a waterpump and refuse removal.⁹⁵ [⁹⁵ *The Star* 18 June]

At the beginning of the period under review a petition was circulated by the white Walkerville Local Areas Committee, calling on the state president to arrange for action to stop the growth of the camp.⁹⁶ [⁹⁶ *Ibid* 13 March] A Black Sash paper claimed that the settlement had been a major issue in the local white constituency during the general election for the House of Assembly in May 1987, and suggested that it was one of reasons why the Conservative Party won the seat from the National Party (NP).⁹⁷ [⁹⁷ Paper presented by the Urbanisation Working Group of the Black Sash to the Black Sash national conference, March 1988]

In March shacks which had recently been built at Weiler's Farm were demolished by TPA officials accompanied by members of the SAP and the SADF. During the demolitions the SADF prevented outsiders from gaining access to the settlement. According to residents TPA officials threatened to impose an unofficial curfew after 10pm if there was any resistance to the demolitions. A member of the Weiler's Farm residents' committee, Mrs Olga Lutu, said that it appeared that the destruction of the shacks had been intended to discourage the entry of new people into the area.⁹⁸ [⁹⁸ *Sowetan* 18 March, *The New Nation* 19 March]

On 27 March the squatter community was again raided by members of the SAP and the SADF, who were alleged to have seized and destroyed property. The Legal Resources Centre in Johannesburg collected affidavits from some squatters who claimed that they had been harassed and assaulted. A reporter of the *Sunday Times* who visited the camp to investigate the allegations of assault was detained and questioned for four hours by members of the SADF.⁹⁹ [⁹⁹ *Sunday Times* 12 April] Mr Christopher Ballot MP (NP) announced at the end of March that the squatters would be offered relocation within nine months to a site-and-service scheme 10km away at Wildebeestfontein (near Sebokeng).¹⁰⁰ [¹⁰⁰ *Business Day* 25 March] The squatters had previously declined to move to accommodation at Evaton (Vanderbijlpark).

In July it was reported that the TPA had expropriated the land on which some of the squatters were living. It was alleged that the squatter settlement was being run by a committee of officials of the

Department of Community Services of the TPA, members of the SADF and SAP, and other state officials. Police set up a permanent roadblock at the entrance to the camp to prevent the influx of new squatters. Black Sash workers who had run an advice office at the farm during the previous 18 months were refused access to the camp.¹⁰¹ [¹⁰¹ *The Weekly Mail* 10 July] It was reported that squatters who lived on parts of the farm which had not been expropriated by the TPA were arrested and charged with trespassing and squatting.¹⁰² [¹⁰² Paper presented by the Urbanisation Working Group of the Black Sash to the Black Sash national conference, March 1988]

In August the deputy minister of constitutional development, Mr Piet Badenhorst, said in Parliament that the Weiler's Farm squatters would be moved as soon as facilities at Wildebeestfontein were completed, and that the removal would be 'voluntary'.¹⁰³ [¹⁰³ *Sowetan* 5 August] At the time of writing the community had not been moved.

During the period under review police arrested squatters in many settlements south of Johannesburg, including families at Vlakfontein, 30km south of the city. Mr Jabulani Mkhize, a community leader, claimed in October that about 600 Africans were living in the squatter camp on farmland at Vlakfontein, and that some residents had been living there for 18 years.¹⁰⁴ [¹⁰⁴ *Indicator* 13 October] In August 116 people were arrested by members of the SAP and they appeared later in the Vereeniging magistrate's court on charges of trespassing. During September the police made a pre-dawn raid on the squatter settlement at Vlakfontein and arrested 41 men on charges of illegal squatting. It was reported that many of the arrested men had full-time employment and that they were in jeopardy of losing their jobs.¹⁰⁵ [¹⁰⁵ *The Star* 23 September] A spokeswoman for the Black Sash pointed out that the squatters were required to pay bail of R30 a person each time they were arrested, as well as the costs of transport to Vereeniging for court cases. Some squatters had had charges laid against them on as many as four separate occasions. The Black Sash claimed that the arrests were used to punish the squatters, as in many cases charges were withdrawn or cases repeatedly postponed when they came to court.¹⁰⁶ [¹⁰⁶ *Sunday Times* 4 October]

In October members of the Vlakfontein squatter community brought an application in the Witwatersrand Local Division of the Supreme Court in Johannesburg against the minister of law and order, Mr Adriaan Vlok, to restrain the police from rearresting squatters on charges of trespassing before previous cases had been concluded. The squatters also sought an order restraining the police from assaulting squatters and damaging their property. In November the Supreme Court application was postponed indefinitely, and the SAP undertook not to arrest any 'permanent members' of the squatter community on charges of trespass or squatting. A lawyer acting for several homeless communities said that the police undertaking was a significant victory in the squatters' fight for recognition as a permanent community. He hoped to have the undertaking made applicable to all permanent squatter communities.¹⁰⁷ [¹⁰⁷ *The Weekly Mail* 13 November]

A group of 400 squatters had settled at Big Farm (Roodepoort) on the **west Rand** on land near the municipal rubbish dump. In November they claimed that their shacks had been demolished and burnt down and their clothing and other possessions set alight by officials of the Roodepoort City Council at

monthly intervals since June 1986. During the first quarter of 1987 some squatters moved to Dobsonville and Soweto after they had been arrested and convicted in terms of the Prevention of Illegal Squatting Act. About 100 squatters who remained in the area rebuilt their shelters further away from the rubbish dump.¹⁰⁸ [¹⁰⁸ *Business Day* 16 April, *The Weekly Mail* 13 November] The town clerk of Roodepoort, Mr L de Wet, said that it was 'not in the squatters' interests' to live in such unhygienic conditions without a water supply or sanitation, but he was unable to offer an alternative. Mr De Wet said that the TPA had plans to accommodate the squatters but he declined to elaborate.¹⁰⁹ [¹⁰⁹ *The Weekly Mail* 13 November]

Western Cape

In January about 153 African and coloured squatters who had been living at Bloekombos (Cape Town) since 1982 were told by officials of the Kraaifontein Town Council to leave the area. It was alleged that the land on which they were living was owned by the Department of Public Works and Land Affairs, which wanted to build a police training camp on it.¹¹⁰ [¹¹⁰ *The New Nation* 29 January] In August the council gave the squatters final notice to leave the area and offered them transport to Khayelitsha. Many families would be split up by such a move, as most of the African men were married to coloured women, and only Africans were entitled to live in Khayelitsha.¹¹¹ [¹¹¹ *Cape Times* 8 August]

In October it was claimed that council officials had torn down 13 shacks (including nine structures which officials had previously undertaken not to demolish) and confiscated building materials. Mr Jan van Eck MP (Independent), Mr Jasper Walsh MP (Progressive Federal Party) and a newspaper reporter were barred from the site during the demolitions because 'their presence created certain tensions', according to the town clerk of Kraaifontein, Mr M Conradie.¹¹² [¹¹² *Ibid* 20 October] In November the mayor of Kraaifontein, Mr B Badenhorst, said that the squatters would be removed once the town council had 'the necessary support of the riot police' and that the council was in the process of obtaining a court order for the eviction of the squatters from the land.¹¹³ [¹¹³ *The Star* 30 November]

In March a squatter community of 56 African and coloured families living on farms and Cape Divisional Council land in the Noordhoek valley (Kommetjie) in the Cape Peninsula were told by divisional council officials that they would have to move to Khayelitsha. The families, some of whom had lived in the area for 40 years, were employed as woodcutters. The owners of the farms were willing to allow the squatters to continue living on their land, but they were threatened with prosecution under the Prevention of Illegal Squatting Act if they did not evict the families. Ms Josette Cole of the Surplus People's Project (SPP) maintained that the squatter families would have 'no means of economic survival' in Khayelitsha.¹¹⁴ [¹¹⁴ *Cape Times* 27 March, *The New Nation* 15 April] On 2 December members of the SAP manned roadblocks as shelters were demolished and 600 squatters moved by truck from Noordhoek to Khayelitsha. Reporters were prevented from entering the area while the removals took place.¹¹⁵ [¹¹⁵ *The Citizen* 3, 4 December]

In July 200 African squatters were also moved from farmland near Red Hill (Cape Town) and 15

coloured families in a squatter settlement at Hout Bay were threatened with removal to Philippi (see chapter on *African Removals*).¹¹⁶ [¹¹⁶ *Cape Times* 31 July, *South* 23 July]

In October a fire in the Black City squatter settlement (Cape Town), which housed refugees from Nyanga Bush, resulted in the deaths of two squatters and 150 people being left homeless.¹¹⁷ [¹¹⁷ *The Citizen* 20 October]

During violence in 1986 in the Crossroads/KTC squatter settlements some 33 000 people had been compelled to move to Green Point (Khayelitsha), so-called because the refugees were housed in thousands of green tents (see 1986 *Survey* Part 1 pp357- 358). During 1986 and 1987 squatters from Crossroads also fled to four new squatter camps at Nyanga: Nyanga Extension, Mpinga Square, Black City and Oscar Mpetha Square. The squatters were prevented from returning to their land at Crossroads by the SAP and the SADF, the fencing of vacant land and a proclamation in the *Government Gazette* preventing resettlement on the land. In February squatters who had fled to Nyanga began publicly to demand the right to return to their former land and they rejected movement to Khayelitsha.¹¹⁸ [¹¹⁸ *South* 19 March]

Ms Cole alleged that the state was still following a 'classic divide and rule strategy' by recognising Mr Johnson Ngxobongwana, chairman of the Old Crossroads executive committee, as mayor of Crossroads and empowering him to decide on the allocation of land and housing. (Mr Ngxobongwana had allegedly been associated with vigilantes who destroyed shacks during the violence in 1986.) In October Mr Justice J H Conradie ruled in the Cape of Good Hope Provincial Division of the Supreme Court in Cape Town that the appointment of the Old Crossroads executive committee as a local authority was invalid and that Mr Ngxobongwana was not entitled to exercise any authority as mayor.¹¹⁹ [¹¹⁹ *Cape Times* 2 October]

During the period under review roads were laid and flush lavatories installed on 1440 residential sites in Crossroads. Although the minister of constitutional development and planning, Mr Chris Heunis, said in April that the refugee squatters would be allowed to return 'on a priority basis' and that 'delicate negotiations' were under way, few squatters were allowed to return to Crossroads.¹²⁰ [¹²⁰ *The Weekly Mail* 8 May, *South* 17 September]

An article in *South* in July said that the KTC settlement then comprised two areas: an area of densely-built shacks housing more than 4 000 Africans, and an area cleared after the 1986 disturbances, in which a government proclamation prevented resettlement. Sporadic attacks on members of the SADF and SAP in the KTC area in the first three months of 1987 led to a 'crime prevention' raid on the KTC settlement in June by 800 members of the SADF and SAP. During the raid 110 men and women were detained, of whom all but 14 were later released.¹²¹ [¹²¹ *South* 2 July] A police statement¹²² [¹²² *CapeTimes* 3 July] said that the KTC squatter camp was regarded as 'a hive of terrorist activities'.¹²² [¹²² *CapeTimes* 3 July] Although in July residents of KTC were reported to have expressed fears that burnings and looting by the 'witdoeke' or vigilantes

were imminent, no large-scale violence occurred during 1987.¹²³ [¹²³ Ibid 22 December]

THE GROUP AREAS ACT

The Group Areas Act of 1966 came under constant scrutiny throughout the period under review. Various articles were published about the existence of ‘grey areas’—supposedly white suburbs into which black people had moved despite the prohibition contained in the act. Such ‘grey areas’ were a focus of attention in the general election among whites in May 1987: the Conservative Party attacked the government for not evicting African, coloured, and Indian people who were unlawfully resident in white suburbs. The government made it clear that in some such areas, at least, evictions were not a practical possibility.

The President’s Council (PC) published a report on the act, following which the government announced certain policy changes, although these were not the same as the PC had recommended. At the time of writing (July 1988) a two-pronged policy was being proposed in legislation tabled in Parliament: official recognition of de facto ‘grey areas’ on the one hand, and very much tougher action on the other to keep other areas white. Details of this legislation are given at the end of this chapter.

Policy

The state president, Mr P W Botha, said in January that he had never seen any law as a ‘holy cow’ and that the Group Areas Act of 1966 had already been amended 17 times. He said, however, that the act embodied certain principles which he supported: it guaranteed the right of ownership to communities and to individuals ‘on a more just basis than was the case before its inception’; it afforded opportunity for community life; and it also afforded the opportunity for flexibility and humanitarian considerations by way of permit control. To tamper with these rights would result in ‘chaos in this country’, Mr Botha said. He stated that the fact that the act was being infringed was insignificant because any act was infringed at one time or another.¹ [¹ *Hansard* (A) 1 cols 239-241, 30 January]

Mr Botha made it clear at the end of March that the principle underlying the Group Areas Act would not be scrapped while he was in power. Saying that he did not know what the term ‘grey areas’ meant, Mr Botha said, ‘Own residential areas are of the utmost importance, particularly in big cities, for the protection of poor white workers. The rich people buy their apartheid with large residences and properties. The poor man must live wherever he can afford to. I’m on the side of the white worker.’² [² *The Star* 28 March] Early in April in a radio interview he said, ‘I believe in the Christian approach. But at the same time I never read in the bible that to be a good Christian means I must commit suicide to please other people.’³ [³ *The Citizen* 13 April]

‘The Group Areas Act can as far as I am concerned, be amended as often as is necessary and it can even be abolished,’ Mr Sakkie Louw MP (National Party) stated during the May 1987 election campaign. Mr

Louw was reported to have been severely reprimanded when, in 1986, he had said that he had voted in favour of open beaches, a stand running counter to official NP policy, in a referendum in Port Elizabeth.⁴ [⁴ *Eastern Province Herald* 23 March]

In a book entitled *Land and Race*, a previous chairman of the Johannesburg Bar Council and retired senior advocate, Mr Melville Festenstein and a researcher at the South African Institute of Race Relations, Miss Claire Pickard-Cambridge, examined the origins, workings and effects of the Group Areas Act. The book—which was one in a series arising from a special Institute research project on the Group Areas Act—also contained legal analyses of the Group Areas Act, the Black Land Act of 1913 and the Development Trust and Land Act of 1936. The researchers concluded their study by saying that the erosion of residential segregation in practice had led to changes in official attitudes to this policy. According to Mr Festenstein and Miss Pickard-Cambridge, the government ‘no longer seeks to reorder the urban landscape to fit a segregationist vision but now seeks to contain the changes which are already occurring by limiting the effects of spontaneous desegregation’. They said that the government’s gradual retreat from rigid enforcement of the act was illustrated by:

- the fact that the operation of the Group Areas Act was becoming increasingly reliant on executive discretion rather than the official machinery provided by the law;
- the fact that the issuing of permits, an important provision of the act, was being handled by second-tier (provincial) government for the first time; and
- the series of official inquiries seeking a formula for recognising spontaneous desegregation.

The researchers said, however, that the retreat remained limited and that ‘while the erosion of residential segregation, both in practice and as an official policy, is clearly gathering pace, formidable obstacles must still be eliminated before unrestricted access to residential and trading land for all races becomes a reality’.⁵ [⁵ Festenstein M and Pickard-Cambridge C, *Land and Race*, South African Institute of Race Relations (SAIRR), 1987]

The major statement of official policy on the Group Areas Act was made when the government reacted to the report of the committee for constitutional affairs of the President’s Council (PC) on the act (see *Report of the Committee for Constitutional Affairs of the President’s Council on the Report of the Technical Committee, 1983 and Related Matters* below).

In October 1987 the Bureau for Information launched an advertisement campaign in which it was claimed that the ‘most basic principle’ concerning the Group Areas Act was the principle of ‘live and let live’. ‘It is all a question of good neighbourliness. But this implies self-respect, mutual respect and the acknowledgement of each other’s rights’, the advertisement said. The advertisement listed a number of guidelines according to which the Group Areas Act could be amended. At the same time a publication called *The Group Areas Act* was also distributed by the Bureau for Information. The minister of information, broadcasting services and the film industry, Mr Stoffel van der Merwe, said in Parliament

in May 1988 that 80 000 booklets were published and that the total cost of the publication was R31 489. The booklet contained the parliamentary address by Mr Botha in which he reacted to the report of the constitutional committee of the PC on the Group Areas Act. In July 1988 this campaign was followed up by a series of advertisements in which the new legislation to amend the Group Areas Act was promoted. The advertisement said that the new legislation ‘safeguards existing rights—and affords new rights. It offers people choices and opportunities.’ For more information on the new legislation see *New Legislation* below.⁶ [⁶ *Business Day* 13 October *Hansard(A)* 18 q cols 1554-1558, 24 May 1988; *Sunday Times* 3 July]

Opposition to government policy

A researcher at the South African Institute of Race Relations, Mr Moosa Ebrahim, in a paper published in October 1987, *Powder Keg or Damp Squib? Black Opinion and the Group Areas Act*, said that ‘government threats to evict people prompted the re-emergence of the Action Committee to Stop Evictions (ACTSTOP)’. ACTSTOP was formed in 1978 ‘to assist affected families by defending their cases and requesting the authorities to allow the families to stay where they were until the housing backlog had been alleviated (see 1979 *Survey* p471). According to Mr Ebrahim, ACTSTOP was effectively inactive for almost five years with the cessation of evictions after the Govender judgement in 1982, when the Transvaal Provincial Division of the Supreme Court ruled that people who violated the Group Areas Act could not be evicted unless they had alternative housing. Further details of ACTSTOP’s activities during the period under review are given below.

Mr Ebrahim said that his series of interviews with key black political, business, and pressure groups confirmed that black organisations unanimously demanded that the act be repealed. He said, however, that these same groups also insisted that the act’s repeal would not be a major reform. Most of these organisations insisted that apartheid should be abolished entirely and that piecemeal changes were inadequate. They did not regard campaigning against it as a priority. Mr Ebrahim argued that, in spite of this attitude, many of these organisations might not be able to address issues which they did plan to take up without challenging the act. The repeal of the Group Areas Act would make it easier to achieve goals in the areas of housing, rents and transport, Mr Ebrahim argued. These issues had been a major focus of community organisations and they, therefore, did have a latent interest in challenging the act and ‘might stand to make some important tactical gains by doing so’. Mr Ebrahim said, ‘There are signs that key groups acknowledge this.’ He said that the implication of this was that, although the repeal of the act would not contribute directly to a more relaxed political climate, ‘it could do so indirectly by making it easier to resolve conflicts over housing and transport through negotiation’.⁷ [⁷ Ebrahim M, *Powder Key or Damp Squib 7 Black opinion and the Group Areas Act*, SAIRR, October]

During the May election campaign the general secretary of the Progressive Federal Party (PFP), Mr Robin Carlisle, said that the National Party (NP) should state its position on the Group Areas Act unequivocally because cabinet ministers were ‘contradicting each other at every turn’. He claimed that there was a deadlock in the party over the act.⁸ [⁸ *The Citizen* 26 March]

The PFP in the southern Transvaal established an action group to tackle problems affecting individuals, companies and other parties who were affected by the Group Areas Act.⁹ [⁹ *The Star* 16 September]

The three Independent candidates in the May 1987 election, Dr Esther Lategan, Mr Wynand Malan and Dr Denis Worrall, said in their joint election manifesto that a timetable for the scrapping of the Group Areas Act should be set.¹⁰ [¹⁰ *Ibid* 9 March] Dr Worrall said at the end of May that since electioneering had started earlier that month, NP policy on the Group Areas Act had been exposed for what it was—‘total confusion of conflicting views on a law which has already caused irreparable damage to race relations in South Africa’.¹¹ [¹¹ *The Citizen* 24 March]

Serious confrontation between business and government could take place if the government failed to abolish the Group Areas Act, the executive director of the Urban Foundation, Mr Jan Steyn, warned in April. He said that business was in a moral dilemma. ‘You have identified people in your workforce who are capable of making contributions at the highest level of decision making and yet you deny them the right of upward mobility in the social system and you continue to lock them into residential environments which are inappropriate,’ Mr Steyn said.

The chairman of the Anglo American Corporation of South Africa (Anglo), Mr Gavin Relly, said in July that the ‘fate of the Group Areas Act may have a symbolic significance, beyond its immediate practical importance, in showing whether government is prepared to wipe the slate clean of apartheid’. He said that the abolition of the act should be used for residential development and could be a key element in providing subeconomic and self-help housing on a substantial scale.¹² [¹² *Business Day* 14 July]

In July the national president of the Black Sash, Mrs Mary Burton, said that although it had been said that the repeal of the Group Areas Act should not be the primary objective of those working for change in South Africa, and that all efforts should rather be directed towards achieving the transfer of power to a democratically elected government. the Black Sash believed that ‘dismantling the Group Areas Act now would be a positive step towards building a united future’.¹³ [¹³ *Cape Times* 24 July]

In September the leader of the Labour Party (LP), the Rev Allan Hendrickse, said that if the state president wanted to negotiate with the LP ‘the Group Areas Act must go’.¹⁴ [¹⁴ *Eastern Province Herald* 2 September] He stated later that the LP would start to question further participation in the tricameral system ‘unless we see real reform’.¹⁵ [¹⁵ *The Citizen* 17 September] On South Africa’s international status, Mr Hendrickse said that he was convinced that South Africa would be accepted by its neighbouring states and the rest of the world once the act was scrapped.¹⁶ [¹⁶ *Eastern Province Herald* 29 September]

At the LP’s annual congress in November Mr Hendrickse said that his party had no alternative but to send the government back to the polling booths in 1989 instead of 1992 if the NP did not scrap or radically change the Group Areas Act. (In terms of the constitution, Mr Botha’s plans to postpone scheduled white elections from 1989 to 1992 needed approval from all three houses in Parliament,

including the House of Representatives where the LP was the majority party. Should the LP withhold approval, the state president would have only one option—to dissolve the whole of Parliament and call a general election.)¹⁷ [¹⁷ *The Citizen* 29 December] The LP's annual congress voted overwhelmingly in support of Mr Hendrickse's resolution.¹⁸ [¹⁸ *Ibid* 30 December]

The chairman of the ministers' council and minister of housing in the House of Delegates, Mr Amichand Rajbansi, said in September that a 'practical alternative' to the repeal of the Group Areas Act would be the relaxation of the act in certain respects. He said that it was clear from the results of the May election that whites did not want the act repealed. It, therefore, would be practical to change the act so that it did not apply to agricultural and business areas, he said. According to him some residential areas should also be opened to all races and in other residential areas permits should be issued 'on the basis of a willing buyer and a willing seller and a willing tenant and landlord'.¹⁹ [¹⁹ *Hansard* (D) 14 cols 3435-3438, 14 September; *Eastern Province Herald* 15 September] The deputy minister of development planning, Mr Piet Badenhorst, later used Mr Rajbansi's words during the debate on his department's vote to support his argument that the basic principles of the act should not be changed. 'Mr Rajbansi said it was not necessary to repeal the act, but that sufficient land must be made available for affordable housing. And that's exactly what we are doing,' Mr Badenhorst said.²⁰ [²⁰ *The Star* 11 September] Mr Rajbansi later in the same month said that he had made it perfectly clear that his party, the National People's Party, stood for the repeal of the act and that Mr Badenhorst's statements conveyed a different meaning to his speech.²¹ [²¹ *Cape Times* 17 September]

The chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said in November that the South African government would ultimately have no choice but to scrap the Group Areas Act and the Population Registration Act of 1950. Until it recognised this, real negotiations 'would not get off the ground', Chief Buthelezi said. He claimed that the government did not want to scrap these acts because they knew that even if one of these 'cornerstones of apartheid' were removed, there would be a forward momentum which it would be difficult to control.²² [²² *The Citizen* 12 November]

Report of the Committee for Constitutional Affairs of the President's Council (PC) on the Report of the Technical Committee, 1983, and Related Matters

The report of the committee for constitutional affairs of the President's Council (PC) on the report of the technical committee, 1983, and related matters was delayed in 1986 (see 1986 *Survey* Part 2 p503) and was published only in September 1987 (see below). The state president, Mr P W Botha, had asked the committee to examine the Group Areas Act and related legislation on 31 October 1984 (see 1984 *Survey* p474). The report had initially been due for publication in October 1986 but Mr Botha had referred it back to the committee in November 1986 so that the PC could 'ensure that it had covered all the facts so that it did not have to launch a second investigation'. In February 1987 a member of the committee for constitutional affairs of the PC, Mr P C Schoeman (Progressive Federal Party) moved a motion in the PC calling for a full session of the PC where the referral of the report could be discussed. He said that

the fact that the report had been referred back to the committee had been condemned by nearly all political groupings in the strongest possible terms. The general public, the motion continued, had been given the impression that the council was being seriously hampered in its task. According to him 'certain people' thought that the report would be an embarrassment and therefore it had been referred back to the committee. Mr P J Marais of the People's Congress Party (PCP) claimed that the decision to refer the draft report back to the committee had been 'taken at cabinet level'. Mr Schoeman's motion was defeated and a National Party (NP) amendment to the motion, confirming the correctness of the decision was approved.²³ [²³ President's Council, sitting day 4 February, cols 28-92] The state president said in Parliament that he had not given the PC any official instruction not to discuss its first report. 'They had to ensure that this time they would come up with a prescriptive report relating to all aspect of this matter. What is wrong with that? What is wrong with the head of state asking for something like that?' Mr Botha asked.²⁴ [²⁴ *Hansard* (A) 1 cols 240-241, 30 January]

It was reported in the *Financial Mail* that the report would never be published in its original form because it was likely that the composition of the committee would be radically changed after the election. The chairman of the constitutional affairs committee, Dr Andries Oosthuizen, acknowledged that a new committee would take time to Find its feet. He also acknowledged that a new committee could change the original report.²⁵ [²⁵ *Financial Mail* 17 April]

The committee's report was eventually tabled in Parliament on 17 September.²⁶ [²⁶ *Report of the Committee for Constitutional Affairs of the President's Council on the Report of the Technical Committee, 1983, and Related Matters*, September, PC 4/1987] Only two political parties (the NP and the PCP) signed the report without reservation, while the Conservative Party (CP), the Labour Party (LP), the PFP and Solidarity did not sign it. Mr T Gounden of the National People's Party (NPP) signed the report with the qualification that he supported 'positive aspects of this report which represent a move away from the status quo in the belief that it will generate its own momentum towards a total repeal of the act'. He was later expelled from the NPP for allegedly disobeying party instructions.²⁷ [²⁷ *Sunday Tribune* 20 September]

Recommendations of the committee

Among the committee's recommendations regarding the Group Areas Act were that:

- existing residential areas of the different population groups should be confirmed and protected;
- municipalities should be given the option to decide whether residential areas in towns should be opened to all race groups or rezoned for other races, subject to appeal to the provincial administrator:
- developers should be free to choose whether to apply for new townships to be open to all races or restricted to one race;

- all business, commercial and professional premises should be opened for occupation and ownership by all races. In the past this applied only to central business districts (CBDs);
- local authorities should pay particular attention to the creation of open residential areas near CBDs and/or the creation of new separate residential areas for the respective population groups near CBDs;
- decisions about accommodation on tertiary campuses should be left to the institutions concerned; and
- restrictions on the occupation and ownership of agricultural land should be eased, with some degree of local option.

The committee said that it did not 'consider it necessary to make recommendations with regard to the provision of education for open areas, since various statutory options for the provision of education already exist'. The retention of own schools for each population group, with the exception of private schools, was endorsed by the committee. It said that the children of a population group other than that designated for the area could go to 'nearby group-bound schools', to existing private schools or new private schools. The committee saw, as another alternative, the 'possibility of the privatisation of existing state-controlled schools in ... open residential area(s)'. Where numbers justified it, 'group-bound' schools under the control of an own affairs department could be established in open areas.²⁸ [²⁸ Ibid]

No specific recommendations regarding 'mixed marriages' were made. Such couples could live in the proposed open areas or apply for permits elsewhere.²⁹ [²⁹ SAIRR, *Quarterly Countdown* 7, 21 October]

The committee stated that while the government saw the Group Areas Act as an instrument for the stabilising of a community's 'own way of life, culture and identity', or as a means of providing protection against encroachment by other groups, evidence given by coloured people and Indians described the principle of forced racial discrimination and its application as being 'discriminatory, racist and offensive'.³⁰ [³⁰ *Report of the Committee for Constitutional Affairs of the President's Council on the Report of the Technical Committee, 1983, and Related Matters*, September, PC 4/1987] Asked at a press conference why the committee recommended the need for protection of existing group areas, the chairman, Dr Oosthuizen, said that there was a 'strong feeling in the white community that they can become overwhelmed by people from other groups moving into their areas so that their character could be dramatically changed'.³¹ [³¹ *Eastern Province Herald* 18 September]

Reactions to the report

When debate on the report started on 17 September, 15 members of the LP, the NPP, the PFP and Solidarity walked out of the PC. They said in a statement that the recommendations of the committee's

report would, if implemented, increase powers of eviction and forced removal and make coloured people and Indians the ‘agents of their own subjugation’.³² [³² *Business Day* 19 September]

While the CP said that the application of the committee’s recommendations would lead to full integration in South Africa, Mr Tiaan van der Merwe MP (PFP) described the report as an ‘apartheid document’ which did not deal so much with reform as with ways of ‘refining a basically racist and offensive law’. He said that the recommendations of the committee were a ‘compromise between prejudice and practical politics’.³³ [³³ *The Star* 18 September, *Eastern Province Herald* 18 September] His party would not support anything but the full scrapping of the Group Areas Act, the leader of the LP, the Rev Allan Hendrickse said.³⁴ [³⁴ *Eastern Province Herald* 21 September]

The chairman of ACTSTOP, Mr Cassim Saloojee, said, ‘There is no such thing as improving the act—it’s a sick joke.’ He said that apartheid was still ‘fully embodied’ in the proposals of the committee although the government tried to give the impression that it was on the ‘road to reform’.³⁵ [³⁵ *Business Day* 18 September]

Both the Cape Town City Council and the Johannesburg City Council said that they intended to oppose any attempt by the government to shift the responsibility for implementing the group areas local option to local authorities. The chairman of the town planning committee of the Cape Town City Council, Mr Clive Keegan, said that this would ‘politicise an ethnically neutral discipline, bring the city’s planning policies into disrepute and have as a result a decline in the standards of professional expertise available to South African cities’.³⁶ [³⁶ SAIRR, *Quarterly Countdown* 7, 21 October; *Eastern Province Herald* 23 September]

The retired head of the Department of Political Studies at the University of South Africa (UNISA), Professor Willem Kleynhans, said that if the local option proposals of the committee were accepted, control of local authorities would become of vital importance to all political parties and thus the 1988 municipal elections would become very important. ‘With councils debating the issues of open areas or holding referendums all over the place. South Africa would be in a near-permanent state of election,’ Professor Kleynhans said. He added that ‘there seems to be nothing in the proposals to prevent the minority party in any council overturning everything as soon as the tables are turned and they become the majority party’.³⁷ [³⁷ *The Sunday Star* 20 September]

The head of the Policy Research Unit of the South African Institute of Race Relations, Mr Steven Friedman, and two researchers at the Institute, Mr Moosa Ebrahim and Miss Claire Pickard-Cambridge, in a paper entitled *Backs Against the Tide; An Evaluation of the President’s Council’s Report on the Group Areas Act*, discussed the recommendations of the committee. They said, ‘The government’s limited recognition of residential desegregation may well ensure that it has the worst of both worlds. By rejecting the abolition of racial restrictions in all residential areas, it has further alienated black opinion. But, by recognising the inevitability of desegregation in some suburbs, it has begun a retreat which is almost certain to erode further its control over racial living patterns and to hasten the demise of residential segregation.’ The Institute commented in its *Quarterly Countdown* of January 1988 that

although the proposal to allow multiracial private schools in open areas would help to advance the process of educational desegregation, it would not assist black people resident in such areas who could not afford private education. 'Their children would still have to travel, in many cases long distances, to black government schools,' the Institute said.³⁸ [³⁸ Ebrahim M, Friedman S and Pickard-Cambridge C, 'Backs Against the Tide. An Evaluation of the President's Council's Report on the Group Areas Act', *Topical Briefing*, SAIRR, November; *Quarterly Countdown* 8, SAIRR, January 1988]

At the annual conference of the Association of Chambers of Commerce of South Africa (ASSOCOM) in East London in October, Mr M Gierdien of the Cape Town Chamber of Commerce said that ASSOCOM had not been vociferous enough in its comments on the report of the committee on the Group Areas Act and that if the association 'does not reject it outright, I and people like me will be forced to withdraw from this association'.³⁹ [³⁹ *The Star* 22 October]

Government reaction

On 5 October Mr Botha made a policy speech in Parliament in which he reacted to the recommendations of the committee. He made it clear that any policy regarding group areas had to be based on the principle that each population group had 'the vested right to cherish and to protect its own way of life'. 'That is why it has always been considered a high priority to enable each group to ensure its own community life within its own residential areas, with its own schools and its own political and constitutional power base. This remains a priority,' he said. The following were some of the points he made:⁴⁰ [⁴⁰ *Hansard* (A) 16 cols 6668-6677, 5 October]

- the government accepted the principle of open residential areas in particular circumstances and subject to specific conditions. New residential areas could possibly be declared open from the start, but in existing residential areas 'comprehensive consultations will have to be conducted with the interested parties' before any change could be considered;
- a body of recognised experts would be established to investigate local conditions before any specific area would be declared open. Inquiries by this body could be initiated by a local authority, by a certain proportion of residents or by the relevant minister, but the state president and the ministers' councils would make the final decision;
- a full investigation into the implications of open residential areas with respect to the franchise at local government level would be launched;
- the recommendations of the committee on the retention of own schools for each population group would be endorsed by the government; and
- precautions would be taken to prevent open areas from deteriorating into slums.

The state president made it clear that it was the intention of the government to enforce the existing provisions of the Group Areas Act until such time as the amended or new legislation came into force.⁴¹ [41 Ibid]

Mr Moolman Mentz MP (CP) said that the government's proposed amendments to the Group Areas Act were a total violation of all that was 'holy' and were a 'wedge' between the 'volk' and their fatherland. He said that the government had taken so long to take a stand on the committee report because it had had to decide 'how the pill could be sweetened for whites, who would have to swallow it, while at the same time including a little bit of chocolate' for the Labour Party.

The leader of the PFP, Mr Colin Eglin, reacted to Mr Botha's speech by saying that it has been 'a field day for verkramptes and a sad day for South Africans'. He said that the recommendation regarding separate schools was easily accepted 'because there is no change in that'. 'For the rest, response to this report reflects no progress at all' and the government had avoided the crucial issues addressed 'even in this timid report', said Mr Eglin.⁴² [42 Ibid]

Mr Hendrickse said that Mr Botha's 'depressing and frustrating' speech reflected the 'kragdadige' approach of the NP and would do extreme harm to those who believed in the politics of negotiation.⁴³ [43 *Cape Times* 6 October]

Contraventions of the Group Areas Act

The minister of law and order, Mr Adriaan Vlok, gave the following figures regarding complaints about contraventions of the Group Areas Act.⁴⁴ [44 *Hansard* (A) 4 q cols 317-318, 23 February-, *Hansard* (A) 3 q cols 42-43, 23 February 1988]

Complaints about contravention of the Group Areas Act

1986

1987

Cases referred to the attorney general

378

100

Cases still being investigated

307

453

Complaints withdrawn

N/A

330

False complaints

69

357

People charged

N/A

3

Undetected cases

2

—

Total number of complaints

1 243

N/A - not available

The minister of justice, Mr Kobie Coetsee, said that four people had been prosecuted for violating the act in 1986 and two in 1987.⁴⁵ [⁴⁵ *Hansard* (A) 4 q cols 320-321, 23 February, *Hansard* (A) 3 q col 43, 23 February 1988]

This situation, where so many complaints resulted in so few convictions, was condemned by Mr Tiaan van der Merwe MP (Progressive Federal Party). He said that it was ‘ridiculous’ that police throughout

South Africa should waste their time and taxpayers' money investigating complaints that would go no further than a prosecutor's office.⁴⁶ [⁴⁶ *The Star* 17 March]

Mr Coetsee said in Parliament in August that it was important to remember that prosecution was not the only action taken against 'unlawful occupants'. He said, 'For example, approximately 500 occupants evacuated their places of residence in Johannesburg from 1981 to 1984. [These evacuations were] brought about by negotiations and the issuing of summonses and written notices to the unlawful occup

In March 1987 the deputy minister of development planning, Mr Piet Badenhorst, said that the government would not hesitate to prosecute violators of the Group Areas Act in existing 'grey areas' such as Hillbrow (Johannesburg), Mayfair (Johannesburg) and Woodstock (Cape Town) He stressed that action would be aimed at owners rather than tenants and said that the government intended to use section 41 of the act, which enabled it to confiscate property being illegally occupied or owned by 'disqualified' people. Tenants would, however, still be evicted. Asked where an evicted family would be expected to stay, Mr Badenhorst said it was not the responsibility of the department to find housing. 'You can always find housing. I don't think that is the big problem,' he said.⁴⁸ [⁴⁸ *Business Day* 23 March, *The Star* 23 March] Mr Van der Merwe said that Mr Badenhorst made these threats on an annual basis 'to appease government's right-wing opponents and conservative National Party (NP) members who do not want the act scrapped'.⁴⁹ [⁴⁹ *Business Day* 24 March]

The minister of law and order, Mr Adriaan Vlok, said in March 1987 that the Group Areas Act was 'not working any longer' because the authorities were faced with two obstacles. Continuous occupation for 90 days at the same address had to be proved for a conviction to be obtained, and the courts refused to grant an eviction order unless the state proved that alternative accommodation was available in the person's own group area.⁵⁰ [⁵⁰ *Sowetan* 26 March] Mr Vlok said that there was a shortage of 200 000 housing units for Africans and coloured people and that there were more houses available in white areas than were being used.⁵¹ [⁵¹ *The Natal Mercury* 25 March]

In May 1987, a week after the general election, it was reported that the government had initiated action against companies which had settled African employees in white group areas. The director of land allocation in the Department of Development Planning, Mr J W Fourie, confirmed that a number of companies had been warned to evict African employees. Companies that subscribed to the Sullivan Principles (now the Statement of Principles, see chapter on *Employment*) and had actively tried to circumvent the act were not exempted from it. 'There are no exemptions for companies. If they have bought properties and they make them available to African employees, that is illegal.' By 10 May officials of the Department of Development Planning confirmed that more than 100 complaints were being investigated.⁵² [⁵² *Business Day* 12 May]

This reported 'Group Areas Act crackdown' was condemned by various opposition groupings. Mr Koos van der Merwe MP (Conservative Party) said, 'The government is now playing games with blacks after inhumanely allowing these same people to move in and live in white areas under the false impression

this was officially condoned. This is a government which has no principles left. Having battled against the left in the election, it now is not wasting a second trying to impress the people on the right.' The PFP spokeswoman on law and order, Mrs Helen Suzman, said that the government's latest action was just one of the appalling results of the 'disastrous election'.⁵³ [⁵³ *The Star* 12 May] The leader of the Labour Party (LP), the Rev Allan Hendrickse, wrote a letter to the state president, asking him to postpone all prosecutions until after the report of the committee for constitutional affairs of the President's Council had been published.⁵⁴ [⁵⁴ *The Citizen* 12 May] 'The government's latest moves under the Group Areas Act must be seen in the context of a general backtracking on its so-called reform programme,' said the treasurer of the United Democratic Front (UDF), Mr Azhar Cachalia. Mr Badenhorst, however, denied that the government had suddenly begun prosecuting people who contravened the Group Areas Act and said that his department acted in terms of the provisions of the law when complaints were received from the public.⁵⁵ [⁵⁵ *Ibid*]

Later in May it was reported that a special plainclothes police squad had been formed at John Vorster Square Police Station (Johannesburg) 'to track down offenders of the Group Areas Act'.⁵⁶ [⁵⁶ *Business Day* 14 May] The existence of such a special squad was, however, denied by the police liaison officer for the Witwatersrand, Lieutenant Pierre Louw. 'The police have a duty to investigate all reports and complaints but speculation that the unit is being used for a crackdown on Group Areas Act offenders is nonsense,' Lt Louw said.⁵⁷ [⁵⁷ *The Star* 14 May] Mr Vlok said in Parliament in June that the police had a five-member task force, called the Group Areas branch, in Johannesburg, whose task it was to investigate contraventions of the the provisions of the Group Areas Act. This task force was established in September 1957, operated in the Transvaal and fell under the command of the Witwatersrand divisional commissioner of police, the minister said. He added, 'As far as other provinces are concerned, alleged contraventions of the Group Areas Act are investigated by members of the Criminal Investigation Department and the Uniform Branch depending on circumstances.'⁵⁸ [⁵⁸ *Hansard* (a) 4 q cols 90-91, 8 June]

It was also reported that section 41 of the act was believed to have been used for the first time when the government sold an 'illegally-owned' building in Johannesburg. Mr Fourie confirmed that the sale was in its final stages, but refused to identify the building's owner, or any other details about the sale.⁵⁹ [⁵⁹ *Business Day* 14 May]

The Church of the Province of Southern Africa challenged the government to act against it for housing the archbishop of Cape Town, the Most Rev Desmond Tutu, in the archbishop's official residence in Cape Town. The church did not apply for a permit for Archbishop Tutu to live in a white area nor did it intend to do so. Commenting on Archbishop Tutu's, Mr Badenhorst said that he felt that existing houses of preachers should be excluded from the act. Under no circumstances did he want to 'make war' against churches about black preachers living in official residences in white group areas, Mr Badenhorst said.⁶⁰ [⁶⁰ *Rapport* 17 May]

Answering questions in Parliament in June, the minister of constitutional development and planning, Mr

Chris Heunis, said that in the previous 12 months no notices had been served on black occupants to vacate or sell premises in white areas. He also said that in the same period no owners in white areas who leased properties to black occupants had been served with notices to evict them.⁶¹ [⁶¹ *Hansard* (A) 3 q cols 49-50, 2 June] Mr Peter Gastrow MP (PFP), who asked Mr Heunis these questions, said that he was not satisfied with the answers he received, in which, despite evidence to the contrary, it appeared that no action was being taken by the department. He said that the replies showed a reluctance by the department to indicate what it was doing.⁶² [⁶² *The Star* 3 June]

A little more than a week later, Mr Heunis said in the House of Delegates that the Department of Development Planning had, between 1 January 1987 and 31 May 1987, forwarded to the police for issuing 40 notices to the effect that premises would be sold in terms of section 41 of the Group Areas Act. The notices were served in Bedfordview and Germiston (east Rand), Leandra (eastern Transvaal), Durban, Pinetown, Newcastle and Thornville (Natal), Campbell (northern Cape), Pietersburg (northern Transvaal), De Deur, Johannesburg and Vereeniging (southern Transvaal) and Cape Town (western Cape). Of the 40 notices, 37 were served for alleged illegal occupation and three for alleged illegal ownership and occupation. Mr Heunis also said that the department intended to apply the provisions of the Group Areas Act to multinational corporations.⁶³ [⁶³ *Hansard* (D) 4 q cols 17-19, 11 June]

Another controversy around the Group Areas Act broke out over allegations of the existence of a list with the names of Africans, Asians and coloured people living 'illegally' in Johannesburg. Answering a question in Parliament in August, Mr Vlok said that 'as far as could be ascertained' the police did not have such a record. However, the public relations officer of the police, Brigadier Leon Mellet, did not deny the existence of the list and said, 'The list is part of a guide programme that was compiled purely for the minister's information on his visit to Hillbrow.' Mr Vlok and senior police officers had been on a tour of Hillbrow in July and the list was part of the 'standard procedure' connected with a visit of that kind, Brig Mellet said. Mr Tiaan van der Merwe MP (PFP) said that the list was 'obviously the result of a very comprehensive survey that must have taken a great deal of manpower and a great deal of time'. He said that he had given two weeks' notice of his question in Parliament and that Mr Vlok was 'dangerously misinformed about what is going on in his own department'.⁶⁴ [⁶⁴ *Sunday Times* 30 August]

Proclamation of group areas

The following new group areas were proclaimed during 1986 and 1987:⁶⁵ [⁶⁵ Information supplied by the Progressive Federal Party, May 1988]

New group areas proclaimed: 1986

Coloured

Indian

White

Number

Area hectares

Number

Area hectares

Number

Area hectares

Cape

13

602

1

30

-

-

Natal

-

-

-

-

-

-

OFS*

3

224

-

-

-

Transvaal

3

500

2

212

1

579

Total

19

1 326

3

242

1

New group areas proclaimed: 1987

Coloured

Indian

White

Number

Area hectares

Number

Area hectares

Number

Area hectares

Cape

28

4 126

-

-

4

306

Natal

2

65

2

12

-

-

OFS*

2

56

1

11

-

-

Transvaal

1

48

3

309

1

301

Total

33

4 295

6

332

5

607

*

Orange Free State

The following group areas had been proclaimed as at 31 December 1986 and at December 1987:⁶⁶ [⁶⁶
Hansard (A) 3 q col 158, 18 February 1988]

Group areas proclaimed as at 31 December 1987

Number of group areas

Area in hectares

1987

1987

Coloured

495

101 797

Indian

250

51 005

White

576

750 050

Total

1 321

902 853

There was a discrepancy in government figures regarding the number of group areas proclaimed in 1987. According to figures supplied by the government in February 1988,⁶⁷ [⁶⁷ Ibid] 378 group areas had been proclaimed in 1987. However, according to information supplied by the government in June 1988 a total of 44 group areas had been proclaimed during the same period.⁶⁸ [⁶⁸ Information supplied by an official from the Department of Development Planning, June 1988] The government's explanation for this discrepancy was that the person who compiled the February figures counted extensions of group areas as group areas, while the person who did the June

Indian group areas in the Orange Free State and northern Natal

The ban on Indians living in the Orange Free State and northern Natal was lifted in 1986 (see 1986 *Survey* Part 2 p504). In December 1987, following a government proclamation, Harrismith became the first town in the Orange Free State where an Indian group area was proclaimed.⁶⁹ [⁶⁹ *Government Gazette* no 11062, 11 December] The town clerk of Harrismith, Mr Pieter du Plessis, said that the central business district would soon be opened to all races.⁷⁰ [⁷⁰ *Business Day* 15 December] The chairman of the ministers' council and minister of housing in the House of Delegates, Mr Amichand Rajbansi, welcomed the proclamation with 'jubilation' and said that his administration would immediately attend to the housing and other needs of the Indian community at Harrismith. He said that the House of Delegates was also examining the Goldfields area (Orange Free State) and the greater Bloemfontein area for the creation of Indian group areas.⁷¹ [⁷¹ *The Natal Mercury* 12 December]

The Bloemspruit Local Board, which was responsible for the smallholding area east of Bloemfontein, decided to allocate 37 smallholdings for Indian accommodation. Indian businessmen who had established businesses in the satellite town of Botshabelo had been living in their factories as no accommodation was available for them in Bloemfontein.⁷² [⁷² *Cape Times* 15 July]

A permit valid for a year was issued to Indians to live in a block of flats in central Bloemfontein. A further application would have to be made if they still did not have permanent accommodation after a year.⁷³ [⁷³ SAIRR, *Quarterly Countdown* 7, October]

Aspects of the Group Areas Act

Group areas and the property market

In a study undertaken on behalf of the South African Institute of Race Relations, Dr Renfrew Christie found that the revival of a depressed property market depended on the repeal or relaxation of the Group Areas Act.⁷⁴ [74 Christie R, *Group Areas and Property Market Economics*, SAIRR, May] He said that in the first place the act had blocked access to the property market by blacks who had the money to buy houses in white areas. Because they wished to move in order to improve their living standards and were prepared to pay to do so, prices and standards were likely to rise if they were allowed access to the property market. Dr Christie said that this was confirmed by trends in unofficial 'grey areas', where property prices rose once black people began to move in. In the second place the act placed limits on the development of low-cost housing as mass housing could not be provided on the scale required while the act remained as it was. The racial zoning of land in terms of the act prevented sufficient new urban land from being released for mass housing with the result that most South Africans remained excluded from the property market and this market was thus artificially depressed. He added that if the repeal or relaxation of the Group Areas Act was to open access to housing to all, it would have to be accompanied by a more equitable subsidy, such as the British system of tax rebates on mortgages, as most home owners have access to property only because they receive a government or employer housing subsidy.

Group areas and crime

After a study of crimes reported at 13 selected police stations in the Johannesburg area from January 1984 to June 1986, a researcher of the Institute, Mr Moosa Ebrahim, came to the conclusion that there was no substance to the claim that there was a relation between the degree of residential integration in an area and its crime rate.⁷⁵ [75 Ebrahim M, *Residential Integration: A Recipe for Crime?*, SAIRR, June] 'Experts agree that the increase in crime on the Reef can be attributed to the economic recession and higher unemployment. Grey areas are as susceptible to these pressures as segregated ones,' Mr Ebrahim said.

He said that while some 'grey areas' (see '*Grey Areas*' below) had indeed experienced crime increases, these were in some cases lower than the increase in crime in segregated areas of the affluent northern suburbs. He also found that when crime was considered in relation to population, the rates for specific crimes in racially mixed areas were in many cases lower than in segregated suburbs.

Mr Ebrahim found that the overall crime increase recorded by the Lombardy East Police Station was 68%, while the crime increase in Hillbrow was 17%. Lombardy East is a white suburb, whereas Hillbrow has become racially mixed. Mr Ebrahim commented, 'The reason for Lombardy East station's high recorded rate is almost certainly its proximity to Alexandra township, where poverty is rife. That township has also been the centre of prolonged unrest. This suggests that the proximity of a relatively segregated white area to a poor black one is a far better recipe for crime than residential integration.'

Group areas and ‘mixed marriages’

In May the director of land allocation in the Department of Development Planning, Mr J W Fourie, said that notices had been served countrywide ‘on a daily basis’ to ‘mixed couples’ because they were contravening the Group Areas Act. He said that at least 100 notices had been served. ‘Mixed couples’ were told that they had three months to sell their property or it would be auctioned by the state. Mr Fourie said that the minister of constitutional development and planning had the right to call for the enforced sale under section 41 of the Group Areas Act and that properties went on sale under the minister’s direction. ‘Intensive investigations are conducted by the police before action is taken against the persons concerned. Obviously, we act following complaints otherwise we would not know about violations,’ said Mr Fourie.⁷⁶ [⁷⁶ *Eastern Province Herald* 7 May, *Cape Times* 7 May, *Daily News* 6 May]

In the same month Mr Fourie confirmed that whites were treated differently from other groups when they married across the colour line. Whites always had to live in the group area of their spouse while with ‘mixed couples’ where neither partner was white, the couple had to live in the group area of the husband. ‘Mixed couples’ could therefore not live in white group areas, unless by permit, in terms of the Group Areas Act. Mr Fourie said that anyone married to a person of another group retained his/her original classification and in the case of death or divorce the person could again live in his or her original group area.⁷⁷ [⁷⁷ *The Star* 13 May]

The deputy minister of development planning, Mr Piet Badenhorst, said that the dilemmas of ‘mixed couples’ would be treated with ‘great compassion’.⁷⁸ [⁷⁸ *The Citizen* 18 May] Later in the period under review the leader of the Labour Party, the Rev Allan Hendrickse, said that the minute a couple married, officials became obsessed with moving them.⁷⁹ [⁷⁹ *Business Day* 20 August]

After the committee for constitutional affairs of the President’s Council (PC) had published its report, ‘mixed couples’ who had expected the PC to ‘come up with recommendations which would have led to their living a reasonable life without fear of prosecution under the Group Areas Act’ were said to be disappointed. The Rev David Jones, who worked among mixed couples in the Durban area, said that the sense of insecurity was great. The president of the Durban Central Residents’ Association, Mr Sayed Iqbal Mohamed, whose organisation helped ‘mixed couples’ to get housing, said, In a memorandum to the government we outlined the social and psychological consequences of the Group Areas Act regarding “mixed couples”. It has disrupted their lives, and silence from the PC has increased their hardship.’⁸⁰ [⁸⁰ *Diamond Fields Advertiser* 21 September]

In October the Western Cape Synod of the Dutch Reformed Church expressed concern at the disruption the Group Areas Act was causing ‘mixed couples’. The synod called on the government to enact a law to protect the residential rights of ‘mixed couples’ but said it was thankful for the measures being taken at

present.⁸¹ [⁸¹ *Cape Times* 17 October]

Central Business Districts

The Group Areas Board held 31 investigations into the proclamation of open trading areas in 1987, the minister of constitutional development and planning, Mr Chris Heunis, said in Parliament in February 1988. He said that by February 1988 altogether 60 open trading areas had been declared in South Africa (see chapter on *Business*).⁸² [⁸² *Hansard* (A) 3 q col 49, 23 February 1988]

In September it was reported that South Africa's first central business district open to all from the first stage of its development, the Blue Downs shopping centre, was to be created near the DF Malan Airport (Cape Peninsula). The minister of local government, housing and agriculture in the House of Representatives, Mr David Curry, said that his department would spend about R100m in developing the centre.⁸³ [⁸³ *The Citizen* 24 September]

'Grey Areas'

The term 'grey area' refers to areas which have been designated for a certain race group in terms of the Group Areas Act but have become desegregated in practice. In a paper entitled *The Greying of Johannesburg*, a researcher at the South African Institute of Race Relations, Miss Claire Pickard-Cambridge, claimed that apart from certain white-designated suburbs of Johannesburg, where an estimated 55 000 black people lived, the following suburbs could also be described as 'grey areas': Lansdowne, Observatory, Salt River and Woodstock (Cape Town); Clairwood and Greyville (Durban) and North End (Port Elizabeth).⁸⁴ [⁸⁴ Pickard-Cambridge C, *The Greying of Johannesburg*, SAIRR, May 1988]

Miss Pickard-Cambridge identified the following reasons for the 'erosion of residential segregation in Johannesburg's white suburbs':

- the 'spontaneous and irreversible process' in which housing shortages in black areas forced black people to seek housing in white group areas;
- the availability of accommodation in white group areas because changes in the property market had created an accommodation surplus in the white inner cities and property owners and estate agents were thus willing to let property to black people even though it was illegal;
- the alliance between the Action Committee to Stop Evictions (ACTSTOP) and public interest lawyers who decided to challenge in court each threatened eviction of a black tenant. This had initially delayed evictions and had eventually halted them when the Transvaal Provincial Division of the Supreme Court ruled in 1982 (*State v Govender*) that people who violated the Group Areas Act could not be evicted

unless they had alternative housing;

- the government's increasing reluctance to enforce the act; and
- the practice of white individuals acting as 'nominees' for black people who wanted to let or buy property in white group areas.

Miss Pickard-Cambridge concluded her study by saying that any attempt by the government to enforce the act 'would almost certainly fail' as all the factors which led to the 'greying' of certain suburbs were still at work.⁸⁵ [⁸⁵ Ibid]

Government statements on 'grey areas'

The state president, Mr P W Botha, said in March that he did not know what the term 'grey areas' meant. In reaction to the report of the committee for constitutional affairs of the President's Council (PC) on group areas, he said that in some circumstances certain areas could be 'opened' to all race groups (see *The Report of the Committee for Constitutional Affairs of the President's Council on the Report of the Technical Committee, 1983, and Related Matters* above).

After the publication of the committee's report the deputy minister of development planning, Mr Piet Badenhorst, said at the Cape congress of the National Party (NP) that 'drastic action' would be taken if estate agents continued to encourage people to break the Group Areas Act. According to Mr Badenhorst certain estate agents had misled people into believing that certain areas would be declared 'open' in terms of the government's 'new policy'. Although a technical committee in the department was working on the matter 'day and night', the government had not yet decided what procedures would be followed when the possible opening of certain areas was to be considered, the deputy minister said.⁸⁶ [⁸⁶ *Cape Times* 12 November]

At the NP's Transvaal congress in November Mr Badenhorst announced that the technical committee was looking at ways of streamlining the Group Areas Act, closing loopholes and making it more effective 'so that if an area is meant for a population group, it can be kept for that group'. Mr Badenhorst referred specifically to the Govender judgement which 'short-circuits us' as it had the effect of limiting group areas evictions. In terms of the judgement, people contravening the act can be evicted only if there is alternative housing for them. Mr Badenhorst said that this was often difficult to prove.⁸⁷ [⁸⁷ *The Sunday Star* 15 November]

For information about government action against offenders of the Group Areas Act in 'grey areas', see *Contraventions of the Group Areas Act* above.

Particular ‘grey areas’

Cape province

In February 1987 the government sent letters to 19 coloured families living in **Lansdowne** (Cape Town) offering to buy their homes ‘in order to enable you to acquire a property in an area which has been proclaimed for use by your population group’.⁸⁸ [⁸⁸ *The Star* 16 February] Mr Tiaan van der Merwe MP (PFP) said in Parliament that these offers begged the question of just how much money the government was spending on the Group Areas Act. A petition was circulated in Lansdowne and 88% of the people approached supported the presence of coloured families living in the area.⁸⁹ [⁸⁹ *Ibid* 24 February] The Cape Town Diocesan Council of the Church of the Province of Southern Africa urged the government to discontinue efforts to move residents ‘from an area in which they are settled and from which they do not desire to be moved and for sound moral and political reasons should not be moved’.⁹⁰ [⁹⁰ *The Citizen* 13 March] The executive committee of the Cape Town City Council wrote to the minister of constitutional development and planning to ask him not to force residents from Lansdowne and other ‘grey areas’ from their homes.⁹¹ [⁹¹ *Ibid* 11 April] The minister of local government, housing and works in the House of Assembly, Mr Amie Venter, said in April that the coloured families were never in any danger of being moved. The letters, he added, were aimed only at trying to help the families to sell their houses, if they so wished, because the properties were not all in good repair and there was not a good market for them. If they decided not to sell, he said, the situation would remain unchanged.⁹² [⁹² *Financial Mail* 17 April]

In January a committee of the Group Areas Board held a hearing in Cape Town to investigate whether a ‘mainly coloured but officially white’ area, **Woodstock** (Cape Town) should be proclaimed coloured. Of all the people making oral representations to the board not one person wanted the area to be racially determined.⁹³ [⁹³ *The Natal Witness* 21 January] The board received 702 written and oral presentations for Woodstock to be proclaimed an ‘open’ area and two representations for it to be proclaimed a white area.⁹⁴ [⁹⁴ *Hansard* (A) 4 q col 125, 10 June] The deputy chairman of the board, Mr N Terblanche, disclosed that 80 or 90 permits had been issued to coloured people who wanted property there and that many more applications had been received.⁹⁵ [⁹⁵ *The Natal Witness* 21 January] The director of land allocation in the Department of Development Planning, Mr J W Fourie, said that the investigating committee would not recommend the declaration of Woodstock as an ‘open’ or ‘grey’ area because the future of the suburb would be decided on in strict accordance with the Group Areas Act. Woodstock would have to be declared a coloured group area or it would have to remain a white group area. The only other option was that it could become a ‘deproclaimed and controlled’ area in which case people of different races could continue to live there, but could cede occupation or ownership or their properties only to people of the same race. Mr Fourie said that it was ‘doubtful’ whether the committee would recommend the third option as it was ‘not in line with government policy to allow people of different race groups to live in the same area’.⁹⁶ [⁹⁶ *Cape Times* 24 March]

The United Democratic Front (UDF) called the hearing a ‘farce’, while the chairman of the Open Woodstock Campaign, Mr Peter Parkin, said that he believed that the call for an open Woodstock was ‘too loud and clear for the government to ignore’.⁹⁷ [⁹⁷ Ibid 20 January, 24 January]

The completed report of the committee was submitted to the full board for consideration on 2 April and the board was expected to make recommendations to the minister of constitutional development and planning, Mr Chris Heunis.⁹⁸ [⁹⁸ *Hansard* (A) 4 q col 126, 10 June] By May 1988 the recommendations had not yet been made public.

In July the police were asked by the **Kraaifontein** Town Council (Cape Peninsula) to enforce the Group Areas Act strictly in Kraaifontein. The mayor of Kraaifontein, Mr De Wet Marais, said that it was reacting to complaints from ratepayers.⁹⁹ [⁹⁹ *Cape Times* 22 July]

British Petroleum Southern Africa (BP), which announced in 1986 that it had drawn up a scheme to redevelop District Six as an ‘open’ residential area (see 1986 *Survey* Part 2 p505), disclosed in November 1987 that it had already committed funds to redevelop **Salt River**, **Walmer Estate** and **Woodstock** (Cape Town) and to ‘open them to all South Africans’ These ‘community-based’ projects were part of phase two of BP’s overall plan and involved building construction valued at a total of R500 000. BP’s plan had been backed in principle by 18 large corporations. Asked if, by concentrating its redevelopment plans in these areas, BP was abandoning its plans for District Six, a spokesman for BP said, ‘Our District Six offer still stands, subject to its being open to all, and to community participation as we originally stated.’ He said, however, that Salt River, Woodstock and Walmer Estate had become priorities as ‘people are living there’.¹⁰⁰ [¹⁰⁰ Ibid 5 November] He added that there was some resistance in the community to the redevelopment of District six as there were feelings that it should be left as a memorial to those who had suffered in Group Areas Act removals.¹⁰¹ [¹⁰¹ *The Natal Mercury* 5 November]

In June it was reported that the squatter township of **Kleinskool** (Port Elizabeth) was being investigated by the Group Areas Board for proclamation as a coloured area. The area comprised a strip where both African and coloured squatters lived, although residents believed it to be a proclaimed African group area. At the hearing of the Group Areas Board the people present were reportedly surprised to hear that in 1982 Kleinskool had been declared a ‘deproclaimed and controlled’ area.¹⁰² [¹⁰² *Eastern Province Herald* 10 June, 10 July] Declaring the area a coloured group area would mean the removal of an unknown number of African squatters. The representative of the northern areas management committee (one of the Joint Management Centres, see chapter on *Government and Constitution*) for the area, Mr Trevor Lee, justified the proposed proclamation of the area by saying that the coloured people of Kleinskool wanted the land back that had been taken from them and that unrest that had occurred in Kleinskool had been initiated by African residents.¹⁰³ [¹⁰³ Ibid 10 June] The regional director (Port Elizabeth) in the Department of Development Planning, Mr J J Botha, claimed that there had been racial clashes in the area. A spokesman for the Kleinskool Residents’ Action Committee denied this and said that the approximately 300 coloured and African families had lived in harmony at Kleinskool ever since he could remember. The committee presented a petition to the minister of local government, housing and agriculture in the

House of Representatives, Mr David Curry.¹⁰⁴ [¹⁰⁴ *South* 25 June, *Eastern Province Herald* 26 June] Residents reportedly said that incidents of racial conflict had been instigated and carried out by criminal elements. The secretary of the Port Elizabeth Anti-Removals Committee, Ms Rosalie Kingwill, said that a survey conducted in the area showed that residents did not want to move. 'They are a completely integrated society (many families are actually mixed) and many black children attend coloured schools,' she said.¹⁰⁵ [¹⁰⁵ *Eastern Province Herald* 16 June]

At the hearing of the Group Areas Board on 9 July the Midland Chamber of Industries urged that the Kleinskool area should be retained as a grey area. The regional director of the Urban Foundation, Mr Roger Matlock, said that it would be 'dangerous politics to launch a removals exercise' in Kleinskool. He said that the Urban Foundation would fund and undertake an investigation into improving living conditions in the area. The representative of the Kleinskool Action Committee at the hearing, Mr Richard Bracher, said that living conditions in Kleinskool were bad and that gangsterism and conflict would wane if the necessary improvements were made and the threat of removal withdrawn.¹⁰⁶ [¹⁰⁶ *Ibid* 13 July] In October it was announced that the Group Areas Board had made an undisclosed recommendation for proclamation of the area. The recommendation was to be forwarded to the administrator of the Cape province and to the minister of constitutional development and planning to make the final decision.¹⁰⁷ [¹⁰⁷ *The New Nation* 22 October] By May 1988 the recommendation had not yet been made public.

Natal

The minister of constitutional development and planning, Mr Chris Heunis, announced in March 1986 that the suburb **Clairwood** (Durban), an area in which residential land was owned mainly by Indians and industrial sites held mainly by whites, would remain 'deproclaimed and controlled' (see 1986 *Survey* Part 2 p506). In March 1987, however, the Department of Development Planning sent a letter to the Durban City Council acknowledging that Mr Heunis did not have the right to make this decision. They referred the matter back to the council, who had reportedly attempted 'for years' to have Clairwood declared an industrial area. Members of the Clairwood Ratepayers' and Residents' Association said that they would continue their fight against an industrial zoning but that they felt that the fight had moved into a new phase in which they would have to fight for involvement in final decision making.¹⁰⁸ [¹⁰⁸ *The Weekly Mail* 27 March]

In June it was reported that the Durban Central Residents' Association (DCRA) had held a meeting at which residents of **central Durban** had decided to launch a petition campaign against their possible removal and to defy eviction notices. The meeting had followed eviction notices being served on black tenants in the white group area of Albert Park.¹⁰⁹ [¹⁰⁹ *The Natal Witness* 15 June] The president of the DCRA, Mr Sayed Iqbal Mohamed, said that as many as 200 families (about 1 000 people) were faced with eviction. It was reported later that the Johannesburg-based Action Committee to Stop Evictions (ACTSTOP) had pledged to organise at least 80 lawyers to defend these people in court.¹¹⁰ [¹¹⁰ *Business*

Day 13 July] On 18 July the DCRA, the Natal Indian Congress, the Durban Housing Action Committee and the Progressive Federal Party (PFP) collected signatures for the petition in the city, bringing the total number of signatures to over 46 000. Most of the residents affected by the eviction notices defied the 31 July deadline to vacate their homes.¹¹¹ [¹¹¹ *Post Natal* 5 August] The deputy minister of development planning, Mr Piet Badenhorst, refused to meet the DCRA to discuss issues affecting people in terms of the Group Areas Act.¹¹² [¹¹² *Evening Post* 3 October] In October it was reported that a petition calling for the **Fitzsimmons Road area** (Pietermaritzburg) to be declared an open area was signed by 83% of the affected households and handed to the mayor. The petition, which was drawn up under the auspices of the Pietermaritzburg Central Ratepayers' and Residents' Association (PCRRA), protested against the fact that coloured people, who were the first to live in the area, had been prohibited from buying the houses they had been occupying after part of the area had been declared an Indian group area in April 1980.¹¹³ [¹¹³ *The Natal Witness* 7 October] The application of the PCRRA had been 'strongly and unanimously' supported by the Pietermaritzburg City Council.

Transvaal

Berea, Hillbrow, Jeppe, Joubert Park and Mayfair were already 'grey areas', Mr Alf Widman MP (PFP) said in March 1987. He said, 'The Group Areas Act is unenforceable and is openly flaunted because the government has failed to provide sufficient housing for Africans, coloured people and Indians. It was rendered ineffectual after the case of the *State v Govender*.'¹¹⁴ [¹¹⁴ *The Star* 20 March] In March the minister of foreign affairs, Mr Roelof (Pik) Botha, said that there were about 45 000 black people living in Hillbrow. Mr Badenhorst said that Hillbrow and Mayfair would not be declared 'grey areas' as the Group Areas Act made no provision for open residential areas. Also in March the Conservative Party (CP) candidate for Hillbrow in the May election, Mrs Gay Derby-Lewis, said that the CP demanded that the government start with the 'clearing up of Hillbrow' within the next week. She said, 'The temerity of the government is breathtaking. They allowed Hillbrow to become what it is in the first place. How many other areas will fall victim to the government's perfidy? Where will it all end?'¹¹⁵ [¹¹⁵ *The Citizen* 27 March] The leader of the National Party (NP) in the Johannesburg City Council, Mr Danie van Zyl, admitted that Hillbrow was a 'grey area' and said that no government would in ten years remove those people who could afford the rents.¹¹⁶ [¹¹⁶ *The Star* 1 April]

After at least 40 residents of Mayfair were believed to have been asked to report to John Vorster Square Police Station to answer questions relating to the Group Areas Act, the chairman of ACTSTOP, Mr Cassim Saloojee, claimed that there was a right-wing campaign to report 'illegal' residents. A spokesman for the police, Lieutenant Pierre Louw, said that there was no specific campaign against Mayfair residents, while the spokesman for the Mayfair and Homestead Park Residents' Association, Mr Alan McCabe, said that numerous members of the association had made reports to the police because they were hopeful after the state president's election speech that complaints would result in prosecutions.¹¹⁷ [¹¹⁷ *The Star* 23 June; *Business Day* 23, 24 June]

Early in September residents attending a meeting of the association decided to act themselves against Indians moving into the 'white' part of Mayfair because of the 'government's laxity in enforcing the Group Areas Act'. Mr McCabe said, 'We are not vigilantes and I am not Rambo but if we don't do something for ourselves, we will come second in Mayfair. Our own physical action is our only course of action.'¹¹⁸ [¹¹⁸ *The Star* 2 September]

Any attempt by white right-wing groups physically to prevent people of other races from taking up residence in a white group area would be illegal, a lawyer at the Johannesburg Legal Resources Centre, Mr Geoff Budlender, said. Mr Saloojee said that the victimisation was an intolerable situation which blacks could not be expected to accept lying down.¹¹⁹ [¹¹⁹ *Ibid* 4 September] At an ACTSTOP meeting, attended by about 80 people, it was decided that a network of contacts would be formed which could be mobilised to guard against threats by right-wing whites who wanted to enforce the Group Areas Act.¹²⁰ [¹²⁰ *Ibid* 9 September]

In October about 40 whites marched through Mayfair shouting 'Keep Mayfair white'. They marched to the Brixton Police Station where they handed in a petition with the same demand. ACTSTOP, in reaction to the march, quickly mobilised about 60 members to defend 'illegal' tenants.¹²¹ [¹²¹ *Ibid* 12 October] A week later three members of the Blanke Bevrydingsbeweging (White Liberation Movement), including a national organiser of the movement, Mr Leon Strydom, were arrested after teargas was used to disperse an illegal demonstration in Mayfair (see chapter on *Political Organisations*).¹²² [¹²² *Business Day* 16 October] Mr McCabe denied that the fight was against the Indian community. He said that residents were fighting against the government which 'has neither the guts to repeal the Group Areas Act nor to enforce it'.¹²³ [¹²³ *The Sunday Star* 18 October] Dr Johann Vilonel MP (NP) for the Langlaagte constituency, which encompassed part of Mayfair, said in October, 'Mayfair will never be an all-white suburb again—if ever it was. This is my personal opinion. It is common sense. People of other colours have been living in the area since its inception.'¹²⁴ [¹²⁴ *The Star* 23 October]

Rent boards had jurisdiction only in cases concerning 'legal' white tenants, the head of the Department of Local Government, Housing and Works in the House of Assembly, Mr Frank Gerber, said after black tenants in rent-controlled buildings in central city white group areas had complained that property owners charged rentals higher than the maxima determined by rent boards. A spokesman for the Department of Local Government, Housing and Works in the House of Assembly said. 'If you are contravening one act, you cannot have recourse to law under another act' (see chapter on *Housing*).¹²⁵ [¹²⁵ *Business Day* 11 December]

In November the director of the Hillcrest Finance and Property Consultants, Mr D E Malan, obtained a provisional eviction order in the Witwatersrand Local Division of the Supreme Court (Johannesburg) against 400 black people living in 101 flats in Joubert Park. This move against tenants came after residents in the four buildings had refused to pay the rent as stipulated by the company, but instead had paid a lower rent as determined by the rent board. ACTSTOP succeeded in bringing together 76

affidavits from tenants which were to be presented in court on the return day, but the case was eventually settled out of court when Hillcrest Finance and Property Consultants and tenants agreed that the rents laid down by the rent board should be paid. An ACTSTOP spokesman said, 'We definitely consider this a victory for black tenants in central Johannesburg. Hillcrest's acceptance of the rent board rents was tacit acceptance that black tenants must be protected by rent boards.'¹²⁶ [¹²⁶ *The Star* 12 December, *The Natal Mercury* 17 December]

At the Transvaal congress of the NP the MP for Jeppe, Mr Hennie Bekker, said that the area between **Hillbrow** and **Jeppe** had for years been a 'grey area' although it was officially a white group area. He said that according to the proposals of the committee for constitutional affairs of the President's Council (PC), no residential areas would be opened unless most of the interested parties in the areas asked for it. He said that the problem in the area between Hillbrow and Jeppe was to determine who the interested parties were. According to Mr Bekker the major problem for all the residents of the area was not centred on skin colour but rather on the quality of life. 'We want a strong hand to combat overcrowding, health problems, noise, and threats to the personal security and safety of the residents, regardless of skin colour,' he said.¹²⁷ [¹²⁷ *The Star* 16 November]

Opinion Polls

In March 1987 Market and Opinion Surveys conducted a poll for the Sunday newspaper *Rapport* to determine the extent of support for the Group Areas Act by white South Africans. The sample consisted of 1 820 people. It was found that the proportion of white South Africans who supported the act as it was had declined from 35% to 27% since 1982. The retention of the Group Areas Act was supported by 82% of the supporters of the Herstigte Nasionale Party 78% of Conservative Party (CP) supporters, 22% of National Party (NP) supporters, 4% of New Republic Party (NRP) supporters and 1% of Progressive Federal Party (PFP) supporters. Support for the act to remain in force was strongest in the Orange Free State and among the Afrikaans-speaking people in the sample canvassed.¹²⁸ [¹²⁸ *Rapport* 6 March]

Also in March, *The Star* commissioned opinion polls in six urban constituencies for the House of Assembly to determine voter trends and political views. A total of 2 151 registered white voters in Bezuidenhout (Johannesburg), Germiston (east Rand), Helderberg (western Cape), Port Natal (Durban), Randburg (Johannesburg) and Waterkloof (Pretoria) were questioned by Marketing and Media Research. Of the respondents, 51% said that the Group Areas Act should be abolished, 37% said it should be retained and 12% were undecided. Answering a different question, 52% said that people should live where they could afford to, 18% favoured some mixed and some segregated areas, while 28% said that the Group Areas Act should remain in force.¹²⁹ [¹²⁹ *The Star* 27 March]

Removals

According to the last available official figures, 83 691 coloured, 40 067 Indian, and 2 418 white families had been removed under the Group Areas act between its inception and 31 August 1984 (see 1985 *Survey* p348). Official figures indicated that 3 790 coloured, 2 366 Indian, and 258 white families were still due for removal after 31 August 1984, but it was not clear whether these removals took place or not. From 1 September 1984 administration of removals became an own affair. The own affairs administrations claimed that removals since then had been negligible.¹³⁰ [¹³⁰ Festenstein M and Pickard-Cambridge C, *Land and Race*, SAIRR, 1987]

New legislation

In June 1988 the minister of constitutional development and planning, Mr Chris Heunis, tabled three bills to amend the Group Areas Act. They were the Group Areas Amendment Bill, the Free Settlement Areas Bill and the Local Government Affairs in Free Settlement Areas Bill, and were due to be debated in Parliament during its second 1988 sitting, in August. At the time of writing the sitting had not yet convened.

Group Areas Amendment Bill

This bill, which according to Mr Heunis would ‘strengthen the hands of other law enforcement officers, forestall infringements and obviate the development of intolerable situations’, made provision for the following changes to the Group Areas Act:¹³¹ [¹³¹ Group Areas Amendment Bill W112-88 (GA), *Weekly Mail* 1 July 1988]

- it increased the penalties for people contravening the principal act by buying, selling or occupying property. In the amending bill the maximum penalty for contravening the Group Areas Act was set at R10 000 or five years’ imprisonment, compared with the previous maximum penalty of R400 or two years’ imprisonment;
- it made it obligatory for the court to evict an ‘illegal occupant’ after he/she had been convicted. The principal act had not made it obligatory;
- it would enable a magistrate, whenever such information was received under oath from any member of the public, to conduct an inquiry in order to determine whether land or premises were illegally occupied. The bill also provided that magistrates might order the eviction of occupants and that their decision would be final—thus prohibiting an appeal to higher courts;
- it amended section 41 of the principal act to make provision for illegally occupied and illegally owned property to be sold. The principal act made provision only for property that was illegally owned to be sold;

- it provided for the appointment of inspectors who would advise the authorities on the application of the principal act and who could also report contraventions thereof. The precise powers of the inspectors were to be defined in regulations;
- it provided that property owners in areas which had been declared ‘free settlement areas’ (see below) would receive compensation should they sell their property in the area for less than its ‘basic value’. The government would then pay them the difference between this value and the sale price; and
- it stated that the basic value of property should be determined ‘on the date on which it is advertised that an investigation will be conducted into the proclamation of the land as a group area’. According to the government this amendment was aimed at ‘obviating speculation with the land so that the authorities could, if necessary, eventually acquire it at an affordable price for township development’

It was reported that the bill had been severely criticised by all parliamentary opposition parties except the Conservative Party (CP). The Labour Party (LP) said that it would refuse to approve the bill, forcing the government to refer it to the President’s Council (PC) if it was to become law.¹³² [¹³² SAIRR. *Quarterly Countdown* 10, July 1988] The bill was so harsh that it would provoke ‘riots in the city centres’, the Progressive Federal Party (PFP) spokesman on group areas, Mr Tiaan van der Merwe, said.¹³³ [¹³³ *The Star* 1 July 1988] He also commented, ‘The penalties for offences under the Group Areas Act are increased to levels comparable with those prescribed for child abuse.’¹³⁴ [¹³⁴ *Sunday Tribune* 3 July 1988] A spokesman for the Action Committee to Stop Evictions (ACTSTOP), Mr Mohamed Dangor, said. ‘The new amendment has a clear political message, “Apartheid is alive and well.”’¹³⁵ [¹³⁵ *The Star* 1 July 1988] The chairman of ACTSTOP, Mr Cassim Saloojee, said, ‘The amendments will have a devastating effect on thousands of people, who now face eviction.’ The PFP estimated that there were 200 000 black people living illegally in white areas throughout the country who would be affected by the legislation.¹³⁶ [¹³⁶ *Sunday Times* 3 July 1988, *Sunday Tribune* 3 July 1988]

The CP spokesman on group areas, Mr Moolman Mentz, expressed his doubt about ‘the willingness and the ability of the National Party (NP) to implement the Group Areas Act’ as ‘the act has existed for a long time and yet it is not being implemented’.¹³⁷ [¹³⁷ *The Citizen* 1 July 1988] It was alleged by the *The Weekly Mail* that, ‘with the right-wing threat and the municipal elections on 26 October 1988, the government is determined to show white voters it is not softening its stance on the Group Areas Act’.¹³⁸ [¹³⁸ *The Weekly Mail* 1 July 1988]

The South African Institute of Race Relations commented that it thought the most significant provision of the bill to be that compelling courts to evict offenders of the Group Areas Act. Should the bill be implemented, the effect of the Govender judgement would have been countered (see ‘*Grey Areas*’ above) and evictions would be resumed, the Institute said.

The Institute further suggested that, should the bill be enacted, it would also have the following implications:¹³⁹ [¹³⁹ SAIRR, *Quarterly Countdown* 10, July 1988]

- the provision allowing a magistrate to hold an inquiry after a member of the public had made a statement might provide a weapon to right-wing groups who wanted the act to be enforced;
- black people in white suburbs have no alternative accommodation and would be forced to return to white suburbs even if they had been evicted. They would also prefer to stay in white areas even if more group areas were made available for them owing to the fact that travelling costs to and from work would be less in white areas. The bill would thus not succeed ‘in halting the drift of black people to white areas, although it might temporarily slow it’; and
- racial conflict might increase.

Free Settlement Areas Bill

The bill provided for the declaration of certain areas as ‘free settlement’ or ‘open’ areas, ie areas in which the Group Areas Act and the Black Communities Development Act of 1984 would not apply. Members of all population groups would be able to obtain occupation or ownership rights in such areas.¹⁴⁰ [¹⁴⁰ *South African Press Association Dispatch* 30 June 1988]

Provision was also made for the establishment of a free settlement board; the composition, functions, duties and powers of which were outlined in the bill. The main task of this board would be to inquire whether it was necessary or desirable to open specific areas. After its inquiries, the free settlement board would have to make recommendations in the form of a report to the state president, who would then decide whether an area would become a ‘free settlement area’. Proclamations opening areas would also have to be approved by the ministers’ councils under whose control they fall.¹⁴¹ [¹⁴¹ Free Settlement Areas Bill, W110-88 (AS)]

The national director of Lawyers for Human Rights, Mr Brian Currin, said that the Free Settlement Areas Bill was based on a ‘group rights philosophy which, according to all respected constitutional lawyers will destroy any possibility of a credible bill of rights for South Africa’.¹⁴² [¹⁴² *The Star* 5 July 1988]

The South African Institute of Race Relations predicted that the measure requiring that ministers’ councils approve the opening of areas was likely to create a dilemma for the two black houses of parliament. In its *Quarterly Countdown* 10 the Institute said. ‘If they open their own areas while most white suburbs remain closed, they will create pressure on housing in these areas as existing coloured or Indian residents compete with African newcomers for scarce land and housing. But, if they refuse to open the areas, the government is likely to allege that they are condoning residential segregation.’¹⁴³ [¹⁴³ SAIRR, *Quarterly Countdown* 10, July 1988]

Local Government Affairs in Free Settlement Areas Bill

This bill made provision for the political participation in local government processes of residents living in 'free settlement areas'. All residents in such an area would be allowed to vote for a non-racial management committee, but those who were registered as voters for a local authority before the area was opened would be able to remain on its voters' roll if they informed the provincial administrator of their intention to do so within 90 days. Africans would also be able to vote as the bill stipulated that voters' names would not have to appear on a parliamentary voters' roll.¹⁴⁴ [¹⁴⁴ Local Government Affairs in Free Settlement Areas Bill B111-88 (GA)]

The management committees would have the same functions as existing management and local affairs committees in coloured and Indian areas, ie they would have no decision-making powers; they would only be able to advise the white local authorities in their areas. However, management committees would be able to assume powers to run their areas if these are conferred on them by a provincial administrator

ACTSTOP, which represented black tenants in white areas, rejected the establishment of management committees as they saw it as a substitute for full municipal voting rights for black residents. The South African Institute of Race Relations commented, 'If management bodies receive decision-making powers from provincial administrators, they will be the country's first elected, nonracial administrations since the National Party (NP) came to power.'¹⁴⁵ [¹⁴⁵ SAIRR, *Quarterly Countdown* 10, July 1988]

SECURITY

Crime

Criminal statistics

According to the report of the commissioner of the South African Police (SAP) for the year ending June 1986, statistics for certain categories of crime were reported as follows:¹ [¹ Annual Report of the Commissioner of the South African Police 1 July 1985 to 30 June 1986]

Serious crimes reported

1984/85

1985/86

Murder

8 959

9 665

Robbery

39 302

45 935

Rape

16 085

14 975

House breaking

166 812

197 400

Motor car theft

48 584

59 436

Stock theft

20 483

22 132

(poultry excluded)

Serious assault

123 100

The minister of law and order, Mr Adriaan Vlok, confirmed that the crime rate was on the increase in South Africa, but felt that this should be seen against the worldwide rise in crime. The worldwide rise in crime was 7% in 1986, while in South Africa the rise was 6,7%. In order to reduce this figure, the government had tried to get the maximum number of policemen on to the streets with the financial resources available. The special constables were part of this effort (see chapter on *Government and Constitution*). According to the minister, they provided ‘a cheap and efficient service in the townships and were there specifically to combat crime’.² [² *Hansard* (A) 7 col 1692, 17 June]

The minister of law and order said in Parliament in February that of the 11 006 persons arrested during the 1986 unrest, 6 046 had been arrested for public violence, 1 188 for damage to property, 1 324 for arson, 839 for murder and 1609 for assault. Of those charged, 1 144 were under the age of 16 years, 2 076 between 16 and 18 years, and 2 599 between 18 and 20 years.³ [³ *Hansard* (A) 3 q col 142, 18 February]

Mr Harry Schwarz MP (Progressive Federal Party) attributed the increase in crime figures generally to the government’s failure to deal with high unemployment, which contributed to the high level of unrest. The figures released by the government showed that the crime rate had increased at twice the rate of population growth, he said. Mr Vlok, on the other hand, had said in Parliament that he saw the cause of the high crime rate as ‘the economic recession, unemployment and the abuse of the unrest situation by criminal ele

The minister of justice, Mr Kobie Coetsee, published statistics in November to counter suggestions that action taken against criminals was not sufficiently forceful. He said that South Africa had the highest prison population in the world—440 prisoners for every 100 000 people. ‘This is not by accident but by due process,’ he added. Long-term sentences currently being served included 3 006 for drug-related offences, 7 513 for car theft, 38 396 for housebreaking, 16 908 for robbery and 436 for drunken driving. Since the beginning of 1986, 13 people had been executed for robbery with aggravating circumstances. Another five were on death row.⁵ [⁵ *Eastern Province Herald* 16 November]

Mr Vlok said in the House of Delegates in October that of the 9 806 murders reported during the 1987 financial year, 5 972 had been solved. One person was murdered in South Africa every hour in the 12 months between March 1986 and February 1987, according to the minister.⁶ [⁶ *Hansard* (D) 15 q col 312, 2 October]

The committee for social affairs of the President’s Council released its report on the youth of South Africa in June. It looked at reasons for the high incidence of criminal offences among young people and suggested ways to reduce the high number of offences. The only PFP member on the committee, Mr Robin Carlisle, refused to sign the report, which he saw as ‘ignorant and outdated gobbledygook’. Some

of the recommendations of the report included:⁷ [⁷ *Business Day* 18 June]

- stricter censorship to counter the ‘negative influence’ on young people of violence, sex, drugs, alcohol and satanism as depicted by the media, including films and television;
- the resolution of social problems in the community through improving the economy by allowing ‘the introduction of some form of special training or national service for all communities, but especially for young black people’; and
- the establishment of ‘training and rehabilitation’ centres for ‘intimidators and politically motivated juvenile delinquents’ to foster ‘meaningful ideals’ and to protect orderly and peace-loving members of the community from acts of intimidation and terror (see chapter on *Health*).

In an address to the Soweto branch of the National Institute for Crime Prevention and Rehabilitation of Offenders (NICRO) in July Mr Ishmael Mkhabela, a community worker, said that the very nature of the South African situation meant that large numbers of people in society were defined, through poverty and powerlessness, as criminals and potential offenders. He used the example of the rent boycott issue in Soweto and other townships and said that those who had refused to pay rent had automatically been defined by law as criminals.⁸ [⁸ *The Star* 27 July]

Crime in certain areas

Figures for 1986 released in Parliament by Mr Vlok in August showed that 2 438 murders were investigated by 34 police stations on the Witwatersrand, excluding Hillbrow and Norwood. The highest numbers of murder investigations were at Moroka (295 cases) and Orlando (250 cases), both in Soweto. According to the minister, a total of 1 182 culpable homicides were investigated on the Witwatersrand, the highest number again being investigated by the Moroka and Orlando police.⁹ [⁹ *Ibid* 21 August]

The figures revealed high levels of crimes of violence in African residential areas and high levels of crimes against property in white areas on the Witwatersrand. While 1 464 cases of rape were reported in Soweto, 328 rapes were reported in Johannesburg.¹⁰ [¹⁰ *Ibid*]

The total number of murders that took place on the Reef and which were reported to respective police stations in 1987 was 432, and the total number of rapes 298. The figure for murders reported at police stations in Soweto West was 664, with reported rapes totalling 1 749. Police stations in Soweto East recorded 469 murders and 648 reported rapes for the same period.¹¹ [¹¹ Information supplied by the Progressive Federal Party (PFP) research office, Cape Town, 5 May 1988] By comparison 13 people were murdered and 25 rape cases were reported in Sandton (Johannesburg) during the same time. The figures for Hillbrow were 42 murders and 86 rapes. Figures for 1987 published by the new divisional criminal investigation officer

for Soweto, Brigadier G van Zyl, showed that a total of 1 130 people were murdered in Soweto in 1987, which was 1508 fewer than in 1986. These figures did not include political or unrest-related killings.

A study by the South African Institute of Race Relations, entitled *Residential Integration: A Recipe for Crime?* revealed that there was no link between 'grey areas' and a high crime rate. While supporters of the Group Areas Act of 1966 insisted that crime rates in mixed areas had risen sharply, the report claimed that such a finding was not supported by the figures supplied by the minister of law and order, the only detailed crime statistics available. Murder statistics showed that between January 1984 and June 1986, Hillbrow Police Station had recorded the highest percentage increase in the number of murders. However, when rates per 10 000 people were compared, Hillbrow still had one of the lowest rates of murder. Hillbrow had five murders per 10 000 people compared with the whites-only area of Mondeor, which had 19 murders per 10 000 people. The number of murders for Hillbrow was only slightly higher than a suburb like Norwood—the implication thus being that residents served by that police station faced almost as great a risk of becoming victims of crimes of violence as residents of the areas served by the Hillbrow station during the period under review. Residents in Mondeor faced an even greater risk than residents of the 'grey area' of Hillbrow. The study concluded that specialists agreed that the increase in crime on the Reef could be attributed to the economic recession and higher unemployment. 'Grey areas' were as susceptible to these pressures as segregated ones. There was little, if any, real correlation between the incidence of crime and the racial mix of Johannesburg's suburbs.¹² [¹²Ebrahim M, 'Residential Integration: A Recipe for Crime?', South African Institute of Race Relations (SAIRR), *Topical Briefing*, 8 June]

The Johannesburg City Council planned to investigate the establishment of a municipal police force to assist the South African Police to combat the rising level of crime and violence in the city. A PFP city councillor, Mr Tony Leon, emphasised that the purpose of local government was to secure the rights of residents. However, it was seen as vital that such a municipal force be instructed in race relations. This proposed motion came in the wake of the murder of five elderly people in the Johannesburg area.¹³ [¹³*Business Day* 29 July]

Defence

The South African Defence Force celebrated its 75th anniversary in 1987.

Expenditure

The defence budget for the 1987/88 financial year was R6,7bn, a 30% increase over the 1986/87 amount of R5,1bn, and representing 14,7% of the budget as compared to 13,7% in the 1986/87 and 13,2% in the 1985/86 financial years.¹ [¹Republic of South Africa, Estimate of the Expenditure to be defrayed from the State Revenue Account during the Financial Year ending 31 March 1988, RP2 & 4-1987] The South African Defence Force (SADF) said in an explanatory memorandum that the 30% increase was 'in fact modest' when one considered the rate of inflation and the extent of the renewal programmes. The memorandum noted that the greatest

single increase was in air defence, with a R925,9m (54,9%) increase over 1986/87 owing to modernisation, replacement programmes and inflation. The service that received the largest portion of the budget was the army (39,2%), with the air force following closely (38,6%). Defence expenditure constituted 4% of the gross domestic product. The memorandum made it clear that the defence budget could be expected to increase annually by between 5% and 6% over five years.² [² *Eastern Province Herald* 4 June]

According to the auditor general's report for the 1986/87 financial year, a total of R58m was written off through losses, fruitless expenditure, deficiencies and the cost of repairs, and a further R197 486 was listed as unauthorised expenditure. The SADF was singled out by the auditor general, Mr Joop de Loor, as the main source of wasted expenditure.³ [³ *Report of the Auditor General on the Appropriation Miscellaneous Account in respect of General Affairs for 1985-86* RP107/1986]

Some R848 000 had been spent on acquiring land for an artillery ammunition testing range which had been established in the Copperton district near Prieska (Cape province) in 1985.⁴ [⁴ Republic of South Africa, Estimate of Additional Expenditure to be defrayed from State Revenue Account for the Financial Year ending 31 March 1987 RP2 & 4 -1987]

In terms of the Finance Act of 1987, an additional R121m was appropriated from the State Revenue Fund to the Special Defence Account (established by section 1 of the Defence Special Account Act of 1974) to make up a shortfall in the main budget. Amounts for defence are also contained in the budgets of other departments. In 1987/88 an amount of R155m was allocated in the budget of the Department of Public Works for the erection of buildings and the purchase of land.⁵ [⁵ Information received from the Department of Defence, June 1988]

The International Institute for Strategic Studies, in a global military review, maintained that regional conflict in southern Africa contributed to the fact that this was the only region of the continent south of the Sahara where defence spending was increasing. The report claimed that South African defence expenditure had continued to increase, with no indication that economic sanctions had significantly increased the difficulty of meeting the defence burden.⁶ [⁶ *The Star* 11 November]

Military service

A breakdown of personnel in the South African Defence Force (SADF) is as follows:⁷ [⁷ *Ibid*]

Defence personnel: 1986/87

Active personnel

97 000

(including 67 900 national servicemen

Reserves

325 000

South West African Territory Force

22 000

Para-military commandos

130 000

Air commandos

20 000

Conscription

Only white males are liable for conscription in South Africa.

The chief of the army, Lieutenant General A J Liebenberg, said that the SADF had received its biggest intake in February of national servicemen and women volunteers in 25 years of the conscription system, which had been introduced in 1967. The positive reactions were largely owing to the fact that the reporting day had been moved from January to February and to the higher cost of tertiary education, he said. The 'open letter' which the chief of the defence force, General Jannie Geldenhuys, had addressed to prospective national servicemen had also played a positive role. Lt Gen Liebenberg did not give actual figures for the intake.⁸ [⁸ *The Citizen* 12 February]

In June the Report of the Committee for Social Affairs of the President's Council (PC) on the Youth of South Africa, chaired by Mr Nic Treumicht, recommended that military service be extended to all races in South Africa as this would assist in developing youths and fostering discipline. The committee also advocated the creation of training and rehabilitation centres for 'intimidators and politically motivated juvenile delinquents'.⁹ [⁹ *President's Council Report of the Committee for Social Affairs on the Youth of South Africa*, February PC2/1987]

The chairman of Solidarity, Mr Ismael Omar, earlier warned that his party would withdraw from the tricameral system if an attempt was made to introduce conscription for Indians. He added that it was the

declared policy of every party in the houses of Delegates and Representatives that there be no conscription in the defence of apartheid.¹⁰ [¹⁰ *The Daily News* 15 April]

Describing the report as a 'non-starter', the national public relations officer for the Congress of South African Trade Unions (COSATU), Mr Frank Meintjies, warned the government of widespread conflict if any attempt was made to draw or force blacks into military service. A co-president of the United Democratic Front (UDF), Mrs Albertina Sisulu, said that as far as Africans were concerned, whatever the government tried to introduce under the present political dispensation was not acceptable.¹¹ [¹¹ *Eastern Province Herald* 19 June]

Replying to demands made at the Natal provincial congress of the National Party (NP) in October that compulsory national service be extended to coloured people, Indian, and 'selected urban Africans', the deputy minister of defence, Mr Wynand Breytenbach, said that conscription could develop in an evolutionary way, as it had done for whites. Also, adequate training facilities were not available. Conscription for white males had been an evolutionary process, starting with volunteers, followed by a draft ballot; universal conscription had been introduced only in 1967, Mr Breytenbach said.¹² [¹² *The Star* 15 October]

Calls to end conscription

The End Conscription Campaign (ECC) was again in the forefront of calls to end conscription. On 3 December 1986 nine ECC members had been detained and charged under section 10(1)b of the emergency regulations, which related to the production and dissemination of 'subversive statements'. However on 16 February 1987, eight of the accused were told in the Cape Town magistrate's court that the attorney general had declined to prosecute. The ninth accused had died in a road accident.¹³ [¹³ *Cape Times* 17 February] In June the minister of law and order, Mr Adriaan Vlok, said in the House of Assembly that 23 members of the ECC had been detained because their activities posed a threat to the maintenance of public order and would not contribute to the termination of the state of emergency.¹⁴ [¹⁴ *Hansard*(A) 5 q col 177, 16 June]

In April Mr Malan accused the ECC of being a direct enemy of the SADF and called on the PFP to state where it stood regarding that organisation. Addressing an election meeting in Grahamstown, Mr Malan claimed that the ECC and the UDF had very strong links and that some of the ECC's branches fell within the UDF's federal structure. Mr Malan claimed that the ECC's aims were to accuse the SADF of being a threat to peace and the guardian of an unjust system; to oppose public support for the SADF and to make defence spending suspect; to discredit the school cadet system; to discredit the chapel service; to propagate conscientious objection to military service among all population groups and to gain more sympathy from overseas for its struggle, with accompanying financial aid.¹⁵ [¹⁵ *The Citizen* 14 April]

The ECC's national secretary, Miss Adele Kirsten, replied that at no stage had the ECC called on

conscripts to refuse to render military service. One of the main objectives of the ECC was to work for the right of all conscripts to choose whether or not they would participate in the SADF. Miss Kirsten said that the government had recognised that individual conscripts might have sound religious reasons for adopting a pacifist position. The Defence Amendment Act of 1983 had granted them the right to alternative community service (see 1983 *Survey* p575).¹⁶ [¹⁶ *The Star* 15 April] The ECC's publicity secretary, Mr Gavin Evans, contended that the organisation was an independent, single-issue coalition which had 62 member organisations, nine of which were also UDF affiliates. However, the organisation itself was not affiliated to any other organisation nor did any of its nine regional branches form part of the UDF's federal structure.¹⁷ [¹⁷ *The Citizen* 22 April]

It was revealed in February by a western Cape civil rights lawyer, Mr Essa Moosa, that the ECC was being investigated in terms of the Fund Raising Act of 1978. The move, coupled with commercial police investigations into the finances of several western Cape anti-apartheid bodies, raised fears that more organisations would be declared 'affected' in terms of the act and be cut off from overseas funding, he said.¹⁸ [¹⁸ *The New Nation* 11 February]

Mr Brian Goodall, who had preceded Mr Gastrow as PFP spokesman on defence, indicated that there were important differences between his party's approach to the ending of conscription and that of the ECC. He said that while the ECC was involved in a campaign for the immediate end of conscription, it was the PFP's policy to create an enlarged full-time professional defence force on a nonracial basis backed by volunteer units before taking steps for a gradual phasing out of conscription. It was the PFP's view that such a defence force would become the spearhead for reform and conciliation in South Africa rather than being seen as an instrument of polarisation, Mr Goodall said.¹⁹ [¹⁹ *The Citizen* 18 April]

Conscientious objection

In February debates on the Defence Amendment Bill, which had been held over from 1986, resumed. Under the principal act conscientious objectors are required to undergo community service for one-and-a-half times the period applicable to people who serve in the citizen force. Mr Breytenbach said that he was concerned that this formula (one-and-a-half times as long as the aggregate of the maxima of all periods of service during which servicemen could otherwise be compelled to render service in that force) had been interpreted in court decisions in a way that would result in objectors undergoing a shorter period of community-service than was intended. The amending bill would rectify the position so that objectors would not be in a more favourable position than those who rendered military service, he said.²⁰ [²⁰ *Hansard*(R) 2 col 342, 26 May]

Recording his party's objections to the amending bill, Mr Gastrow said that religious objectors to military service should also be given the option of doing community service in non-governmental institutions like the Red Cross or the National Institute for Crime Prevention and Rehabilitation of Offenders (NICRO), because only a few government departments accepted religious objectors for community service. The Department of National Education had stated that it was not prepared to

accommodate objectors. Mr Gastrow also said that the law made no provision for ethical or philosophical objectors and added that the six-year term of community service for religious objectors or jail sentence for other objectors was extremely harsh. The period was supposed to be one-and-a-half times actual military service, but the average national serviceman served only 48% of his camp liability after the two year period, Mr Gastrow said.²¹ [²¹ *Hansard*(A) 4 col 1270 , 11 June] The bill was passed and came into force in September 1987.

Addressing a meeting to discuss religious objection in Durban in March, the chairman of the Board for Religious Objection, Mr Justice J W Edeling, said that a person who objected to serving in the defence force because he regarded it as supporting an unjust system might be a religious objector but was not recognised as such by the Defence Act of 1957. He said that the Defence Amendment Act of 1983, which provided for religious objection, insisted that the objection must be against serving in any defence force in the world. Judge Edeling further explained that because the concept of conscience was very wide, the government had seen fit to limit the concept so that one could be excused from military duty only if the objection was based on the fact that such service was in conflict with one's religious beliefs. 'Objectors could either be classified as non-combatants, which meant that they served as normal conscripts but without handling weapons; or they could be classified as non-uniformed non-combatants, which meant that they served three years continuously and 1 080 days of camps over 12 years out of uniform and doing tasks not associated with any fighting; or they could perform community service, which meant that they served continuously up to six years in a local, provincial or central government department,' the judge said.²² [²² *The Natal Mercury* 25 March, *Eastern Province Herald* 26 March]

The case of a conscientious objector, Mr Philip Wilkinson, came to the fore again during the period under review (see 1986 *Survey* Part 2 p809). Mr Wilkinson failed to report for service when called up to Regiment Piet Retief on 28 April 1986. In May 1987 he was fined R600 in the Port Elizabeth magistrate's court. Passing sentence, the magistrate, Mr C E Schutte, said that Mr Wilkinson's grounds for refusing to do military service were primarily political. He added that an individual could not be allowed to disrupt the defence force and the whole administration of the country.²³ [²³ *The New Nation* 14 May] Testing in mitigation, the Roman Catholic archbishop of Durban and chairman of the justice and peace commission of the Southern African Catholic Bishops' Conference, the Most Rev Denis Hurley, said that Mr Wilkinson was living out the teaching of the church with thoroughness and courage.²⁴ [²⁴ *The Star* 15 May]

In August a group of 23 Cape Town men announced at a press conference that they would refuse to serve in the defence force, saying that they believed this would contradict a pledge each had made to be part of a future where South Africans could live together in peace and harmony. The group included students from the universities of Stellenbosch and Cape Town and professional people. Some, including former officers in the defence force, had completed their two years' basic national service and were still liable for camps. Others were doing community service in lieu of national service and some had not yet been called up; two were due to report for national service. The group said it was against their moral principles to participate in the SADF and that the root cause of South Africa's 'civil war' was apartheid,

the fruits of which were hatred and violence. The defence force responded only by saying that in terms of the Defence Act failure to report for military service when required to do so was a contravention of that law.²⁵ [²⁵ *Cape Times* 4 August]

On 12 November one of the 23 men, Dr Ivan Toms, was called up. On 13 November he was charged in the Goodwood magistrate's court with refusal to serve in the SADF.²⁶ [²⁶ *Business Day* 14 November] The sentence had to take into account the amount of time that Dr Toms had previously served in the SADF. The remainder of time left to serve was then multiplied by one-and-a-half. Dr Toms was sentenced in March 1988 to the maximum possible sentence of 630 days' imprisonment (one year and nine months) by the Wynberg Regional Court for refusing to serve in the SADF. Dr Toms, who had pleaded not guilty, began serving his sentence immediately.²⁷ [²⁷ *The Citizen* 4 March 1988]

Volunteers

Mr Malan said that 4 517 persons had volunteered for national service in the SADF in 1986. Of these, 211 were white women, 3 532 were coloured people and 774 were Indians. No Africans had volunteered.²⁸ [²⁸ *Hansard* (A) 3 q col 153, 18 February]

Black people in the SADF

During the debate on his vote in the House of Representatives in September, Mr Malan said that the defence force was investigating the establishment of an infantry unit, consisting mainly of coloured people, in Namaqualand in the north-western Cape. He said that the primary function of the new unit would be to act as a border and area protection force. The minister announced that a new Cape Corps battalion, similar to the South African Cape Corps Training Unit and 2 South African Cape Corps Battalion, was to be established at a new base in Kimberley, and the first intake would take place in January 1989. He also said that the Cape Corps school, which had been used for promotion courses and training junior leaders, would be closed, as most of its members were being used in other corps of the army and doing their promotion courses there.²⁹ [²⁹ *Hansard* (R) 13 col 2979, 10 September]

In the same debate, Mr Malan clashed with Labour Party (LP) members over the all-white State President's Guard and the racial separation of trainees for South African Women Attested for Naval Service (SWANS). Two LP members, Mr Peter Hendrickse and Mr Abraham Williams, called for soldiers of all races to serve in the State President's Guard. Mr Malan said that coloured soldiers could do so if they were prepared to stay for the full two years as the guard was made up of national servicemen who served for at least that period. It was for the House of Representatives to pass an act that made coloured men eligible for service in the guard after two years' normal voluntary service, Mr Malan said.³⁰ [³⁰ *Ibid*]

The minister further emphasised that the personnel policy of the SADF was based on the principle that

the defence of South Africa was the responsibility of all its people. As a basic guideline SADF policy was not to discriminate among members on the grounds of faith, race, language or sex. It was only when it came to eventual performance of duties that differentiation of jobs occurred. For example, women could not be employed in combat mustering, the minister said.³¹ [³¹ Ibid]

The first African SWANS joined the navy on 15 January. They were among the 22 coloured, Indian and white women who joined in Simon's Town (Cape Peninsula) and were to complete an 11-week basic training course—the same course as their male counterparts—before taking up administrative positions in the navy.³² [³² *The Citizen* 16 January] However, within one week of the beginning of the course, the multiracial SWANS were returned to their home bases amid allegations that their segregation was as a result of government sensitivity over the whites-only election due in May. The Progressive Federal Party (PFP) spokesman on defence, Mr Brian Goodall, claimed that the government was jeopardising the country for political expediency. He said that it could be assumed that the decision had been made to appease the right wing in the elections, and asked how people could be asked to defend a common fatherland when they were separated. The New Republic Party (NRP) spokesman on defence and chairman of the all-party parliamentary defence committee, Mr Vause Raw, said that the government's approach was 'totally out of character' with the general spirit and direction in which the defence force had been developing. The LP spokesman on defence, Mr Abraham Williams, wanted the decision reconsidered.³³ [³³ *The Star* 28 January]

A spokesman for the minister of defence denied that the decision to separate the SWANS was political. He said that it had been found that during training it was best to separate the groups but in active service there were no bars. A spokesman for South African Navy Headquarters in Pretoria, Commander Dirk Visser, said that the instruction was given by Vice Admiral Glen Syndercombe during a visit to Simon's Town. He said that during the vice admiral's visit, he had become acutely aware of the youth and vulnerability of the group. Accordingly, he had decided that the Indian members should complete their basic training at SAS Jalsena, the training base for Indian naval volunteers in Durban. The coloured SWANS would continue their basic training at SAS Simonsberg as they all originated from the Cape Peninsula area. The other SWANS, who came from all over the country, were sent to SAS Saldanha, the navy's basic training unit on the west coast where recruits had undergone basic training in past years. The spokesman confirmed that there were 22 SWAN recruits but could not give the exact number of coloured and Indian members of the intake.³⁴ [³⁴ *Cape Times* 27 January]

According to the *Sowetan*, about 90% of the soldiers in Battalions 116 and 113 on the northern Transvaal/Zimbabwe border in mid-1988 were Africans.³⁵ [³⁵ *Sowetan* 14 July 1988]

Other personnel matters

New committees called defence manpower liaison committees, which included members of the SADF, commerce, industry and local authorities, were introduced in May in Johannesburg. They formed an

offshoot at local level of similar committees which had been established at provincial level in 1985. They were to work occasionally with the joint management centres (JMCs). Their function would be to discuss military call-up needs and local security issues, such as unrest and stayaways. A defence force spokesman said that the SADF had decided to establish the committees as a forum for discussion between itself and commerce and industry on manpower needs.³⁶ [³⁶ *Eastern Province Herald* 16 July]

To celebrate the 75th anniversary of the defence force, substantial remissions of sentence were granted to certain categories of military prisoners. The amnesty was made public on 11 September in a joint statement issued by the minister of justice, Mr Kobie Coetsee, and the minister of defence, Mr Magnus Malan. Those excluded from remission included persons who at the time of their offence had previous civil convictions and persons sentenced for offences listed in Annexure 2 of the Internal Security Act of 1982.³⁷ [³⁷ *Cape Times* 12 September]

As at February 1987 there were 194 persons in detention centres of the SADF.³⁸ [³⁸ *Hansard* (A) 3 col 156, 18 February]

In reply to questions asked in Parliament, Mr Malan said that SADF members could belong to the Afrikaner Broederbond because it was a non-violent cultural movement, the aims and ideals of which were not in conflict with any laws of the country. He said that the Broederbond did not demand that members take an oath of allegiance which would conflict with their defence force membership.³⁹ [³⁹ *Diamond Fields Advertiser* 12 October]

A former member of Parliament, Mr Graham McIntosh (PFP) refused to report for a week-long military camp in September in protest against the refusal of the minister of defence, Mr Magnus Malan, to include the PFP spokesman on defence, Mr Peter Gastrow, on a border tour by members of Parliament.⁴⁰ [⁴⁰ *Business Day* 15 September] Explaining Mr Gastrow's exclusion from the tour, the deputy minister of defence, Mr W N Breytenbach, said that it was illogical for Mr Gastrow, who had talked and mixed with members of the outlawed African National Congress (ANC), to be allowed to mix with troops on the border. Mr Gastrow and Mr Pierre Cronjé MP (PFP) were among a group of people who had held talks with the ANC in Dakar (Senegal) in July (see chapters on *Political Developments* and *Political Organisations*). Mr Breytenbach said that he did not question Mr Gastrow's loyalty and did not mean to say that Mr Gastrow would pass on information that he would have received at SADF briefings to the ANC. He maintained that what was at issue was the morale of the troops, since border visits were a major morale-booster for soldiers doing duty there. The SADF took opinion-makers to the border so that the soldiers could see that they had the support of the people at all levels. In that way, opinion-makers were also able to acquire information on conditions at the border. For that reason a person who moved in the innermost circles of the ANC could not be brought into contact with soldiers on the border, the deputy minister said.⁴¹ [⁴¹ *Hansard* (A) 14 col 5377, 14 September]

Mr McIntosh finally decided to report for his army camp but was told to return home. Brigadier H Pretorius, officer commanding the Natal Command, said that Mr McIntosh had been sent home because

it would have been ridiculous for him to have attended the camp two days late.⁴² [⁴² *Business Day* 17 September]

Arms and equipment

The chairman of the Armaments Corporation of South Africa (ARMSCOR), Commandant Piet Marais, pointed out that of the total of 93 postwar sanctions campaigns introduced worldwide, the United States (US) had been involved in 64. The campaign aimed against South Africa was also the first time that the US and the Soviet Union had joined forces against a country.⁴³ [⁴³ *The Citizen* 31 March]

A parliamentary inquiry in January was held in West Germany into the West German government's role in the alleged sale of submarine plans to South Africa. The chancellor of West Germany, Mr Helmut Kohl, claimed to have rejected the deal once he had examined it. Allegations that he had not automatically rejected a request from the state president, Mr P W Botha, for West German submarines caused much suspicion among the inquiry panel.⁴⁴ [⁴⁴ *Ibid* 7 January] The West German Parliament set up a second parliamentary inquiry in May to investigate whether the government had authorised the sale of submarine plans to South Africa in 1985.⁴⁵ [⁴⁵ *Ibid* 21 May]

The Israeli minister of foreign affairs, Mr Shimon Peres, denied allegations by a US government commission that Israel was secretly supplying US-made weapons and arms technology to South Africa. In a draft report by the US Congress concerning nations that co-operated militarily with South Africa, Israel topped the list. In August an armoured anti-riot vehicle was sold to South Africa by Israel in a R160 000 deal. It carried a cannon that could fire teargas, foam or dye. A spokesman for ARMSCOR said that it was policy not to comment on the purchase or sale of equipment. On 18 March the Israeli cabinet decided not to renew military sales contracts with South Africa. The American report added that South Africa also received weapons in defiance of the United Nations (UN) arms embargo from countries such as Britain, France, Italy, the Netherlands, Switzerland and West Germany. France, Italy and the Netherlands denied these allegations.⁴⁶ [⁴⁶ *The Star* 3 April]

A Dutch shipping company, Unity Chartering and Shipping, was to be prosecuted on charges of transporting weapons to South Africa in breach of the UN arms embargo. A company official had admitted transporting three illegal cargoes between February 1982 and November 1983 and a fourth between November 1984 and January 1985.⁴⁷ [⁴⁷ *The Citizen* 15 April]

Mr George Posey, a Californian who tried to sell military aircraft manuals to the South African Defence Force (SADF), became the first person convicted under America's Comprehensive Anti-Apartheid Act of 1986 which bans inter alia, the export of military goods and know-how to South Africa. He was also charged under the Arms Export Control Act of 1968. The South African naval attaché to Washington DC, Captain Nicolaas Vorster, left Washington earlier in March to avoid an embarrassing diplomatic incident over the attempted sale. Mr Posey was sentenced to ten years and four months' imprisonment

conditionally suspended for five years for attempting to export the manuals to South Africa. He was also fined R30 000 and placed on five years' probation and ordered to do 400 hours' community service.⁴⁸ [⁴⁸ *Business Day* 4 August]

Five men were charged in Miami (Florida) in August, with operating a ring that smuggled about \$2,4bn worth of military aircraft parts to South Africa in violation of the US ban.⁴⁹ [⁴⁹ *Ibid*]

The state president announced in September that South Africa might be willing to sign the Nuclear Non-Proliferation Treaty. This obliges signatories who do not possess nuclear arms not to develop or acquire them. South Africa is believed by some observers to have the capability to produce nuclear weapons. This was deduced in 1981 when South Africa announced that it had produced uranium for a research reactor.⁵⁰ [⁵⁰ *Ibid* 1 October]

A report in *Jane's Defence Weekly* stated that many of ARMSCOR's products were being sold overseas in increasing numbers—with advertisements regularly carried in the journal. South Africa's G6 artillery weapon was described as 'one of the best artillery systems in production'.⁵¹ [⁵¹ *Ibid* 14 May] At a symposium held for the first time on weapons systems, the executive general manager of ARMSCOR, Mr J G J van Vuuren, said 'that the time had come for South Africa to enter the international weapons market purposefully in terms of armaments design and development'.⁵² [⁵² *The Citizen* 1 September]

The minister of defence, Mr Magnus Malan, saw the world's arms embargo against South Africa as 'a blessing in disguise'. This was because it had boosted the country's self-sufficiency in armaments. The minister went on to say that 'when the UN arms embargo was imposed on South Africa ten years ago, the rest of the world expected us to put our tail between our legs and recede quietly into isolation. What they did not bargain for was our determination to fight back and our refusal to give up'.⁵³ [⁵³ *The Star* 20 May]

The minister stated that South Africa was among the top dozen arms exporters in the world, with sales in 1987 of R1,8bn. This was confirmed in *Jane's Defence Weekly*. ARMSCOR was identified as South Africa's largest single exporter of manufactured arms, with sales to 23 countries. The British publication said that assets were over R2,8bn with a budget in 1987/88 of R3bn. According to the journal, ARMSCOR had ten directly owned subsidiaries with 23 000 employees, and used 975 private sector subcontractors, bringing the total employed to nearly 90 000.⁵⁴ [⁵⁴ *Business Day* 21 January 1988]

Military operations

Civil unrest

In February navy and air force civilian troops from the South African Defence Force (SADF) were called up for deployment in unrest areas and for border duties. A defence force spokesman said that this

was 'to take the load off the army, and not because of an increase in unrest'. It was announced that, where possible, naval and air force personnel would serve in their original musterings. Some would undergo retraining to prepare them for these temporary duties.⁵⁵ [⁵⁵ Ibid 8 January 1988]

In an address to the Western Province Command Army Ladies' Association at the Castle in Cape Town in June, the chief of the SADF, General Jannie Geldenhuys, said that between 5 000 and 8 000 soldiers were serving in the townships. Many of that number were involved in support posts that backed up government departments rather than in actual military service itself. The general said that while some people saw the presence of troops in the townships as damaging to the image of the defence force, he had come across a large number who thought that the image of the SADF had improved. This was 'because we try to do good'.⁵⁶ [⁵⁶ *The Citizen* 20 June]

The minister of defence, Mr Magnus Malan, claimed in Parliament in September that he could vouch for the fact that the presence of troops in the townships was wanted by the overwhelming majority of the people.⁵⁷ [⁵⁷ *Hansard* (D) 13 col 3258, 8 September] The Progressive Federal Party (PFP) spokesman on defence, Mr Peter Gastrow, believed that the presence of the defence force in the townships had resulted in its losing the image of being above politics. He felt it important that the SADF 'consider whether its presence was really necessary in the townships and withdraw'.⁵⁸ [⁵⁸ *Eastern Province Herald* 15 September]

The deputy minister of law and order, Mr Roelf Meyer, confirmed in Parliament that the SADF conducted patrols in black townships in plain clothes and unmarked vehicles. The purpose of this kind of surveillance was to gather information.⁵⁹ [⁵⁹ *Hansard* (A) q col 867, 15 September]

The SADF, the South African Police (SAP) and municipal police entered Orlando West (Soweto) in November in support of attempts by the Soweto City Council to break a 17-month rent boycott (see chapter on *Housing*). The operation was followed a few days later by a 'crime prevention action' in Emdeni, also in Soweto, conducted by 2 000 members of the SADF. Ten arrests were made after 2 000 homes had been raided.⁶⁰ [⁶⁰ *Sowetan* 20 November]

Some organisations condemned these operations. The Transvaal branch of the Black Sash claimed they were not necessary and asked whether 'we really need a conscripted army for such purposes'. The Five Freedoms Forum said it was disgraceful to 'misuse' the army to conduct such raids. The United Democratic Front also expressed condemnation.⁶¹ [⁶¹ Ibid]

In September the SADF withdrew its roadblocks from the entrance to Alexandra township (Johannesburg). They had been there for the previous 18 months. The presence of security forces in the area had drawn criticism from various quarters, including the township's administrator, Mr Steve Burger, who said that he did not believe that 'lasting peace would return to the township with the continued presence of the SADF'. Mr Meyer said in October, however, that the military would remain in Alexandra until 'normality' returned. The troops were helping other government departments with the

‘upgrading’ of the township and could not be withdrawn.⁶² [⁶² *Business Day* 21 October]

The SADF was also involved in various squatter communities in Cape Town. In September it held an educational programme for children of Crossroads (Cape Town) at the naval base in Simon’s Town.⁶³ [⁶³ *South* 24 September]

In November three activists in the Mamelodi Youth Organisation (Pretoria) received food parcels delivered to their homes by the SADF. A spokesman for the SADF in Pretoria said that ‘from time to time troops on duty in the townships take some of their own rations and give them to needy people’. It was decided at a Mamelodi Civic Association meeting that the food parcels should be referred to a doctor to be checked.⁶⁴ [⁶⁴ *The Star* 12 November, *Sowetan* 12 November]

In December both the SADF and the SAP distributed pamphlets offering Soweto residents payments of up to R1 000 to report those ‘who make and use acid bombs’ and ‘promote unrest’. Residents were also asked whether they knew of ‘comrades’, street committee members and anyone who had issued a call not to pay rent.⁶⁵ [⁶⁵ *The New Nation* 10 December]

Security force conduct

Mr Malan said in Parliament in February that 168 civil actions had been instituted against members of the defence force for acts committed while on duty in the townships. Of these, 101 involved assault, molestation, humiliation, indecent assault, rape, abduction and unlawful arrest or detention. A further 66 involved shooting incidents and one concerned damage to property. As of 5 February, nine claims had been settled. One had been withdrawn and eight had fallen away.⁶⁶ [⁶⁶ *Hansard* (A) 9 col 149, 18 February]

According to Mr Malan, a member of the SADF on township duty in 1986 was fined R80 (or 40 days’) for rape. In another rape case, a soldier was sentenced to five years’ jail of which two years were suspended for three years. Another soldier was fined R800 for pointing a firearm.⁶⁷ [⁶⁷ *Cape Times* 24 February]

A conscript in the SADF, Mr Steven Louw, in giving evidence in support of a conscientious objector, Mr Philip Wilkinson, gave an account of incidents of misconduct he claimed to have witnessed during active service from June 1985 to June 1986 in the eastern Cape. He told the court how an army major had ordered troops to assault township residents because the police were considered ineffectual. Among the things he claimed to have seen were troops using catapults with stones against residents to ‘provoke’ action, and the placing of a ten-year-old boy in a small bin behind a Buffel (a military vehicle). A corporal then beat the boy with a stick.⁶⁸ [⁶⁸ *The Weekly Mail* 15 May]

An armoured vehicle of the kind usually referred to as a ‘Hippo’ hit and killed a man in June in Soweto. The man was allegedly standing on a pavement at a street corner with his friends. His sister, Miss Tshidi

Molefe, said the driver refused to give his name and the soldiers covered the vehicle's registration number. The police public relations unit said the SAP were investigating the incident.⁶⁹ [⁶⁹ *Sowetan* 5 June]

The minister of law and order, Mr Adriaan Vlok, said in the House of Assembly in October that six SADF members who had interrogated the secretary of the Southern African Catholic Bishops' Conference, Father Smangaliso Mkhathshwa, had been charged with *crimen injuria*. The minister admitted that the six were members of the SADF who had been given the power to assist the SAP in the interrogation of emergency regulation detainees in terms of regulation 1 of the emergency regulations.⁷⁰ [⁷⁰ *Hansard* (A) 16 q col 1085, 6 October] The attorney general was prepared to drop the charges against the other five on condition that one member paid a R200 admission-of-guilt fine. The minister of justice, Mr Kobie Coetsee, stated that no explanations were given in such cases as 'attorney generals are not obliged to give reasons for such decisions'.⁷¹ [⁷¹ *The Natal Witness* 2 October]

Neighbouring countries

The deputy minister of law and order, Mr Roelf Meyer, said in Parliament in February that 115 members of the SADF had been killed in military operations and training exercises in 1986.⁷² [⁷² *Hansard* (A) 1 col 12, 2 February] He said that 760 people had been killed in the operational area, of which 645 were 'terrorists'. The remainder had been killed in shooting accidents, motor accidents and crossfire during contact with the enemy.⁷³ [⁷³ *Hansard* (A) 3 col 152, 18 February]

During military operations in 1987, 72 SADF soldiers were killed. However the government was not prepared to reveal the numbers of people killed in the operational area in 1987.⁷⁴ [⁷⁴ Information received from the PFP research office, June 1988]

The minister of foreign affairs, Mr Roelof (Pik) Botha, warned South Africa's neighbouring states of the consequences of 'colluding with alleged African National Congress (ANC) plans to disrupt the May 6 election'.⁷⁵ [⁷⁵ *Business Day* 10 April, *The Citizen* 10 April] He told foreign diplomatic representatives at the Union Buildings (Pretoria) that the government's information about such infiltration was reliable. 'The evil design has already been set in motion and involves at least three groups of ANC insurgents sent from Zambia through Zimbabwe, Botswana and Mozambique to South Africa,' Mr Botha claimed. Prior to this the state president, the minister of defence and the minister of foreign affairs had reiterated at National Party (NP) election meetings that South Africa would not hesitate to mount cross-border raids if it felt neighbouring territories were allowing the ANC to launch attacks from their soil. Foreign ministers of neighbouring countries denied the existence of such plans.⁷⁶ [⁷⁶ *Ibid*]

Angola

A clash between Angolan and South African-led forces in the vicinity of Mongua (about 75km inside

southern Angola) in January left at least 61 Angolan government Forças Armadas Populares de Libertacao de Angola (FAPLA) soldiers and South West African People's Organisation (SWAPO) members dead. The South West African Territory Force (SWATF) said that the Angolan government and the FAPLA commanders in southern Angola had repeatedly been warned not to give SWAPO security and propaganda coverage or any other support. If support was given, the policy of the security forces would be to retaliate. By June it was reported that South African-led security forces had killed more than 150 Angolan (FAPLA) soldiers who had gone to the aid of SWAPO insurgents.⁷⁷ [⁷⁷ *The Natal Witness* 27 January]

On 20 May the Angolan president, Mr José Eduardo dos Santos, claimed that six South African army battalions were in Angola and that a new offensive was imminent. On 21 May Angola accused 'helicopter-borne South African commandos' of sabotaging a railway at two places near the port of Namibe. An SADF spokesman said that these claims 'were an attempt to divert attention from Angola's unsolvable internal problems'.⁷⁸ [⁷⁸ *Business Day* 22 May]

In September the official Angolan news agency, ANGOP, claimed that eight South African aircraft had carried out a raid on Xangongo (in the southern province of Cunene) in Angola. A defence force spokesman in Pretoria said that 'it had been widely reported that União Nacional para a Independência Total de Angola (UNITA) achieved significant successes against a massive Russian- and Cuban-led offensive against them in southern Angola. In the light of this ... Angola will do all in its power to divert attention from the rapidly deteriorating situation in that country'.⁷⁹ [⁷⁹ *The Citizen* 11 September]

Later in September, in the biggest reported battle in southern Angola during 1987 UNITA recaptured the Lomba logistics base near Mavinga, killing an estimated 250 FAPLA troops and destroying six armoured vehicles. The strategic importance of the town of Mavinga and its airstrip is such that if captured by the Movimento Popular de Libertação de Angola (MPLA), it could be used to launch attacks on Jamba, the headquarters of UNITA. The SADF declined to confirm or deny South African involvement. The minister of defence, Mr Magnus Malan, made it clear during the defence vote in the House of Assembly in September that South Africa was not prepared to see UNITA fall. The military build-up against UNITA was part of a practical demonstration of 'communist expansionism'. Mr Malan went on to say that 'we have connections with UNITA ... and as a regional power it is our duty to protect the region against Russian and Cuban destabilisation'.⁸⁰ [⁸⁰ *Ibid* 29 September] A report in the London *Sunday Telegraph* quoted General George Meiring of the South West African Territory Force (SWATF) as saying that South Africa had sent a number of Mirage III aircraft from the northern Transvaal to attack MPLA forces in southern Angola.⁸¹ [⁸¹ *Ibid*]

Fierce fighting continued for weeks after this initial advance by UNITA. The UNITA leader, Mr Jonas Savimbi, commented that 'there is a total commitment on the side of the Russians to wipe out UNITA'.⁸² [⁸² *Business Day* 5 October] Mr Savimbi denied that South Africans were involved in the fighting in Angola; he said the only support offered was medical help.⁸³ [⁸³ *The Natal Mercury* 10 October]

Angola claimed that between 9 and 20 October the South African Air Force (SAAF) had violated Angolan airspace 41 times and that 16 South African aircraft had been shot down.⁸⁴ [⁸⁴ *The Natal Witness* 23 October]

The SADF claimed in October that SWAPO had lost more than 150 soldiers in a cross-border raid in southern Angola aimed at a SWAPO base. 'The attack was a pre-emptive offensive against SWAPO in the hope that it would disrupt the annual SWAPO infiltration into Namibi during the rainy season,' according to SADF headquarters in Pretoria. The death toll among the South African soldiers was 11. SWAPO's president, Mr Sam Nujoma, denied the SWAPO casualties. The SADF death toll was the highest since 12 SADF and SWATF soldiers had died in action during Operation Askari, a cross-border operation into southern Angola, which had lasted from December 1983 to January 1984 (see 1985 *Survey* p825). At least 24 South African and Namibian soldiers had died in the operational area between 3 September 1987 and 9 November 1987.⁸⁵ [⁸⁵ *The Star* 11 November]

The chief of the defence force, General Jannie Geldenhuys, revealed in November that South African and Namibian troops had clashed in fierce battles with Russian and Cuban air and land forces in south-eastern Angola. The SADF stated that MPLA control of south-eastern Angola in the Kuanda-Kubango region would give the ANC greater freedom of movement which would facilitate infiltration to South Africa.⁸⁶ [⁸⁶ *The Citizen* 7 December]

The SADF announced the deaths of 35 of its men between 3 September and 17 November in the Angolan conflict. Of the dead 31 were South African soldiers and four were SWATF troops. According to the NP's Transvaal leader, Mr F W de Klerk, 'a considerable number' of South African troops had been wounded in Angola, but so far the SADF had only acknowledged the injury of 45 soldiers. The SADF acknowledged the presence of about 1 125 men in Angola. The Angolan government claimed that 3 000 South African troops were based in Angola, and that a further 30 000 to 35 000 were on the Namibian border. The Angolan government also claimed that 230 SADF personnel had been killed since July 1987. The number was said to include 32 members of the 'Buffalo' Battalion (made up of black Angolans who had left their country in 1975).⁸⁷ [⁸⁷ *The Weekly Mail* 27 November]

President DOS Santos claimed in November in a speech to assembled leaders of the eastern bloc and other guests, that the US and South Africa had prevented the total defeat of UNTTA by introducing important war equipment and forces. Mr Savimbi referred to the triumph of UNTTA as the greatest victory in 12 years.⁸⁸ [⁸⁸ *The Sunday Star* 15 November]

In November the state president, Mr P W Botha, paid a secret visit to the war zone in southern Angola where he gave a midnight address to South African troops waiting to go into battle. Other cabinet ministers and members of Parliament also visited the area.⁸⁹ [⁸⁹ *Sunday Tribune* 15 November]

In early December South Africa announced the start of a troop withdrawal, but it was reported later in

the month that South African troops had moved deeper into Angola.⁹⁰ [⁹⁰ *Business Day* 10 December]

In June 1988 South African, Angolan and Cuban ministers met in Cairo (Egypt) under American chairmanship to discuss proposals for the withdrawal of foreign soldiers from Angola. The meeting followed talks in various other countries. After additional talks in Geneva in August, a ceasefire came into operation along the Namibian/Angolan border on 10 August.⁹¹ [⁹¹ *The Star* 3, 10 August 1988]

Botswana

A South African proposal for a joint security agreement along the lines of the Nkomati accord with Mozambique (see 1984 *Survey* p832) was rejected by the Botswana government in May. It was proposed as a mechanism to monitor the movement of 'infiltrators' inside Botswana.⁹² [⁹² *Ibid* 4 May]

The South African government accused Botswana of working in collusion with the ANC in connection with suspected ANC plans for large-scale infiltration which was anticipated at the end of 1987. Botswana denied this allegation. The South African Police introduced individual vehicle searches along the South Africa/Botswana and Lesotho borders in an attempt to thwart the alleged ANC infiltration. No ANC member was arrested and no weapons or explosives were found during these searches.⁹³ [⁹³ *Business Day* 3 December]

Mozambique

South African commandos were claimed to have killed three Mozambicans in rocket attacks launched on ANC targets in Maputo on 28 May. The official Mozambican news agency, Agencie de Informação de Mocambique (AIM), said that this was the first direct aggression against Mozambique by South African forces since the two countries signed the Nkomati accord three years previously (see 1984 *Survey* p832). South African intelligence sources said that the SADF was not involved in the raid. The SADF claimed that 'internal strife' within the ANC was probably the real reason for such an action.

Mr Pik Botha said that 'the Mozambican government had repeatedly been warned that they should act against ANC terrorists who continue to murder South Africans'. Several South African commandos were captured on 29 May following the raid. They were said to have been carrying documents that gave details of the raids.⁹⁴ [⁹⁴ *City Press* 31 May]

In August South Africa and Mozambique held talks and agreed to set up a joint working group to deal with a wide range of security and economic matters. The talks took place against the background of growing tension between the two countries following a massacre in July, in which some 400 people had died at Homoine. Maputo accused South Africa of complicity in the killings in view of its alleged support for the Resistência Nacional Moçambicana (RENAMO) which had allegedly carried out the massacre.

The massacre was blamed on South Africa because of recent declarations by Mr Malan that the South African government might ‘openly support “pro-western movements” in the region’, which was taken as a reference to the MNR in Mozambique and UNITA in Angola.⁹⁵ [⁹⁵ *The Citizen* 7 August]

In March a retired admiral, Mr Ronald Edwards, a member of the joint South Africa-Mozambique security commission, told reporters that 60 000 Mozambicans had entered South Africa illegally since late 1984. He said that they were entering at a monthly rate of about 2 000. South Africa had been using park rangers, soldiers and a high-voltage electric fence in a bid to seal its border with Mozambique. More than 50 illegal immigrants had passed through the border post on their way back to Mozambique. The South African government allowed illegal immigrants to stay if they reached one of the four ‘independent’ homelands (see chapter on *Population and Race Classification*).⁹⁶ [⁹⁶ *The Star* 11 March]

In April the government threatened to repatriate about 20 000 Mozambican refugees presently living in the country, most of whom resided in the eastern Transvaal. More than 20 000 Mozambicans had been registered in Gazankulu (eastern Transvaal) by the end of March. Approximately 5 000 refugees had fled into the Sekhukhuneland area of Lebowa. The deputy minister of constitutional development and planning and of public works and land affairs, Mr Ben Wilkens, announced at the opening of the KaNgwane legislative assembly in April that there was a threat of job opportunities, health and educational facilities becoming scarce as a result of the continuing influx of Mozambican citizens. As a result, people who were found outside KaNgwane would be repatriated and their temporary permits would be withdrawn if these had been ‘abused’ (see chapter on *Employment*).⁹⁷ [⁹⁷ *Sowetan* 30 April]

Mr Malan said in Parliament in August that four people had died as a result of contact with the electrified border fence along the northern border of South Africa between August 1985 and August 1987. From 1 June 1986 to 3 August 1987, 31 people had died as a result of contact with the electrified fence on the eastern border of South Africa with Mozambique.⁹⁸ [⁹⁸ *Hansard* (A) 11 q col 632, 25 August] All were thought to be Mozambicans. In October 13 000 Mozambican farmworkers legally employed in South Africa had their work permits renewed by the authorities, despite earlier threats by the government that Mozambicans would be repatriated at the expiry of their contracts of employment. This policy had been introduced in 1986 as a retaliatory measure following a series of landmine explosions in the eastern Transvaal (see chapter on *Employment*).⁹⁹ [⁹⁹ *The Citizen* 26 October]

Zambia

On 25 April South African forces conducted a raid into Zambia. The South African government claimed that five ANC members were killed in an attack on an alleged ANC transit house and armoury in the town of Livingstone in the early hours of the morning. Zambia claimed that four of the people killed had been ‘innocent’ citizens of his country. The ANC denied that the dead men were ANC combatants.¹⁰⁰ [¹⁰⁰ *Sowetan* 27 April]

Zimbabwe

In May South Africa sent warnings to both the Botswana and the Zimbabwean governments concerning alleged ANC activities emanating from their respective countries. An explosion subsequently occurred near to the ANC offices in Harare (Zimbabwe). Zimbabwe accused South Africa of perpetrating this attack. The charge was denied by Mr Pik Botha.¹⁰¹ [¹⁰¹ *The Star* 8 May]

Directorate of Security Legislation

In terms of Government Notice 664 in March, the state president, Mr P W Botha, transferred certain powers and activities in terms of the Public Safety Act of 1953 (which provides for the safety of the public and the maintenance of public order in circumstances such as the state of emergency or internal unrest) and the Internal Security Act of 1982 (which provides for security action in respect of organisations, publications and persons) from the minister of law and order to the minister of justice. The administration of the Affected Organisations Act of 1974, which provides for the prohibition of the receipt of money from abroad by certain organisations, and the Intimidation Act of 1982 was also transferred.¹ [¹ *Government Gazette* no 10686, Notice 664, 31 March]

However, authority in terms of the Public Safety Act to declare by notice in the *Government Gazette* an area an unrest area in certain circumstances remained with the minister of law and order.² [² Information received from the Department of Justice, January 1988; *Eastern Province Herald* 1 April]

In February 1988 the government imposed severe restrictions on 17 extra-parliamentary organisations. They were prohibited from a wide range of specified actions. In March it introduced the Promotion of Orderly Internal Politics Bill in Parliament. This was designed to restrict foreign funding of organisations and individuals within South Africa (see *Emergency Regulations* below, and chapter on *Political Organisations*). The bill had not been enacted by the time Parliament rose at the end of June, and there were reports that it might not be proceeded with at all. New standing committees of Parliament were set up following the general election in May. The committee of law and order and the committee on defence were consolidated into a single committee on security services.³ [³ *The Citizen* 10 June]

Bannings of gatherings

Since 1976 all outdoor political meetings have been banned (under the Riotous Assemblies Act of 1956 until 1982 when the Internal Security Act (ISA) of 1982 came into effect), unless held with the permission of a magistrate or the minister of law and order. The ban has been renewed annually or sometimes, as in 1976, for a period of a few months at a time. Since 1985 the ban has also included all indoor gatherings for organising boycotts.⁴ [⁴ *Focus* No 74 January - February 1988]

The minister of law and order, Mr Adriaan Vlok, said in Parliament in February that 1 224 people had

been arrested in 1986 for allegedly attending gatherings prohibited in terms of section 46 of the ISA.⁵ [⁵ *Hansard* (A) q col 146, 18 February]

On 1 April in terms of Government Notice 262, the minister of justice, Mr Kobie Coetsee, extended the ban on outdoor meetings for a further year but relaxed the restrictions on funerals and genuine sports meetings. He also prohibited indoor gatherings from organising boycotts of educational institutions.⁶ [⁶ *Government Gazette* no 10691, Notice 262, 1 April]

The minister of law and order said that 49 meetings throughout the country had been prohibited in terms of the emergency regulations during the period 12 June 1986 to 22 February 1988.⁷ [⁷ *The Star* 8 April 1988] Organisations that had meetings banned included the National Education Crisis Committee (NECC), the Azanian People's Organisation (AZAPO), the Azanian Students' Movement (AZASM), the Congress of South African Trade Unions (COSATU), the United Democratic Front (UDF) and the United Workers' Union of South Africa (UWUSA).

Also banned were a number of rallies arranged following the release from prison of an African National Congress (ANC) leader, Mr Govan Mbeki.

Mr Vlok did not, however, consider it in the public interest to reveal how many people had been arrested for allegedly attending gatherings prohibited in terms of the emergency regulations.⁸ [⁸ *Hansard* (A) q col 146, 18 February]

In April the Bophuthatswana administration lifted the ban on meetings of the official opposition party of the homeland, the Seoposengwe Party, after it had promised to 'assist the government in encouraging all residents in the Odi region to register as voters'.⁹ [⁹ *Sowetan* 2 April]

Meetings were banned in the Transkei from 24 to 30 September. This particular week marked the second anniversary of the death of a former University of the Transkei student, Mr Batandwa Ndongu, who was shot and killed by Transkei security police in September 1985. In 1986 the commemoration of Mr Ndongu's death had been marked by violence. Students from three schools had launched attacks on students from another school that had not adhered to the call to boycott lectures (see 1985 *Survey* p294).¹⁰ [¹⁰ *Ibid* 25 September]

In September the KwaNdebele administration withdrew its blanket ban on meetings, both indoor and outdoor, (see chapter on *The Homelands*).¹¹ [¹¹ *The Star* 22 September]

Funerals

Between January 1987 and April 1988 orders were issued in terms of the emergency regulations (see *Emergency Regulations* below) restricting, in certain specified areas, funeral ceremonies including

memorial services, commemoration services, funeral processions or burials of any person who had died in or during any security action or unrest, or of wounds sustained by him/her in or during any security action or unrest. Orders restricting funerals before 11 June 1987 were issued in terms of Proclamation R109 of 1986 (see 1986 *Survey* Part 2 p832) while the orders made after 11 June 1987 were issued in terms of Proclamation R96 of 1987. The orders were issued by the divisional commissioners of police in terms of the powers vested in them in terms of regulation 7 of Proclamation R109 of 1986 and regulation 7 of Proclamation R96 of 1987 (see *Emergency Regulations* below).

In spite of these restrictions people frequently gathered to commemorate deaths of victims of police action.¹² [¹² *Focus* No 74 January - February 1988]

Restrictions on specific funerals

Restrictions in terms of the emergency regulations were also placed on the funerals of specific individuals during 1987 (see *Emergency Regulations* below).

On 11 April, for example, police imposed restrictions on the funeral of Mr Benedict Mashoke, a detainee and a member of the Vaal Students' Congress who died while in police custody in the eastern Transvaal.¹³ [¹³ *Sowetan* 10 April]

In September soldiers on horses prevented more than 2 000 mourners from reaching the cemetery where a Daveyton (east Rand) student leader, Mr Caiphus Nyoka, was to be buried. He had died from a bullet wound in his forehead. A contingent of the South African Police (SAP), soldiers and council police patrolled the area and a police helicopter hovered over the township. Only mourners in vehicles were allowed into the cemetery.¹⁴ [¹⁴ *Ibid* 7 September]

The funeral of an alleged ANC activist, Mr Ashley Kriel, in July in Bonteheuwel (western Cape) sparked off violence. The police allegedly ripped an ANC flag off the coffin and shot teargas canisters at mourners and the clergy.¹⁵ [¹⁵ *Cape Times* 18 July]

The police ordered the father of a senior ANC official, Mr Paul Sello Motau, who was killed in Swaziland in July, to bury his son under tight emergency restrictions. The family was given less than 24 hours' notice of permission to hold the funeral. Seven people were arrested at the funeral.¹⁶ [¹⁶ *The Star* 24 July]

Bannings of organisations

The United Democratic Front (UDF), which had been declared an 'affected' organisation in 1986 (see 1986 *Survey* Part 1 p 179), had this set aside in the Natal Provincial Division of the Supreme Court in April. The state said that it would take the decision on appeal.

In February 1988 the government served severe restriction orders on most of the activities of 17 organisations. The names of these organisations are listed under *Emergency Regulations* below. It also banned the political activities of the Congress of South African Trade Unions (COSATU), but not its trade-union activities. The curbs were imposed in terms of emergency regulations under the Public Safety Act of 1953 (see *Emergency Regulations* below).¹⁷ [¹⁷ *Government Gazette* no 11157, Notice 334, 24 February; *Government Gazette* no 11157, Notice 335, 24 February]

In terms of the government notice, the curbs on the 17 organisations and COSATU were to remain in force until they were withdrawn or until the state of emergency was lifted. While the curbs were in force, no person could:

- on behalf of or in the name of or in a capacity as office bearer of an organisation carry on an activity or perform an act which the organisation was prohibited by the said order from carrying on or performing; or
- participate in any activity or act of that organisation which the organisation was carrying on or performing in contravention of the said order.¹⁸ [¹⁸ *The Citizen* 25 February 1988]

The ban on all activities of the organisations did not preclude them from maintaining their assets; keeping their books and records up to date and performing the administrative functions connected therewith; complying with obligations imposed on them by or under law; and taking legal advice or legal steps. In addition, an organisation might apply to the minister of law and order for consent to carry on any specific activity. The regulations were deemed to have come into operation as of 24 February (see also chapters on *Labour Relations* and *Political Organisations*).¹⁹ [¹⁹ *Ibid*]

In March 1988, in response to the banning of the 17 organisations, a new organisation was formed called the Committee for the Defence of Democracy. It comprised leaders of church, educational, women's and sports organisations. On 12 March it was banned from carrying out its activities under the same legislation as the other 17 organisations (see *Emergency Regulations* below).

Bannings of persons

According to the Detainees' Parents Support Committee (DPSC), no persons were banned under the Internal Security Act (ISA) of 1982 during 1987. Such bannings, which were previously issued under the Suppression of Communism Act of 1950, were among the severest form. of restrictions imposed on individuals. They usually included confinement to a particular district, prohibiting from attending any kind of gathering and prevention from being quoted. In some cases, house arrest was also included.

However a number of less severe restrictions than such outright bans were imposed in 1987. According to the DPSC, between 12 June 1986 and 10 June 1987, 69 people were restricted in terms of the ISA after release from detention. Of the 69 people, 34 were known to be members of the United Democratic Front (UDF) and its affiliates, while 11 were trade union members or officials. The DPSC also claimed to know of 11 people restricted on their release from detention after 10 June, among them nine members or officials of the UDF.²⁰ [²⁰ Detainees' Parents Support Committee (DPSC) Annual Review of 1987, February 1988]

A Transkei attorney, Mr Dumise Vuhle Ntsebeza, was banned by the Transkei administration in March. He was also banished to Tsomo, a rural area in the Transkei. The order was issued in terms of the Transkei's Public Security Act of 1977. Mr Ntsebeza contested the order, which was set aside by the Umtata Supreme Court in March.²¹ [²¹ *Sowetan* 18 March]

In November the Transkeian prime minister, Miss Stella Sigcau, lifted banning orders on 16 people. Eleven people previously deported from the Transkei were told they could return. The first banning order had been issued in 1976. Most of those banned had been removed from their homes and banished to remote areas of the territory and arrested each time they attempted to return. The orders had been imposed by the former prime minister, Chief George Matanzima, and president. Chief Kaiser Matanzima. Miss Sigcau banished Chief Kaiser Matanzima.²² [²² *Business Day* 15 November]

In November a prominent former African National Congress (ANC) leader, Mr Govan Mbeki, was served with a restriction order under the emergency regulations one month after his release from 23 years' imprisonment on Robben Island. The order prohibited Mr Mbeki from leaving his hometown of Port Elizabeth (eastern Cape), speaking to journalists or assisting in the publication of any material.²³ [²³ *Eastern Province Herald* 7 November]

Mr Mbeki's lawyer, Mrs Priscilla Jana, claimed that the restriction indicated that the government was 'obviously embarrassed that it could not continue its usual stance that Mr Mbeki ... [does] not have mass support'.²⁴ [²⁴ *The Natal Mercury* 12 December] The Conservative Party said that the ANC leader should never have been released because this had led only to a strengthening of the revolutionary forces against South Africa.²⁵ [²⁵ *Ibid*] The leader of the Progressive Federal Party, Mr Colin Eglin, said that 'the order would not only undo the good that has been achieved by the government's decision to release Mr Mbeki after 23 years in jail but will undoubtedly add to the tensions and frustrations in the wider South African community'.²⁶ [²⁶ *The Star* 14 December]

At the same time as its actions against 17 political and other organisations in February 1988, the government served a number of people with restriction orders. In February 1988 the two co-presidents of the UDF, Mr Archie Gumede and Mrs Albertina Sisulu, were both served with restriction orders. Other people known to have been served with these orders were an office bearer of the Release Mandela Campaign, Mr Jabu Ngwenya; the vice president of the Transvaal Indian Congress, Mr Ram Saloojee; the Natal Midlands chairman of the UDF, Mr A S Chetty; a Methodist leader in Pietermaritzburg, Mr Simon Gqubule; the national treasurer of the UDF, Mr Azhar Cachalia; Cape UDF members Mr Willie

Hofmeyer, Mr Joe Marks and his son Mr Joey Marks; and two *Saamstaan* journalists, Mr Reggie Olifant and Mr Derek Jackson.²⁷ [²⁷ *Business Day* 25 February 1988]

The emergency regulations allowed the minister of law and order, without prior notice, to prohibit a person from:

- carrying on an activity or performing an act specified in the order;
- carrying on activities or performing acts of a nature, class or kind specified in the order;
- being, at any time or during the hours specified in the order outside the boundaries of an area specified; or
- being, during the hours specified, outside the boundaries of the premises where he or she lived.

These orders would cease on the expiry of the state of emergency. In the meantime, permission from the commissioner of police could be sought to do certain things. Consent would be granted if the commissioner was satisfied that this would not result in the safety of the public or the maintenance of public order being threatened.²⁸ [²⁸ *The Citizen* 25 February]

Listings

Three people's names were added to the consolidated list of people whom it is illegal to quote. They were Mr Tom Sebina, a spokesman for the ANC;²⁹ [²⁹ *Government Gazette* no 10615, Proclamation R336, 20 February] Ms Jansie Lourens who was listed as soon as she was released from prison after serving a sentence for high treason (see 1983 *Survey* p560)³⁰ [³⁰ *Government Gazette* no 10852, Notice 1680, 7 August] and Mr Fumanekile Gqiba, a member of the ANC religious department.³¹ [³¹ Information supplied by the DPSC, 10 February, *Sowetan* 24 February]

Restrictions on travel

Passports

A total of 127 applications for passports or renewals of passports were refused in 1987. Those refused passports comprised 95 Africans, eight coloured people, 15 Indians and nine whites, several of whom reapplied for passports after their applications were refused. During 1987, 258 743 applications for passports and renewals of passports were made.³² [³² *Business Day* 29 March]

In January a passport issued to a Durban journalist, Mr Marimuthu Subramoney, through a ‘technical oversight’ was withdrawn by the Department of Home Affairs.³³ [³³ *The Natal Mercury* 6 January]

An application by the news editor of the *Sowetan* newspaper, Mr Thami Mazwai, for a passport was refused in February. Mr Mazwai was also an official of the International Federation of Journalists.³⁴ [³⁴ *The Natal Witness* 20 February]

Father Smangaliso Mkhathshwa, secretary general of the Southern African Catholic Bishops’ Conference, was refused a passport in September to speak at venues overseas and to receive an honorary degree.³⁵ [³⁵ *The Star* 3 September]

The general secretary of the Congress of South African Trade Unions (COSATU), Mr Jay Naidoo, had his passport seized in September as he attempted to board a plane for Australia to attend a conference of the Australian Congress of Trade Unions.³⁶ [³⁶ *Sowetan* 9 September]

In October eight South Africans attending a conference on South Africa in White Plains (near New York) staged a walk-out in protest over the refusal of the South African government to grant three people passports to attend the conference. The three were Mr Naidoo, Mr Cyril Ramaphosa, the general secretary of the National Union of Mineworkers (NUM), and Professor Fatima Meer of the Department of Sociology at the University of Natal.³⁷ [³⁷ *Cape Times* 1 October]

In October a Cape Town academic, Dr Neville Alexander, had his fifth application in 20 months for a passport refused by the government. He had been offered posts by two overseas universities, one in West Germany and the other in the United States.³⁸ [³⁸ *Sowetan* 22 October]

Visas and work permits

In Parliament in February the minister of home affairs, Mr Stoffel Botha, said that 186 applications for visas by foreign journalists and members of the foreign media to visit South Africa had been refused during 1987 (see chapter on *The Media*).³⁹ [³⁹ *Hansard* (A) 3 q col 91, 24 February 1988]

The former UDF Border president, Mr Steve Tshwete, appealed in February against a decision handed down in the Eastern Cape Division of the Supreme Court which denied him the right to live in ‘South Africa’ without a permit (see chapter on *Urbanisation*). Counsel for the minister for home affairs, Mr Stoffel Botha, argued that Mr Tshwete had ceased to be a South African citizen when the Ciskei became ‘independent’. However, counsel for Mr Tshwete argued that the area in which he lived lay on the South Africa-Ciskei border and that his home was on the South African side; this meant that he was not supposed to lose any rights or privileges as citizens who lived permanently in ‘South Africa’ were to retain their rights when the Ciskei had become ‘independent’.⁴⁰ [⁴⁰ *The Weekly Mail* 20 February] His appeal

was partly successful. It was declared that the minister of home affairs would not be entitled to require a permit from Mr Tshwete to reside in South Africa as he was a South African citizen. However the minister would be entitled to require a valid visa for his movements to and from South Africa.

The leader of the Evangelical Lutheran Church, Dean Tshenuwani Farisani, who had been declared a 'prohibited immigrant' from the rest of South Africa was granted two 12-hour visas to enter 'South Africa' from Venda while en route to Europe and the US and to return to Venda via 'South Africa'.⁴¹ [⁴¹ *Sowetan* 27 February]

An Afrikaans poet, Mr Breyten Breytenbach, was refused a visa to enter South Africa in April. The purpose of Mr Breytenbach's visit was to see his 83-year-old father, who was partially paralysed by a stroke.⁴² [⁴² *The Weekly Mail* 3 April]

Two Australian and two British foreign correspondents were ordered to leave South Africa in May. The Australian journalists were expelled because, according to the director general of home affairs, Mr Gerrie van Zyl, their reports had contained 'gross untruths about South Africa which they wanted to send to Australia'.⁴³ [⁴³ *The Citizen* 7 May] The minister of home affairs declined to give reasons for the expulsion of the British journalists. The authorities also refused to renew the work permit of one American journalist. The minister of home affairs said that the journalists were not being expelled, rather their temporary work permits were about to expire and would not be renewed (see chapter on *The Media*).⁴⁴ [⁴⁴ *Ibid*]

The American author of the Sullivan Principles, the Rev Leon Sullivan, said that he was refused a visa to visit South Africa in May by the minister of home affairs. Mr Botha said that 'the time was not appropriate for him to visit South Africa' and confirmed that a visa had been refused.⁴⁵ [⁴⁵ *Cape Times* 18 May]

South Africa refused to allow a member of the Bonn parliament to enter the country to investigate charges that West German firms were helping to build South African submarines in contravention of the arms embargo against South Africa (see *Arms and Equipment* above).⁴⁶ [⁴⁶ *The Citizen* 15 July]

The South African government refused visas for delegates from Canada, Denmark, Finland, Sweden, the Netherlands, Norway and the US to attend the annual congress of COSATU in July. COSATU's information officer, Mr Frank Meintjies, said that 'the government's refusal to grant these people visas reflects poorly on it. The government is trying to discredit COSATU and suppress its activities'.⁴⁷ [⁴⁷ *Sowetan* 15 July]

Bophuthatswana dropped its visa requirements for Botswana residents in July. Such requirements had been introduced at the beginning of 1987.⁴⁸ [⁴⁸ *The Citizen* 3 August]

Deportations

In January a deportation order served against a Port Elizabeth End Conscription Campaign (ECC) member, Mr Dominique Souchon, was withdrawn on instructions from the minister of home affairs.⁴⁹ [⁴⁹ *Eastern Province Herald* 14 January]

The minister also rescinded an order for the expulsion of Professor Philip Bonner of the Department of History at the University of the Witwatersrand (Johannesburg). The deportation order was withdrawn following a meeting between the minister and Professor Bonner during which the latter undertook to restrict himself to activities within the law (see chapter on *Labour Relations*).⁵⁰ [⁵⁰ *The Citizen* 15 January]

In July the editor of the *South African Labour Bulletin*, Dr Jon Lewis, was refused permanent residence rights by the minister of home affairs and was given 30 days in which to leave the country. Dr Lewis moved to the 'independent' homeland of Bophuthatswana.⁵¹ [⁵¹ *Business Day* 15 July]

In November Ms Sally Hutchings, a lecturer at the University of South Africa, threw two tomatoes at the state president, Mr P W Botha, on his visit to the campus in Pretoria. She was deported to London within hours of her action.⁵² [⁵² *Ibid* 2 November]

Detentions

Statistics

There was a substantial drop in the number of people detained in 1987 when compared with 1986. The claims made by the Detainees' Parents Support Committee (DPSC) regarding the number of people detained under the Internal Security Act (ISA) of 1982 and under homeland security legislation during 1986 and 1987 were as follows:

Detentions under security legislation: 1986 and 1987

1986

1987

Eastern Cape

256

17

Natal

104

115

Northern Cape

6

4

Orange Free State

14

9

Transvaal

323

203

Western Cape

66

60

Place unknown

1 551*

—

Subtotal

2 3

Detentions under security legislation: 1986 and 1987 (Continued)

1986

1987

Bophuthatswana

8

2

Ciskei

116

69

Transkei

368

197

Venda

28

18

Subtotal

520

286

Grand Total

2 840

694

*

From published police statistics which do not disclose the place of detention.

The 1986 figure given by the DPSC for known detentions was 2 840. In 1987 a figure of 4 132 was given by the police for the total number of detentions in 1986 under the ISA. The known figure for detentions in the 'independent' homelands was 520. This would bring the total number of detentions for 1986 to 4 652.

The laws under which these people were detained were as follows:⁵³ [⁵³ Detainees' Parents Support Committee (DPSC) Annual Review of 1987, February 1988]

Detentions under security legislation: 1986 and 1987

1986

1987

Section 28, ISA

—

—

Section 29, ISA

413

394

Section 31, ISA

79

10

Section 50, ISA

1 800

—

Homeland legislation

520

284

Unknown

8

6

Total

2 840

694

(For details of the various sections of the ISA see 1986 *Survey* Part 2 pp822–823.)

The minister of law and order, Mr Adriaan Vlok, revealed in Parliament in March that of the 219 people in detention under section 29 of the ISA as at February 1988, 214 were Africans, three were coloured people and two were whites. Of these, 185 had been detained for longer than three months. No persons were detained in terms of sections 50 and 50(a) of the ISA as at that date.⁵⁴ [⁵⁴ *Hansard*(A) 4 q col 246, 4 March]

According to Mr Vlok, 519 persons were detained in 1987 under section 29(1) of the ISA and 81 were charged. On 11 February 1988, 195 of the 519 detainees were still in detention.⁵⁵ [⁵⁵ *Ibid* col 247]

Mr Vlok revealed that from 5 June 1987 until February 1988, 50 persons were charged under security legislation. The offences for which they were charged varied. (This figure did not include those detained in the ‘independent’ homelands as, according to the minister, none had been de

According to Mr Vlok the number of people detained for 30 days or more under the emergency regulations from 1 January to 11 June 1987 was 15 250. The commissioner of the South African Police, General P J Coetzee, revealed in an affidavit that 19 209 people had been detained from January to 15

April 1987. He also revealed that 14 965 people had been released and that the detainee population on that date was 4 244.⁵⁷ [⁵⁷ DPSC Annual Review of 1987, February 1988]

Between the reimposition of the state of emergency on 11 June and 5 October 1987, Mr Vlok released the names of 1 585 people detained since 11 June 1987. The list included the names of people redetained on 11 June. Therefore, the official number of those detained for more than 30 days was estimated to be 16 835 in October 1987. Information was not released for people detained for less than 30 days.⁵⁸ [⁵⁸ Ibid]

According to Mr Vlok, 1215 emergency detainees had been charged between 12 June 1986 and 12 February 1987, constituting 7,8% of detainees. Of the 1 215, 635 people were still awaiting trial. Of those tried, 140 persons had been found not guilty, 279 had had all charges against them withdrawn and 161 had been found guilty.⁵⁹ [⁵⁹ Ibid]

The DPSC estimated that 25 000 people were detained between 12 June 1986 and 11 June 1987 under the emergency regulations and that approximately 5 000 people were in detention on any one day.⁶⁰ [⁶⁰ Ibid] Just prior to the reimposition of the state of emergency on 11 June 1987 a number of detainees were released, although many were redetained under the reimposition of the new emergency.⁶¹ [⁶¹ *Business Day* 13 June]

The DPSC claimed that 78% of the estimated 25 000 people detained from 12 June 1987 to 31 December 1987 were from the United Democratic Front (UDF) and its affiliates. About 12.5% were from the Congress of South African Trade Unions (COSATU) and its affiliated unions, about 3,5% from the National Council of Trade Unions (NACTU), and some 3% from the National Forum (NF) or the Azanian People's Organisation (AZAPO). The remainder were from organisations which were not affiliated to any other body.⁶² [⁶² DPSC Annual Review of 1987, February 1988]

Mr Vlok said in Parliament in February that the daily average of people detained in police cells in South Africa was 14 917. The average was calculated from figures taken from 804 police stations from 1 January to 31 December 1987. The majority were detained under the Criminal Procedure Act of 1977, in terms of which people may be detained for a period not exceeding 48 hours unless their continued detention is ordered by a court.⁶³ [⁶³ *The Citizen* 24 February 1988]

A total of 307 government employees had been detained in terms of security and emergency laws during 1987. Of these, 219 were in the employ of the Department of Education and Training, 30 worked for the Department of Communications, and 38 for the Department of National Health and Population Development. The remainder were employed by various other departments. In all cases, the detainees' posts were being kept open until the result of their detention was known.⁶⁴ [⁶⁴ Ibid 2 July]

At its sixth national conference, held in October, the DPSC and the Detainees' Support Committee (DESCOM) said that there had been a decrease in the number of detentions in recent months. They attributed this to 'the apparent switch in state repressive policy to the use of extra-legal repression'.⁶⁵ [⁶⁵

Sowetan 13 October]

The deputy minister of law and order, Mr Roelf Meyer, said that detentions had played a role in achieving stability. 'The detentions over the past year were "worth it" because it was better to have more freedom for millions of people than to have a few disrupting normal daily life,' he said.⁶⁶ [⁶⁶

Hansard (D) 12 col 3125, 3 September]

Detention of juveniles

Mr Vlok said in Parliament in February 1988 that 1 338 juveniles under the age of 18 had been detained under the emergency regulations during 1987. Of these 290 had been children under the age of 16.⁶⁷ [⁶⁷

Hansard (A) 3 q col 45, 23 February 1988] On 12 February 1988, 234 juveniles were still in detention. Of those held, five were 15 years of age, 89 were 16 years of age and 140 were aged 17 years. None was under 15 years of age.⁶⁸ [⁶⁸ *Hansard* (A) 2 q col 6, 16 February 1988]

The DPSC estimated that at the end of December 1987, 230 children aged 18 or under were in detention under the emergency regulations, of whom six were 14 years of age.

In April the Free the Children Alliance called on the government to release more than 340 children under 18 years of age allegedly held under emergency regulations.⁶⁹ [⁶⁹ *Sowetan* 22 April]

The KwaNdebele minister of education and culture, Mr Placid Kiniti, said that he did not know of any children in detention there. However, organisations monitoring detentions in the homeland believed that approximately 150 people were in detention, about 100 of them being schoolchildren.⁷⁰ [⁷⁰ *Ibid* 24 August]

Mr Vlok said in September that no child under 15 was being held under the emergency regulations and no youth was in detention unless it was 'absolutely essential for the safety of the public or the maintenance of public order'. Only three children of 15 years of age, 28 of 16 years and 84 of 17 years were being held, most of them in connection with serious offences ranging from murder and arson to public violence.⁷¹ [⁷¹ *Ibid* 25 September]

The deputy minister of law and order, Mr Roelf Meyer, said in Parliament that youths in detention were not innocent children and many were perpetrators of stone throwing, murder and other acts of violence. The reasons given for the continued detention of black children were that they refused to testify against others.⁷² [⁷² *Hansard* (A) col 378, 15 February]

The South African Paediatric Association prepared a code of conduct for the Medical Association of South Africa (MASA) dealing with the treatment of children in detention. The code laid down guidelines for the arrest, questioning, detention and physical conditions of detainees under the age of 18 years. Further, it outlined medical and related matters and made suggestions regarding the rehabilitation

of children in detention (see chapter on *Welfare*).⁷³ [⁷³ *The Star* 22 June]

Reaction to the code was mixed. The DPSC opposed any suggestion that the detention of children could be made acceptable by improving prison conditions. Mrs Ethel Walt of the Black Sash welcomed the 'long overdue' code.⁷⁴ [⁷⁴ *Ibid* 23 June]

Several pupils were refused readmission to schools after being detained under the state of emergency. Detainees in rural areas appeared to be most affected but cases were also reported in the Cape Town area. Strict conditions were laid down for those detainees who had been readmitted to schools.⁷⁵ [⁷⁵ *South* 24 September]

Detentions of trade unionists

About 167 trade unionists were detained under security legislation in South Africa and some of the homelands in 1987, representing 24,1% of a total of 694 people detained under security legislation.

The DPSC claimed that approximately 5 000 people were detained under the state of emergency from 1 January to 11 June 1987. Of those approximately 315 were trade unionists. From 12 June to 31 December 1987, 2 346 people were recorded as being detained, of whom 91 were trade unionists.⁷⁶ [⁷⁶ Information received from the DPSC, 11 February 1988] (For further details of trade unionists, see chapter on *Labour Relations*.)

Treatment of detainees

Allegations of torture

Mr Vlok dismissed allegations of torture made by various bodies monitoring detentions in South Africa, but allegations of systematic torture of detainees by police continued to be made. Both section 29 of the ISA and the emergency regulations prevent regular visits to detainees by independent observers other than those permitted by the state. Since the state of emergency was imposed in July 1985, approximately 40 cases involving 120 people had been brought against the minister of law and order alleging abuse of emergency detainees. These did not include the action brought against the state by Dr Wendy Orr and 43 others in the Port Elizabeth and Uitenhage area in 1985 which involved hundreds of people (see 1985 *Survey* p450).

During 1987, the DPSC said, 49 people made applications to court for restraining interdicts and other orders relating to allegations of assault and torture of security and emergency detainees.⁷⁷ [⁷⁷ DPSC Annual Review of 1987, February 1988]

A journalist on *The Star*, Ms Jo-Anne Richards, was served with a subpoena in terms of section 205 of the Criminal Procedure Act of 1977, demanding that she reveal to the police her confidential sources

after she had reported that 40 released detainees had complained of injuries and had been referred to a panel of doctors who had found that more than half were severely injured. The police demanded the names and addresses of the doctors and their patients so as to investigate the alleged offences.⁷⁸ [⁷⁸ *The Star* 19 March] On 24 April the hearing was cancelled after the doctors released Ms Richards from her obligation to protect her sources. Instead she supplied an affidavit to the police

The panel of doctors referred to above published a study in April alleging that 72% of detainees seen had claimed that they were assaulted in detention and 97% of these showed signs of abuse. The study showed that 78% of the detainees had allegedly been subjected to mental abuse through interrogation, threats or humiliation, including being forced to remove their clothing and make statements. Of the 32% held in solitary confinement, 84% suffered psychological problems after release. The police claimed that the findings were vague and unsubstantiated. They called for details to be given with regard to the panel of doctors who undertook the study, the identity of the victims, places of alleged assault or other relevant evidence which could substantiate the allegations.⁷⁹ [⁷⁹ *Ibid* 8 April]

Mr Vlok said in April in response to claims of police torture in a World Council of Churches newsletter that 'it was very clear that the claims of assault and torture of detainees were in most cases either wilful lies or exaggerated distortions manufactured by political activists to vilify the police'.⁸⁰ [⁸⁰ *Ibid*]

Figures released in Parliament in February 1987 showed that 263 people who had been detained in police cells since 12 June 1986 had been hospitalised between 29 August 1986 and 10 February 1987. Of these 158 were emergency detainees, one was held under the Intimidation Act of 1982,³⁹ under the ISA and 65 were held under the Criminal Procedure Act. These figures did not include those detained in prisons. The minister of justice, Mr Kobie Coetsee, said that these people had been hospitalised for a variety of reasons, including heart attacks, stomach ailments, diabetes, operations, injuries, venereal disease and general illnesses.⁸¹ [⁸¹ *Hansard* (A) 4 q col 226, 23 February]

In February Mr Coetsee gave details of 20 incidents since the declaration of the state of emergency in 1985 in which teargas had been used against detainees in prison. Mr Coetsee said that 'the use of tearsmoke is subject to strict rules and serves as an alternative when all other effective options to defuse a potentially dangerous situation have been exhausted and where it is obvious that violence aimed at fellow detainees or personnel has to be prevented, property be protected from wanton and malicious damage and order be restored'.⁸² [⁸² *Hansard* (A) 2 q col 26, 10 February]

The minister of national health and population development, Dr Willie van Niekerk, said in Parliament that state doctors had paid 3 800 visits to security detainees during 1987. Action had been taken in respect of 20 cases of alleged assault, 50 cases of hunger strikes, 30 cases of depression and 50 cases of minor complaints, he said.⁸³ [⁸³ *The Citizen* 15 March]

In Parliament in September Mr Peter Soal MP (PFP) gave details about the alleged torture in detention of Father Smangaliso Mkhathshwa, secretary general of the Southern African Catholic Bishops'

Conference, by members of the South African Defence Force (SADF). Mr Soal said that Father Mkhathshwa had been made to stand on the same spot for approximately 30 hours while blindfolded and handcuffed. He was subjected to extreme physical assault, Mr Soal said.⁸⁴ [⁸⁴ *Hansard* (A) 12 col 5120, 2 September]

Six members of the SADF were subsequently charged with *crimen injuria* by a board of inquiry held by the SADF, but the charges were dropped against five of them after one paid a R200 admission-of-guilt fine.⁸⁵ [⁸⁵ *Ibid* (A) 16 q col 1085, 6 October]

Hunger strikes

Mr Coetsee said in Parliament in February that from 12 June 1986 to 31 January 1987, 1 456 persons detained in terms of the emergency regulations had been involved in hunger strikes. He believed that 'these so-called hunger strikes are mostly undertaken by large groups of detainees on an obviously orchestrated basis'.⁸⁶ [⁸⁶ *Hansard* (A) 2 q col 23, 10 February]

Mr Coetsee said that between 1 February 1987 and 31 December 1987 emergency detainees were involved in 15 hunger strikes. These occurred at Durban Male Prison (Natal), East London Prison (eastern Cape), Kroonstad Prison (Orange Free State), Modderbee Prison (Benoni), Pollsmoor Prison (western Cape), Port Elizabeth Prison (eastern Cape), Potchefstroom Prison (west Rand) and Victor Verster Prison (Cape Town).

The National Medical and Dental Association (NAMDA) called for an urgent investigation into conditions at East London's Fort Glamorgan Prison, where a hunger strike involving 200 detainees had taken place. The general secretary of NAMDA, Dr Rob Dyer, said that the organisation was 'seriously concerned' about allegations on conditions received from detainees released from the prison. The South African Prison Services liaison officer, Lieutenant Colonel A E van Vuuren, replied that 'a well-known tactic used by ex-detainees is to make false and far-fetched allegations about the incarceration circumstances in South African prisons'.⁸⁷ [⁸⁷ *The Weekly Mail* 5 June]

Rights of detainees

In terms of Government Notice 1300, the stringent rules under which state of emergency detainees were kept were effectively repealed.⁸⁸ [⁸⁸ *Government Gazette* no 10775, Notice 1300, 11 June] In their place the state president promulgated regulations which provided for:

- compulsory medical attention after the arrest of a detainee;
- segregation from 'ordinary' prisoners;

- study by way of correspondence; and
- that detainees should not spend more than 14 days in a police lock-up.

In terms of Proclamation R106 of 1987 the provisions of sections 82 and 83 of the Prisons Act of 1959 were made applicable to detainees. This placed them in a position similar to that of awaiting trial prisoners, although a prohibition on detainees procuring items such as newspapers and radios was added.⁸⁹ [⁸⁹ *Government Gazette* no 10805, Proclamation R106, 26 June]

Mr Geoff Budlender of the Legal Resources Centre claimed that the new rules in no way gave detainees the rights of awaiting trial prisoners, mainly because they did nothing to address the question of access to lawyers. He argued that while there were some improvements, detainees were worse off in a number of respects, including visits, buying newspapers, receiving food from outside prison, exercise and study.⁹⁰ [⁹⁰ *Eastern Province Herald* 3 August]

In August the Appellate Division (AD) of the Supreme Court upheld a judgement that emergency detainees should continue to be denied access to a legal adviser. The case arose out of an application in November 1985 by Mr Abdullah Omar and five detainees that they be released from detention. In their application they had also challenged the rule stating that a lawyer had to obtain permission from the minister of law and order before being allowed to visit a detained client. The application failed and had been taken on appeal. By a majority of four to one, the AD held that the denial of access to lawyers without permission was lawful. The AD ruled that if the detention was to continue for longer than 30 days, it had to be extended by the minister of law and order. The detainee had no right to a hearing until the minister had extended the detention. The wider implication for the state of emergency was the express premise underlying the judgement—namely that the state president's power to make regulations gave him the widest possible discretion in the choice of means with which to deal with the emergency situation.⁹¹ [⁹¹ *Cape Times* 7 July]

The ban on access to lawyers without permission had been attacked in the courts on various grounds. The result of these cases was that detainees were routinely able to see their lawyers, subject to administrative arrangements. A number of detainees had even been released as a result of this.⁹² [⁹² *Eastern Province Herald* 3 August]

Mr Vlok said in Parliament in May that visitors were allowed to visit detainees every fortnight on request. The commissioner of the South African Police had formulated the rules that applied to such a matter. No further information was given in this regard.⁹³ [⁹³ *Hansard* (A) 2 q col 6, 26 May]

Approximately 109 detainees at Victor Verster Prison near Paarl in the Cape sent a joint memorandum to Mr Vlok demanding that he visit them in jail to address them on the reason for their continued detention and to tell them when they would be released.⁹⁴ [⁹⁴ *The Weekly Mail* 13 March]

In 1985 a panel of private doctors was appointed by the Medical Association of South Africa (MASA) to attend to detainees. The secretary general of MASA said in an interview in London in 1986 that panel members were screened by the government for 'security reasons'.⁹⁵ [⁹⁵ *Focus* 74, January-February 1988] The names of members of the panel were confidential. According to the minister of national health and population development, Mr W van Niekerk, they could, however, be made available to detainees and their parents on request. Dr Van Niekerk said that detainees were only informed that the services of a panel of private doctors were available to them when a second opinion was required.⁹⁶ [⁹⁶ *Hansard* (A) 12 q col 727, 1 September]

Deaths in detention

Mr Benedict Mashoke, a 20-year-old emergency detainee, was found hanging in his police cell in March. The police public relations directorate in Pretoria said that a preliminary investigation showed that he had committed suicide. Mrs Helen Suzman MP (PFP) called for a full inquiry and inquest into his death. Mr Mashoke was the 64th person to have died in detention since 1963.⁹⁷ [⁹⁷ *The New York Times* 27 March]

A black youth died after being arrested in March, but his death was not recorded as a death in detention because he died before being jailed. According to police, he died after he had jumped from a moving armoured vehicle in an 'attempt to escape from custody'.⁹⁸ [⁹⁸ *The Guardian Weekly* vol 136, 14 April 1987]

There were also four deaths in police custody of persons arrested under circumstances which appear to have been politically related. An unknown youth of 17 years of age died in the Pretoria/Witwatersrand/Vereeniging (PWV) area; Mr Edwin Cele, aged 22, died in July in Durban; Mr Ashley Kriel, aged 20, died in Cape Town in July; and Mr Ndiko Marune died in November in Sasolburg (southern Transvaal).

Another woman detainee from Port Elizabeth, Mrs Nobandla Elda Bani (56), died in July in the Port Elizabeth prison hospital. Initial investigation revealed that she had died of a stroke. A few days before her death, she had been seen by her lawyer who had been shocked by her state of health, and the lawyer had decided to apply to court to release Mrs Bani on medical grounds. She had been arrested in August 1986. On her arrest she had pleaded with soldiers not to arrest her as she was an outpatient at Livingstone Hospital and had had diabetes for 13 years.⁹⁹ [⁹⁹ *Cape Times* 30 July]

Intelligence Services

Government spending on secret services in the 1987/88 financial year was budgeted to be R198m, an increase of 17,3% on the previous year's budget of R169m.¹ [¹ Republic of South Africa, Estimate of the Expenditure to be Defrayed from the State Revenue Account during the Financial Year ending 31 March 1988, RP 2&4-1987]

State security council

The national security management system (NSMS) was set up in 1986. It was based on an extensive network of management centres with direct lines of communication from street level to the highest levels of government (see 1986 *Survey* Part 2 p845).

The state security council (SSC) existed at the top level and was headed by the state president, Mr P W Botha. It was established by the Security Intelligence and State Security Council Act of 1972. According to this, its brief was to 'advise the government on the formulation of national policy and strategy in relation to the security of the country'. It was also responsible for determining national intelligence priorities. It included the ministers of defence, foreign affairs, law and order and senior officials. Its main function was to co-ordinate the security system, pass on cabinet security decisions, and to co-ordinate and evaluate the work of the country's intelligence systems.² [*African Confidential* Vol 28 No 14, 8 July]

Mr Botha convenes weekly meetings of the SSC, usually just before cabinet sessions. The SSC can present recommendations to the cabinet with the president's approval. The SSC is concerned with many aspects of domestic and foreign policy. Its military members are strategically positioned to influence discussions on a wide range of economic and constitutional matters

The NSMS has four basic structural components: the SSC work committee, the secretariat, inter-departmental committees and joint management centres (JMCs).

The work committee is designed to provide expert support work to the SSC. Its main function is to discuss all matters which are to be put before the council and to make recommendations regarding the advice the SSC should give to the cabinet. It also reports on the implementation of policy mandates given by previous SSC meetings. Its membership is composed of the highest-ranking officials of relevant government departments.

The NSMS has 13 inter-departmental sub-committees. Many of the national security policy recommendations that reach the SSC originate from these inter-departmental bodies

The secretariat functions to support both the work committee and the SSC in the performance of their duties. It co-ordinates the activities of departments and ensures implementation of the SSC and cabinet security decisions. It also co-ordinates and evaluates the work of the South African intelligence services. The secretariat has a staff of approximately 90, of whom approximately 65% are from the South African Defence Force (SADF), approximately 25% are from the National Intelligence Service and approximately 10% are from the Department of Foreign Affairs.³ [³ Ibid]

Below the national level are regional JMCs. They are centred in the main cities and are chaired by a military or police brigadier. Each JMC is composed of 55–65 officials and security service officers. All

government departments are represented on them. In 1987 the JMCs co-ordinated 60 sub-JMCs which, in turn, oversaw more than 400 mini-JMCs at local authority level (see 1986 *Survey* Part 2 p845). The sub-JMCs consist of city officials, together with the local SADF and South African Police (SAP) commanders.⁴ [⁴ Ibid]

Attempts are made by the JMCs to anticipate and identify potential points of unrest before they build up into major issues. Their function is also to identify and neutralise activists in the townships, and to 'win their hearts and minds'. In areas such as Alexandra (near Johannesburg), New Brighton (Port Elizabeth), Mamelodi (Pretoria) and Bonteheuwel (western Cape) JMCs spent large amounts of money on upgrading projects. They established new sports, cultural, church and political bodies and propagated government policies.⁵ [⁵ *The Weekly Mail* 20 May 1988] During 1987/88, R3,2bn was spent on upgrading in many of the areas identified as needing 'special attention' by the JMCs. Another R16bn was supposed to be spent by the directorate of urbanisation in the Department of Constitutional Development and Planning for the upgrading of another 200 townships.⁶ [⁶ Ibid]

Mrs Helen Suzman MP (Progressive Federal Party) referred to the NSMS as a 'sinister and disturbing ... development', which had the effect of a 'creeping coup d'état by consent'.⁷ [⁷ *Hansard* (A) 3 col 819, 4 June] According to information made available to Mrs Suzman, JMC decisions were taken in camera. The deputy minister of law and order, Mr Roelf Meyer, denied allegations of secrecy, saying that there was nothing sinister about the JMCs. He maintained that they involved the co-ordination of all government departments, which worked together to control the 'onslaught'. He said that the system was initiated by the security department but other departments such as the constitutional, economic and welfare departments had come to play a more important role than the security department (see chapter on *Government and Constitution*).⁸ [⁸ *Business Day* 15 June]

In November a Johannesburg city councillor, Mr Tony Leon, was prevented from introducing a motion criticising JMCs by the Johannesburg City Council. The mayor of Johannesburg, Mr Ormond Fenn, told Mr Leon that his motion was unlawful in terms of section 4 of the Protection of Information Act of 1982. Mr Leon's motion called on the council's management committee to instruct municipal employees not to participate in the Johannesburg JMC. The council subsequently overturned the decision not to let him introduce the motion for discussion. The motion was returned to the agenda but was not to be discussed until a later date.⁹ [⁹ *The Star* 24 November]

National Intelligence Service (NIS)

In June the state president, Mr P W Botha, refused to give information in Parliament concerning the total number of persons employed in the National Intelligence Service (NIS) and their salary scales.¹⁰ [¹⁰ *Hansard* (A) 4 q col 124, 9 June]

In July a spokesman for the NIS denied allegations that South African security forces were involved in a

plot in England to kidnap African National Congress (ANC) members. The allegations appeared in an issue of the London *Daily News*, after the appearance of three men in the Lambeth (London) magistrate's court in July in connection with the plot. According to the report, British police believed a plot by South African agents had been foiled.¹¹ [¹¹ *City Press* 19 July]

Following public argument, the NIS published the notes of a speech given by its director general, Dr Niel Barnard, at a Day of the Vow gathering at the Blood River Monument (Natal) on 16 December 1986 (see 1986 *Survey* Part 2 p846). Controversy arose over the speech because it was reported that Dr Barnard had forbidden journalists to report what he had said. The state president then told Parliament in February that copies of the speech were available. The speech made references to organisations such as the South African Council of Churches and the Southern African Catholic Bishops' Conference, and accused them of 'using the cloak of religious piety to cover the fact that they were part of the "revolutionary onslaught" '. Dr Barnard also went on to claim that since 1984 South Africa had been facing an onslaught far greater than at Blood River. That battle 'shows that we are prepared to pay the highest price if it is necessary for our survival. It also shows that we are prepared to draw our swords if no other option is available'.¹² [¹² *The Star* 13 February]

Security police

In August a student at the University of Cape Town, Mr Daniel Pretorius, claimed that he was paid to infiltrate various organisations on the campus as a security police spy and pass on information about their activities. He said that in return for his services he received a monthly salary and his academic fees were paid. The minister of law and order, Mr Adriaan Vlok, acknowledged that the student had acted for the South African Police (SAP) on the campus. In his statement Mr Vlok said that 'it would be naive to believe that the SAP—like all police forces—does not make use of intelligence sources'.¹³ [¹³ *The Citizen* 13 August]

The minister said in August that the SAP did make use of informers to gather information of security interest. He declined to supply details as he felt it was not in the public interest to do so. Mr Vlok also refused to disclose whether police had infiltrated registered political parties, trade unions, extra-parliamentary political or community organisations, student or single-issue organisations. Mr Vlok would also not disclose the number of people employed in such positions and the amount budgeted to pay them.¹⁴ [¹⁴ *Hansard* (A) 11 q col 654, 25 August]

In September the catering manager at a hotel in Pretoria was dismissed for giving security police access to a room adjoining a hall where the Congress of South African Trade Unions (COSATU) was conducting a union education meeting. It was discovered that the security police had set up bugging devices. COSATU said that 'the incident was a serious infringement of [its] democratic right to free assembly and speech'.¹⁵ [¹⁵ *The Star* 23 September]

A South African woman. Miss Odile Harrington, appeared in the Harare (Zimbabwe) High Court in November on charges of spying for South Africa. She pleaded not guilty to a charge under the Official Secrets Act of 1986 of obtaining information which could be useful to an enemy of Zimbabwe. In the outline of her defence, Miss Harrington did not challenge the fact that she had been sent by agents of the South African security service to spy on the African National Congress (ANC). She was sentenced to 25 years' imprisonment for trying to infiltrate the ANC. The South African commissioner of police, General Hennie de Witt, said that Miss Harrington was not a spy and did not receive training, money, or rewards from the police. 'Whatever she did, she did out of self-motivation,' he claimed.¹⁶ [¹⁶ *The Citizen* 4 December]

Two security policemen, Messrs Matshwenyego Daniel Makgabudi and Tshifhango Cedrick Rabuli, who gave information to the ANC for a number of years before being caught, were sentenced by the Pretoria regional court to a total of 70 years' imprisonment in December. The sentences were to run concurrently, each man serving an effective 14 years (see 1986 *Survey* pp880). The two men had been active supporters and members of the ANC from 12 July 1982 until 1986, when they were arrested. During this period they had had access to secret information and files of the security police relating to ANC activities and police action to combat these activities.¹⁷ [¹⁷ *The Star* 4 December]

Justice

The legal system

The annual report of the Department of Justice for 1986/87 said that the public response to the small claims courts had been 'enthusiastic', and, based on the response, more courts were being considered. The concept of cost-free litigation and greater accessibility to the legal system were seen as important factors accounting for their success. The possibility of extending the areas of operation of the courts to include small criminal cases and other civil actions was also being considered.¹ [¹ *The Star* 19 June]

The minister of justice, Mr Kobie Coetsee, announced in October that he had approved amendments to Supreme Court rules to expedite and stem the cost of litigation. The means test for *in forma pauperis* representation was increased from R100 to R1 000.² [² *The Citizen* 2 October]

In October the minister announced that the maximum fines imposed by the lower courts would be increased from 1988. The maximum fines which magistrates' courts could impose in civil cases were increased from R5 000 to R20 000 for illiquid claims and from R10 000 to R50 000 for liquid claims. The maximum fines these courts could impose in criminal cases would be increased from R2 000 to R4 000, while those for regional courts would be raised from R20 000 to R40 000.³ [³ *Ibid*]

Bill of rights

A working paper was published by the South African Law Commission regarding its findings on a South African bill of rights. The commission was studying the feasibility of such a bill of rights, with emphasis on the protection of group/minority rights. The investigation was led by Mr Justice Pierre Olivier. He said that approximately 100 experts in the field had been consulted and more than 400 representations had been received from the public following the commission's appeal through the media.⁴ [⁴ *Business Day* 4 August]

A work plan had been drawn up, and research was being conducted into a number of topics, including:

- the protection of group rights;
- human rights viewed against the background of the principles of the sovereignty of Parliament, the rule of law, natural law, humanism, Calvinism, socialism and communism;
- the protection of human rights internationally;
- the role of the judiciary in protecting human rights;
- comparative studies of 132 charters of human rights and 10 southern African charters; and
- the consequences of the introduction of a bill of rights in South Africa.⁵ [⁵ *Ibid*]

The recommendations would subsequently be tabled in Parliament.

Commissions of inquiry

Controversy over the use of judicial commissions of inquiry by the government for allegedly political purposes came to the fore when the government appointed a commission of inquiry under Mr Justice G Munnik, who was also the sole member, to investigate whether the chief executive of the First National Bank, Mr Chris Ball, had been involved in the funding of pro-African National Congress (ANC) advertisements which had appeared in the press in January 1987 (see chapters on *Business* and *The Media*). According to a professor of law at the University of Cape Town, Professor Denis Davis, a series of reports, including that of the commission of inquiry into the structure and functioning of the courts (the Hoexter commission), which had reported in 1984, had shown that the government was using and exploiting the judiciary for party-political purposes (see 1984 *Survey* pp774–775).⁶ [⁶ *Sunday Tribune* 3 May]

The minister of justice, Mr Kobie Coetsee, said that sitting judges were eminently suited, through background and training, for appointment to commissions of inquiry, and he could not support the view

that they should not in future be nominated for these tasks.⁷ [⁷ *Hansard* (A) 7 col 2777, 31 July]

Legal aid

The minister of justice announced in Parliament in 1987 that government financing of the Legal Aid Board had increased by 228% since 1983/84, from R2,9m to R9,5m, and that every effort was being made to provide those who needed legal aid with the necessary assistance. Mr Coetsee also said that the government had provided additional funding to the board, totalling R2,5m, to enable it to meet its legal assistance commitments.⁸ [⁸ *Ibid* col 2797, 31 July]

The national director of the Legal Resources Centre, Mr Arthur Chaskalson SC, said that although the Legal Aid Board's budget had increased, it was still inadequate for dealing with the thousands of people who were convicted each year in the courts and who were sentenced to imprisonment without having the benefit of legal representation. He believed that the present arrangements did not provide any meaningful support for the defence of criminal cases.⁹ [⁹ *Business Day* 20 May]

In June the Association of Law Societies appointed a committee to investigate the possibility of asking the private sector to contribute to legal aid funds. The association believed that this could boost the depleted state-run fund.¹⁰ [¹⁰ *Ibid* 5 June]

The president of the Cape Law Society, Mr Mervyn Smith, termed South Africa's legal aid budget 'hopelessly inadequate'. Comparing the South African legal aid budget with that of the United Kingdom (UK), he said that the figure budgeted by the government for the year ended 31 March 1987 was R9,6m as opposed to the UK's R1 400m.¹¹ [¹¹ *Ibid* 13 October] Taking South Africa's population as 30m, it meant 32c per person per year was budgeted for legal aid. On the other hand the UK, with a population of 48m, budgeted R28 per person per year.¹² [¹² *Ibid*]

The Legal Aid Board paid out R2m in legal costs in the four months to 31 July. It was estimated that it would have to pay out another R6m in the remaining eight months until the end of the 1987/88 financial year.¹³ [¹³ *Financial Mail* 11 September]

In its report for the year ending 31 March 1986, the board gave the following statistics concerning applications for legal aid:

Applications for legal aid: 1985/86

Nu

Nu

NuNumber of cases resolved by the board's representatives or referred to the state or other institutions

Criminal cases

8 468

1 238

6 393

837

Civil cases

36 242

9 597

11 363

15 282

Quasi-judicial matters

3 495

50

106

3 339

Cases pending

11 353

—

—

—

Total

59 558

10 885

17 862

19 458

The board attributed the increase of 9 896 applications in 1986/87 over the 1984/85 figure of 49 662 to the economic recession. It believed that the increase would have been as high as 60%, as was the case at the end of December 1985, if the Legal Aid Board had not been compelled to suspend services owing to a lack of funds during the year under review.¹⁴ [¹⁴ Legal Aid Board, *Annual Report for the Period 1 April 1985 to 31 March 1986*, p11]

Mr Justice J M Didcott set a new precedent for South African courts in June 1988 in the Durban and Coast Local Division of the Supreme Court (Durban) which held that trials in which the accused had no legal representation could be declared unfair, and the convictions quashed. His judgement extended a Transvaal ruling earlier in 1988 in which Mr Justice R J Goldstone had said that there could be a ‘complete failure of justice unless the accused was informed of his right to legal representation and encouraged to exercise it’. The Legal Aid Board estimated that 100 000 to 150 000 accused were jailed yearly without the benefit of legal defence. Judge Didcott was reviewing the case of two unrepresented men convicted of housebreaking and sentenced to a year in prison. The only evidence against them was a set of fingerprints police said were found in the house soon after the burglary, which occurred in 1981. Commenting on the case, Judge Didcott said that the magistrate had acknowledged that the two accused had been significantly handicapped by ignorance in their attempts at defence and that the trial was ‘as a whole, palpably and grossly unfair’. He set aside their convictions and sentences.¹⁵ [¹⁵ *The Natal Mercury* 1 July 1988]

The director of the Centre for Applied Legal Studies at the University of the Witwatersrand, Professor John Dugard, said that he thought that this was an important judgement which would bring South Africa more into line with other countries on the issue of legal representation. He said the ruling would have ‘persuasive effect’ outside Natal until judges in other provinces affirmed their agreement—or disagreement. The director of the Legal Resources Centre in Durban, Mr Chris Nicholson, welcomed the judgement but said that the state would have to find the necessary funds to ensure that people unable to pay for legal representation would be properly represented.¹⁶ [¹⁶ *Ibid*, *The Weekly Mail* 1 July 1988]

Sentencing

Mr Johan Hendrik Breytenbach was sentenced to an effective two-and-a-half years' imprisonment for causing the death of a domestic worker, Mrs Maria Rametsi, in 1987. He drove over and killed Mrs Rametsi who was sleeping in a park Pretoria. He was sentenced to five years' imprisonment, half of which was suspended for five years.¹⁷ [¹⁷ *The Star* 16 March]

The sentencing of an African couple for sitting in a Germiston (east Rand) park was set aside by the Transvaal deputy judge president in June. He ordered that the state repay the R100 fines (see chapter on *Social Segregation*).¹⁸ [¹⁸ *Business Day* 1 June]

A white youth aged 17 was sentenced to six strokes with a light cane and given a suspended prison sentence of five years for hitting Mr Moroka Simon Mashanya with a baseball bat after an argument with his girlfriend. Mr Mashanya died the following day. While agreeing on the difficulty of commenting on the case without knowing the precise facts available to the judge. Professor J D van der Vyver of the Department of Law at the University of the Witwatersrand claimed that a violent crime committed by a white against a black seemed statistically to carry a lighter sentence than cases involving violence by blacks against whites. He alleged that 'in many cases (and not necessarily this particular case) it would seem that our courts regard the racial element in a white-against-black violent crime as an extenuating circumstance and in a black-against-white crime as an aggravating circumstance. This kind of racism in the administration of justice is most unfortunate'.¹⁹ [¹⁹ *The Star* 7 August]

Two white farmers and four African men appeared in the Louis Trichardt magistrate's court in December in connection with the killing of a farm labourer, Mr Eric Sambo. The whites were released on their own recognizances while the Africans were each granted R200 bail. The men were not asked to plead.²⁰ [²⁰ *Ibid* 29 December]

Two white policemen, Warrant Officer Leon de Villiers and Constable David Goosen, were sentenced in May 1988 to hang for the murder of a black youth, Mlungisi Stuurman, who had been beaten up and then shot during a police raid into a black township in 1986 in Cradock (eastern Cape). Mr Justice N W Zietsman said that Warrant Officer De Villiers had led his unit on a 'beating expedition' in which residents were assaulted indiscriminately.²¹ [²¹ *Business Day* 27 May 1988]

Personnel

In January Mr Mandla Derrick Gabela started work at the Pietermaritzburg magistrate's court as the first African prosecutor in South Africa outside the homelands.²² [²² *The Natal Witness* 9 January]

South Africa's first Indian judge, Mr Hassan Mall, was appointed to sit on the bench of the Durban and

Coast Local Division of the Supreme Court. In 1978 he became the first Indian advocate in Natal to be appointed senior counsel.

Subsequent to Mr Mall's elevation to the bench, the Democratic Lawyers' Association, of which Mr Mall was a member, announced that it 'regretted' his acceptance of the appointment. They went on to say that 'the association is of the firm view that, having regard to the present political, social and economic structures existing in the country and the vast number of repressive laws, it is not proper for any of its members to serve in any judicial capacity'.²³ [²³ *The Star* 21 January]

The chairman of the Natal Society of Advocates, Mr David Gordon, said that Mr Mall had agreed only to accept the position after lengthy consideration, and only because he felt it was his duty. He felt that 'this should be the only motive for a senior counsel to accept such a post.'²⁴ [²⁴ *The Weekly Mail* 30 January]

An attorney, Mr Don Nkadimeng, writing in the October edition of *African Law Review*, said that the ratio of white to black attorneys was ten to one. This was, in his opinion, partly owing to the system of separate tertiary legal education for blacks, which had been introduced in 1959, and which meant that black law students were not provided with experience in many vital areas.²⁵ [²⁵ *African Law Review* No 3, October]

Punishment

Corporal punishment

According to the minister of justice, Mr Kobie Coetsee, a total of 34 690 people were sentenced to corporal punishment in the year ended June 1987, of whom 21 223 were Africans, 11 977 were coloured people, 404 were Indians and 1 086 were whites.²⁶ [²⁶ *The Star* 10 March 1988]

Capital punishment

A total of 1 215 people were hanged in South Africa (including the 'independent' and non-independent homelands) from 1977 to 1986. The following breakdown was supplied:²⁷ [²⁷ *South African Journal On Human Rights* Vol 3 Part 3, November]

Hanging in South Africa: 1977 to 1986

1977

1978

1979

1980

1981

1982

1983

1984

1985

1986

South Africa (excluding 'independent' homelands)

Execution

90

132

133

130

95**

100

90

115

137

121

Reprieves

4

13

24

27

36

26

40

35

35

22

Transkei (date of independence: 26 October 1976) ***

Execution

3

0

0

1

1**

1

2

10

25

5

Reprieves

N/A

N/A

N/A

N/A

N/A

N/A

3

2

2

1

Bophuthatswana* (date of independence: 6 December 1977)

Execution

0

5

0

4

5

0

0

0

0

Reprieves

0

1

0

0

0

0

1

0

N/A

Venda* (date of independence: 13 September 1979)***

Execution

N/A

1

0

1

1

3

2

2

Reprieves

N/A

N/A

N/A

N/A

N/A

2

1

N/A

Ciskei (date of independence: 4 December 1981)*

Execution

0

0

3

2

0

Reprieves

0

0

1

1

1

Total

Execution

93

132

138

132

100

107

93

131

166

128

Reprieves

4

13

25

27

36

26

43

41

39

24

*

Figures prior to these homeland's dates of 'independence' are included in the figures for South Africa

**

This figures are based on information supplied by the department of justice. The figure is 96. ²⁸

These figures do not correlate with those supplied in 1986. Discrepancies are particularly marked in the case of the Transkei. Venda figures are unreliable; those for 1984 and 1985 were obtained from the *government Annual Report of the Republic of Venda*, others were supplied by the registrar of the supreme court

N/A - Not available

28 [²⁸ *Hansard* (A) questions and replies 19 August 1981 and 15 March 1982]

Mr Coetsee revealed in March 1988 that 164 people were executed in South Africa in 1987 (excluding the 'independent' homelands). This figure constituted 43 more executions than in 1986 and the greatest number since 1910. Mr Coetsee said in Parliament that the racial breakdown of the 164 was as follows: 102 were African, 53 were coloured people and 9 were white. He said that 86 of the Africans had been hanged for murder, two for rape, three for robbery with aggravating circumstances, and 11 for committing more than one of these offences. Of the coloured men executed, 51 had been convicted of

murder, one of rape and one of robbery with aggravating circumstances. The minister said that 37 Africans and 15 coloured people had been executed for crimes of violence against whites and three whites had been executed for crimes of violence against Africans. Six whites were hanged for crimes of violence against other whites. The number of reprieves decreased during 1987: 22 were granted in 1986, while only 20 w

According to Amnesty International, the number of executions in 1987 was four more than Iran, which had a population of 47m, and 32 more than China, which had a population of 2bn. Amnesty noted, however, that these figures were unconfirmed and could be higher. In 1987 there were 25 executions in the United States. Western Europe had had no executions since 1985. From January 1988 to the beginning of April 1988, there had been 44 executions in South Africa and three in America.³⁰ [30 Centre for Applied Legal Studies, *Focus on the death penalty*. May 1988]

According to the annual report of the Detainees' Parents Support Committee (DPSC) for 1987, between December 1986 and the end of 1987, five persons were executed for politically related offences.³¹ [31 DPSC Annual Review of 1987, February 1988] At the time of writing, 51 people were awaiting execution for such offences.

The minister of law and order, Mr Adriaan Vlok, said in his budget vote in the House of Delegates in September that as long as 'gruesome and senseless killings like "necklace" murders are committed, no one can claim pardon for such brutal killers'.³² [32 *Hansard* (D) 12 col 3086, 3 September]

Mr Mnyanda Moses Jantjies and Mr Mlamli Wellington Mielies were executed in the Pretoria Central Prison in September. Mr Aleks Matsepane, Mr Solomon Malwasha and Mr Welile Webushe were also hanged during 1987 for politically related offences.³³ [33 Centre for Applied Legal Studies, *Human Rights Update* April 1988]

There were 21 people awaiting execution in Bophuthatswana Central Prison, at least three of whom were convicted for politically related offences. Twenty-one people had been executed in Bophuthatswana over the previous ten years.

Two white men, Messrs Johannes Wessels and George Scheepers, were hanged in November for the murder and rape of an African woman in Klerksdorp in May 1985. The execution was noteworthy in that very few whites had been hanged for killing blacks and none had previously been hanged for raping black women. The director of the Centre for Applied Legal Studies at the University of the Witwatersrand, Professor John Dugard, claimed that two areas of apparent racial bias were common with South Africa's legal system, interracial homicides and assaults and interracial sexual offences. In both cases evidence suggested that the offender was likely to be punished more harshly if he was black and his victim white than vice versa.³⁴ [34 *The Weekly Mail* 11 December]

The South African Youth Congress (SAYCO) began a drive in August to collect signatures as part of a

campaign to save the lives of 32 people sentenced to death on 13 December 1985 for their involvement in killings during rent increase protests in the Vaal Triangle in 1984 (see 1984 *Survey* pp160–161 and chapter on *Political Organisations*). In addition SAYCO incorporated in its campaign a demand that all people captured after taking up arms against the South African government be given prisoner-of-war (POW) status in terms of the protocols of the Geneva Convention issued in 1977. Protocol 1 extends the normal protection applicable to POWs to ‘armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination’. These provisions had been framed with the South African situation in mind, but the South African government had not signed the protocol and was therefore not bound by it. However, according to Professor Dugard the number of countries subscribing to the protocol was steadily increasing. This indicated that the principles were becoming established in international common law and, as such, were binding on the South African courts. Professor Dugard contended.³⁵ [³⁵ *The Star* 28 August]

Appeals for clemency for a woman and five men sentenced to death for their part in the murder of the deputy mayor and town councillor of Lekoa, Mr Kuzwayo Dlamini, on 3 September 1984 came from various quarters, including the West German government, a number of European Community leaders, and the United States government.³⁶ [³⁶ *Ibid* 17 December] The Anti-Apartheid Movement (AAM) launched a campaign aimed at focusing international attention on the fate of the six condemned people, whose appeal was rejected at the beginning of December 1987. The deputy minister of information and of constitutional planning, Dr C J van der Merwe, said that the government could not accede to ‘politically motivated’ requests to commute the death sentences of the six people as this would ‘undermine the country’s legal system’.³⁷ [³⁷ *Business Day* 18 March 1988]

On 17 March 1988, the day before the execution was due to take place, defence counsel for the six received permission to bring new evidence to court, but Mr Acting Justice W J Human later dismissed their application for the reopening of the trial as ‘frivolous’ and ‘absurd’. Leave to appeal was refused.³⁸ [³⁸ *Sowetan* 14 June 1988]

The hearing of further evidence in the case, according to the judge, would be an exercise in futility. He said that the court had no inherent jurisdiction and therefore the application should be referred to the state president in terms of section 327 of the Criminal Procedure Act of 1977.³⁹ [³⁹ *Ibid*] Acting Judge Human granted a further stay of execution until 19 July 1988 in order for the six to petition the chief justice or the state president.

At the time of writing, local and international appeals for clemency were mounting. The sentence was criticised on the grounds that although the six people had been part of a mob that committed the murder, they had not themselves personally done the killing. The six were granted a fourth reprieve on 12 July 1988 by the minister of justice, Mr Kobie Coetsee, and their execution was deferred indefinitely. Mr Coetsee said that he did so to enable lawyers for the condemned six to exhaust all legal avenues open to them to save their clients.⁴⁰ [⁴⁰ *The Star* 13 July 1988]

The prisoners filed a petition with the Appellate Division of the Supreme Court for leave to appeal against the decision of the Transvaal Provincial Division of the Supreme Court (Rand Supreme Court) to deny the reopening of the trial. Five judges were to hear the application, which was set for September 1988.⁴¹ [⁴¹ *Business Day* 3 August 1988]

At the time of writing there were 51 people awaiting execution for crimes related to political issues. They were as follows:⁴² [⁴² Centre for Applied Legal Studies, *Human Rights Update*, April 1988]

- The 'Sharpeville Six' (see above) sentenced in December 1985 for killing a Vaal councillor;
- Three from Oudtshoorn, sentenced in September 1986 for killing a community councillor;
- One sentenced in August 1987 for killing an Oudtshoorn bus inspector;
- Four sentenced in March 1988 for murdering a police informer;
- Two from Sebokeng sentenced in September 1986 for killing a policeman;
- One sentenced in December 1986 for killing a police informer in Colesberg;
- Four Addo Youth Congress members sentenced for killing a farmer and his wife;
- One sentenced in April 1987 for a Durban bombing;
- Three National Union of Mineworkers' members sentenced in May 1987 for killing team leaders at Vaal Reefs;
- Six from Queenstown;
- One sentenced in June 1987 for killing a Soweto policeman;
- Two sentenced for the killing of a policeman at Shoshanguve;
- One sentenced for killing a Tembisa councillor;
- Two for killing a Burgersdorp cafe owner;
- Three for a killing in Stutterheim;
- One for killing a Tembisa policeman;

- One for the murder of a labourer in Johannesburg;
- One for the murder of a police informer;
- One for the murder of a vigilante in the Ciskei;
- One for the murder of a policeman in Uitenhage;
- Four for the murder of an police informer in Nelspruit; and
- Two for the murder of a municipal policeman in Tembisa.

Police

Administration and finance

Administration

The minister of law and order, Mr Adriaan Vlok, said that the South African Police (SAP) were not beyond criticism but did not deserve the biased and often unsubstantiated allegations levelled against them.. He was speaking at a passing-out parade for 657 special constables at Koeberg (near Cape Town). He continued by saying that ‘no policeman could regard himself as above the law and could never act in any way that was outside the legal powers given him by law. Any policeman who goes beyond legal powers, who acts in a way that clearly shows a lack of compassion and discipline on his part, is not really a policeman but a bully posing as one’.¹ [¹ *The Star* 16 April]

From 15 May, the police public relations directorate in Pretoria once again was responsible for compiling the daily unrest reports for South Africa. Since the imposition of the state of emergency in June 1986 the Bureau for Information had compiled and sent out reports based on information from the police.² [² *The Citizen* 15 May]

The minister said in Parliament that policemen were prohibited from becoming members of any ‘rightist or leftist’ organisation such as the Afrikaner Weerstandsbeweging (AWB) or the African National Congress (ANC). Mr Vlok said that he disapproved in ‘the strongest terms’ of any attempt to involve the police force or any of its members in petty party politics. Mr Vlok said that it was the policy of the SAP to serve all groups of the community impartially, irrespective of race, colour, and religious or political affiliation.³ [³ *Hansard* (A) 12 q col 713, 1 September]

Mr Vlok told the House of Assembly during the introduction of the law and order vote in September that

a committee would be set up to re-evaluate the SAP, including its manpower, training and financing. This was necessary particularly in view of the country's crime rate and its security needs, he said. The committee would include experts from the private sector and would meet under the leadership of General Hennie de Witt, the new commissioner of police.⁴ [⁴ Ibid col 5014, 2 September]

Personnel

South African Police (SAP)

According to the 1985/86 report of the commissioner of the South African Police (SAP), the authorised establishment of the SAP as at 30 June 1986 was 25 167 black and 30 067 white posts. The actual numerical strength on that date was 22 458 black and 26 463 white members. The number of black civilian employees increased by 346 and the number of white civilian employees by 118. During the period covered by the report, 6 469 applications for enrolment were received from whites compared with the 4 716 applications the previous year, an increase of 1 753. In total 4 145 applicants were enrolled compared with 2 024 in 1985/86. In the same period 1 947 applications for enlistment were received from Africans, 1 091 from coloured people and 540 from Indians. In total, 1 835 African applicants, 830 coloured people and 226 Indians were enrolled.⁵ [⁵ *Annual Report of the Commissioner of the South African Police 1 July 1985 - 30 June 1986*, RP91/1987]

In June 1987 the minister of law and order, Mr Adriaan Vlok, said in Parliament that nearly half of the police force members were Africans, coloured people or Indians. Out of a force of 55 899 members, 26 353 were Africans, coloured people or Indians, and of these more than 20 000 were African. Of the total figure, 3 759 were women. Mr Vlok said that members of the SAP could, on an equal basis, irrespective of race or sex, participate in examinations for promotion to the rank of sergeant, warrant officer and lieutenant.⁶ [⁶ *Hansard*(D) 5 q col 45, 19 June]

The minister said in Parliament in March 1988 that 1 837 policemen of all ranks resigned during 1987 and that there were 8 731 new recruits over that same period. A further 484 people were taken into service as expert and artisan staff and as re-enlistments. There was a shortage of 2 302 policemen as at 31 December 1987.⁷ [⁷ *The Citizen* 8 March 1988]

In the same month he said that 15 members of the SAP were suspended and five dismissed in 1987 as a result of arrests, interrogation, detentions or other unrest-related activities.⁸ [⁸ *Business Day* 9 March 1988]

Mr Vlok said in July in the House of Representatives that 'regarding salaries and allowances, full parity exists between white, coloured and Asian male and female members of the force. In respect of those instances where parity in salaries does not exist, urgent attention is being given thereto, and negotiations are presently being conducted ... to bring about full parity in the remuneration of all members of the

force as soon as possible'.⁹ [⁹ *Hansard*(R) 7 q col 55, 29 July]

The minister of law and order, Mr Adriaan Vlok, said in October in the House of Representatives that white policemen were serving under coloured, Indian and African officers at 'several centres in the Republic of South Africa'. He said that 'as far as possible, it was policy to serve each group with policemen of the same race group'. This, he alleged, had produced the best results. According to Mr Vlok, 'when it is in the interests of South Africa that white members of the SAP should serve under the command of coloured, Asian or black officers, this is done without hesitation'.¹⁰ [¹⁰ *Hansard* (R) 15 q col 180, 2 October]

According to Mr Vlok, the highest ranks held by black members of the SAP were one coloured lieutenant colonel, one Asian colonel and one African colonel.¹¹ [¹¹ *Ibid* col 170, 28 September]

A coloured woman, Lieutenant L Afrika, was promoted to commissioned officer in February 1988. She was specialising in social work among coloured members of the SAP and their families.¹² [¹² *The Citizen* 4 February]

Police Reserve

As at 30 June 1986 the numerical strength of the Police Reserve, which consisted of past members of the police force as opposed to civilian volunteers, was 2 814 active members and 16 103 non-active members, bringing the total to 18 917. Of this figure 4 055 were black and 14 862 were white.¹³ [¹³ *Annual Report of the Commissioner of the South African Police for the period 1 July 1985 to 30 June 1986*, RF9171987]

Reserve Police Force

As at 30 June 1986 the Reserve Police Force, which consisted of civilian volunteers, had 4 232 black and 14 300 white active members.¹⁴ [¹⁴ *Ibid*]

Municipal and special police

The minister of law and order saw special constables and municipal police as having had a positive effect on the reduction of crime in certain areas. He cited as an example the western Cape, where reported serious crime had dropped by 3 078 cases during a three-month period from August to October 1986. This was immediately after the first group of special constables had moved into certain residential areas (see 1986 *Survey* Part 2 p861).¹⁵ [¹⁵ *Business Day* 16 February]

According to the minister of constitutional development and planning, Mr Chris Heunis, 9 270 township

constables were employed in the townships and they were armed with guns instead of batons and handcuffs. The bulk were stationed in the Transvaal, the highest concentration being in Soweto and the townships of the Vaal Triangle.¹⁶ [¹⁶ Ibid]

Mr Vlok revealed in Parliament that special constables were paid R13 a day. Their salary scales had not been altered since the introduction of the system in the wake of the political unrest in 1984.¹⁷ [¹⁷ Ibid 16 March 1988]

It was confirmed by the president of the Urban Councils' Association of South Africa, Mr Steve Kgame, that municipal police were under the control of the local authorities but were paid by the SAP.¹⁸ [¹⁸ Ibid 3 July]

The working conditions of special constables were disclosed in the *Cape Times* in August after two constables had made a plea to the newspaper to convey their grievances to the minister of law and order. The grievances included:

- unstable salaries which varied from month to month;
- no pay slips detailing deductions;
- no entitlement to a pension scheme, medical aid or any other fringe benefits;
- no sick leave even when doctors' certificates were produced;
- no annual leave;
- a six-day working week; and
- inadequate clothing for the work required of them.¹⁹ [¹⁹ *Cape Times* 19 August]

The law and order press spokesman, Brigadier Leon Mellet, confirmed all the above points and said that they were justified insofar as the special constables were employed on a temporary basis.²⁰ [²⁰ Ibid]

Mr Vlok said in May 1988 that the number of special constables trained and deployed was nearing the 5 000 mark. According to him, they had been responsible for 11 000 arrests, of which 35 had been for offences committed under the emergency regulations. He condemned those who tried to 'tarnish the good image of the police'.²¹ [²¹ *Sunday Times* 22 May 1988]

Municipal policemen employed by the Diepmeadow City Council (Soweto) went on strike in September following dissatisfaction over pay by the entire municipal workforce since the upgrading of the council

from town to city council status.²² [²² *Sowetan* 25 September]

African municipal policemen turned their guns on hastily summoned riot police in a mutiny in Sebokeng (Vaal Triangle) in December. The mutiny was quelled after a brief 'shootout' with riot police, in which eight riot policemen were injured and 19 municipal policemen were arrested. The mutiny by municipal policemen in the Vaal Triangle was in part a rebellion against their salary scale of R128 per month.²³ [²³ *The Weekly Mail* 18 December]

Various claims were made about violent and uncontrolled behaviour on the part of the municipal police. Mr Vlok said that a total of 569 complaints had been lodged with the police regarding the conduct of municipal police during 1987. Complaints had included murder, attempted murder, assault with intent to do grievous bodily harm, theft, rape, malicious damage to property, culpable homicide, pointing of a firearm, robbery, negligent driving and drunken driving. He added that a case docket had been opened for every complaint and submitted to the attorney general of the area concerned for a decision on whether or not to prosecute.²⁴ [²⁴ *The Star* 8 April 1988]

Mr Vlok acknowledged that the training period for municipal police was too short. He said, however, that there was not enough money to finance a more comprehensive training period. Training took place at the Koeberg Training Centre. It consisted of six weeks of basic training and regular in-service training on a continuous basis.²⁵ [²⁵ *Business Day* 4 September] Because of the shortness of the training period, these policemen were sometimes referred to by critics as 'kitskonstabels'.

According to Mr Vlok a total of 95 firearms issued to township constables had been used to commit crimes in the Cape and Transvaal up to 21 September 1987. The offences included aiming a weapon, attempted murder, robbery, murder and loss of a firearm. Disciplinary action had been taken against 632 constables for neglecting their duties or overstepping their authority.²⁶ [²⁶ *Hansard* (A) 16 q col 1105, 6 October]

Assault claims against Gompo Village municipal police in Gompo Township (formerly known as Duncan Village in East London) were raised by Mrs Helen Suzman MP (Progressive Federal Party) in August Mr Vlok confirmed that 63 complaints had been registered against these police. These complaints had been received over a period of seven months. Common assault and assault with the intent to do grievous bodily harm had been the complaints most frequently registered, he said. Of the 63 complaints registered, one person had been charged with murder and was awaiting trial as at August 1987.²⁷ [²⁷ *Hansard*(A) 8 q col 466, 4 August]

Police spies

The infiltration of police spies in various anti-apartheid organisations or in the townships continued. In Sharpeville, the informer network had been revived, according to local activists in the area. The reason given for the sudden changes in political affiliation among informers was that the police paid high

‘salaries’ for people to inform on the activities of the community.²⁸ [²⁸ *The Observer* 20 March 1988]

Evidence led in the Piet Retief terror trial (see *Security Trials* below) revealed how South African intelligence had penetrated the African National Congress (ANC). Warrant Officer N Deetlefs of the SAP testified in court that photographs of official ANC documents the state aimed to submit against the three accused were taken inside the Lusaka offices of the ANC by a police informer during March 1988. He testified that the police informant was instructed to photograph the documents because the originals had not been available.²⁹ [²⁹ *The Citizen* 28 April 1988] Mr Vlok revealed in Parliament in May 1988 that a number of detectors from the ANC had joined the SAP and had assisted in counter-insurgency actions.³⁰ [³⁰ *Ibid* 21 May 1988]

Police conduct

Deaths and injuries due to police action

According to government statistics, the following numbers of adults and juveniles were shot and killed or wounded by the South African Police (SAP) in the execution of their duties in 1987 (the figures in parenthesis denoting those killed or wounded while allegedly attempting to escape arrest):³¹ [³¹ Information received from the PFP research office, Cape Town, 28 March 1988]

Police shootings in 1987

Killed

Wounded

Adults

Juveniles

Adults

Juveniles

African

305

(153)

37

(9)

408

(228)

117

(15)

Asian

1

(—)

—

(—)

3

(—)

—

(—)

Coloured

44

(14)

8

(7)

47

(34)

34

(8)

White

5

(2)

—

(—)

4

(3)

10

(—)

Total

355

(169)

45

(16)

462

(265)

161

(23)

According to the minister of law and order, Mr Adriaan Vlok, these figures also included deaths and injuries in respect of unrest-related incidents, no separate figures on such incidents being given by the minister. He stated that although unrest had decreased, the 'revolutionary climate' had remained unacceptably high and unrest-related incidents still occurred. He believed that the publication and distribution of this kind of information could, inter alia, contribute to exacerbating further the 'revolutionary climate', and, therefore, it was not in the interests of public safety and the maintenance of public order to do so.³² [³² Statement received from the PFP research office. Cape Town, 19 April 1988]

Figures estimating the cost of the unrest between September 1984 and February 1988 in monetary terms were revealed by Brigadier Hermanns Stadler of the SAP in an affidavit in the Witwatersrand Local Division of the Supreme Court (Rand Supreme Court). It was estimated that the cost had been more than R285m. More than 880 members of the SAP had been injured and 71 killed. The highest number were injured in 1985 at the height of the unrest, but more were killed in 1986 than at any other period between 1984 and 1987. In 1987, more than 750 attacks on security forces were recorded, with more than 1 000 homes belonging to SAP members being attacked between 1986 and 1987. According to Brig Stadler, damage to schools, which totalled more than R13,2m, had been the centre of resistance in the townships. This was the first time since the declaration of the state of emergency that the police had quantified the losses suffered as a result of nationwide unrest.³³ [³³ *The New Nation* 11 February 1988]

Two security policemen gave evidence at the trial of persons charged in the Supreme Court in Windhoek (South West Africa/Namibia), with a series of acts of terrorism. They admitted to the court that assaults were seen as justifiable as long as they did not result in death. It was considered common practice to beat South West African People's Organisation (SWAPO) guerrillas. Officer Van der Hoven admitted that the security police, the army and 'Koevoet' (the SWA Police counter insurgency group) worked closely together when alleged insurgents or saboteurs were arrested or captu

An article written by Mr Nicholas Haysom, an attorney and researcher at the University of the Witwatersrand, in the *South African Journal on Human Rights*, claimed that South African law did not adequately restrain the police from using force and that the police often transgressed these inadequate limits. The incidents and the case law surveyed indicated that the unnecessary use of firearms by the police was not the work of violent policemen or reckless individuals. Rather it was a consequence of the widespread and systematic use of lethal and violent weapons principally on South Africa's African citizens. Mr Haysom alleged that police were content to rely on firearms as their primary method of crowd control.³⁵ [³⁵ *South African Journal on Human Rights*, vol 3 part 1, 1987]

Replying to these allegations, the police said that difficulties were sometimes experienced and lesser methods were not always successful in crowd control situations. Certain factors limited the use of teargas and batons and shields. The police claimed that the 'radical element' often pushed women and

children to the forefront of the crowds and then operated from behind these 'unarmed civilians'. The incidence of rioters being shot in the back, according to the police, was the result of crowds running away while other rioters were launching frontal attacks.³⁶ [³⁶ *Business Day* 8 July]

Particular incidents of police conduct

Cape

Five Ibhayi Town Council (Port Elizabeth) policemen facing charges of rape and assault with intent to do grievous bodily harm were not suspended from duty pending the outcome of the matter. Each of the men's bail was paid by the town council. The policemen were later sentenced to a total of 30 years' imprisonment. This was the first time that members of the force, which was set up in 1982 and comprised township recruits, were imprisoned.³⁷ [³⁷ *Eastern Province Herald* 6 February] The minister of law and order said in Parliament that in 1986 there had been 49 complaints regarding the Ibhayi council police.³⁸ [³⁸ *Hansard* (A) 4 q col 359, 23 February] The minister of constitutional development and planning, Mr Chris Heunis, further revealed that over 200 of the policemen employed by the Ibhayi council did not have the required standard 10 educational qualification and ten of those had less than a standard 4 education.³⁹ [³⁹ *Ibid* cols 138-139, 23 February]

Duncan Village residents (East London) accused the municipal police of going on a rampage of revenge after one of their members, Constable Thembile Williams, had been murdered in May. Police confirmed that charges had been laid against policemen by 22 residents. In one instance, an urgent interdict was granted restraining the municipal police from assaulting youths. The commanding officer, Warrant Officer Wolmarans, denied any knowledge of the assaults by the council police but said that investigations into the matter were under way.⁴⁰ [⁴⁰ *The Weekly Mail* 8 May]

Mr Jan van Eck MP (Progressive Federal Party) called for the dismissal of an officer of the riot squad, Major Dolf Odendaal. This occurred after allegedly peaceful crowds led by clergy were teargassed at the funeral of an activist, Mr Ashley Kriel, in Cape Town in July. Mr Van Eck had previously lodged a formal complaint against Maj Odendaal with the divisional commissioner of police for the western Cape, Brigadier Ronnie van der Westhuizen. Mr Van Eck believed that 'if police are serious about normalising relations with the township communities, they will immediately remove Maj Odendaal from his sensitive position, after this latest undisciplined action forced thousands to witness the distasteful exercise of police violence against peaceful people'.⁴¹ [⁴¹ *Cape Times* 20 July]

The trial, in August, of the deputy editor of the *Cape Times*, Mr Tony Weaver, who had been charged under section 27(b) of the Police Act of 1958, brought to light evidence on police action that occurred during a police 'shootout' of seven alleged African National Congress (ANC) members in Guguletu (Cape Town). The court heard evidence that six of the seven men had been shot from a very close range. Medical evidence backed this claim. The hearing was adjourned, the court being recommended to

submit the evidence concerning police action to the attorney general Mr Weaver was later acquitted.⁴² [⁴² *The Sunday Star* 20 September]

A policeman who crushed and killed a man from Langa (Cape Town) in May when he drove over a shack in a Casspir was fined R1 100 in November by a Wynberg regional magistrate. Constable Stephanus de Beer was also convicted of fraud and was fined R600 on this charge. He admitted that he had acted fraudulently by moving the body after he had crushed it and when, subsequently, he and another constable had decided to open a 'false docket' on the case.⁴³ [⁴³ *Cape Times* 12 November]

Natal

An anti-riot policeman from Durban, Lance Sergeant John Howard was sentenced to eight years' imprisonment for culpable homicide in fatally shooting a 17-year-old boy, Ephraim Mgedezi, without provocation, at KwaNdengezi (Natal) in February 1986. He was also sentenced to three years' for assault with intent to do grievous bodily harm, a result of his firing birdshot at a second youth who was hit by 100 pellets. The sentences were to run concurrently. The trial drew widespread interest as it was the first in Natal in which a policeman had been brought to account for unrest actions in which police riot control methods were scrutinised.⁴⁴ [⁴⁴ *The Natal Witness* 19 February]

Allegations of police brutality in Natal under the state of emergency were revealed in Parliament in February. Mrs Helen Suzman (PFP) said that affidavits collected by the Unrest Monitoring Committee in Natal had constantly mentioned incidents of harassment and torture at the KwaMashu Police Station (Durban) and the Westville Prison (Durban). The PFP proposed in Parliament in September that a parliamentary select committee should conduct a wide-ranging investigation into the conduct of, discipline and procedures within the police force. The party's law and order spokesman, Mr Tiaan van der Merwe, said that the investigation was necessary in view of court judgements in two cases: the first involved the acquittal of Mr Weaver on charges of making false statements on the police shooting in Guguletu in 1986; and the second referred to the acquittal of two police officers on charges of murder during an unrest incident and the subsequent falsification of police reports (see *Cape* above).⁴⁵ [⁴⁵ *Business Day* 25 September]

Transvaal

An east Rand student leader, Mr Caiphus Nyoka, was shot dead at his home in Daveyton in August as the police conducted a raid. The father of the victim said that the raid seemed to be a joint operation by municipal and South African Police and that an officer had entered the house with a gun in hand and had appeared to be looking for someone. He later saw his son's body being carried out on a stretcher. A subsequent examination found 12 bullet wounds in the body. Police confirmed the shooting of Mr Nyoka and stated that he was shot after two men allegedly carrying limpet mines and hand grenades had been arrested in the township earlier that night.⁴⁶ [⁴⁶ *The Star* 25 August]

Mr Vlok said in Parliament a week later that Mr Nyoka had been killed by 'police action [which] took place after two persons who had mini-limpet mines and hand grenades in their possession were apprehended. During interrogation they intimated that the deceased had handed the devices to one of them'.⁴⁷ [⁴⁷ *Hansard* (A) 12 q col 801, 8 September] Mr Vlok was not prepared, however, to answer questions about how many policemen had gone to the deceased's house, the purpose of their visit, the circumstances surrounding the shooting, whether any people had been arrested or detained by the police on the occasion, or whether the police had held an investigation into the shooting. This was because, according to the minister, the information was the subject of a judicial inquiry, the outcome of which he did not want to anticipate.⁴⁸ [⁴⁸ *Ibid*]

Court actions involving the police

The minister of law and order, Mr Adriaan Vlok, revealed that in 1986 the police had paid out R1,2m to members of the public regarding assaults by policemen and R196 723 for unlawful arrests. The R1,2m was paid out for 124 complaints registered against the police, a decrease of 82 complaints compared to 1985. The R196 723 was paid out in respect of 79 complaints.⁴⁹ [⁴⁹ *Eastern Province Herald* 21 February]

Mr Vlok stated that during 1987, 171 lawsuits had been instituted and concluded against him by members of the public in his capacity as minister. He said that 102 cases had arisen from damage to vehicles, three from damage to property as a result of vehicle collision, one from damage to property through police action, 26 from unlawful arrest and detention, seven from injuries resulting from vehicle collision, 12 from assaults, nine from shooting incidents, one from damage to property through a shooting incident, four from being bitten by police dogs, two from loss of maintenance, one from unlawful searches, two from confiscation of property, and one from disposal of property.⁵⁰ [⁵⁰ Information received from the PFP research office, Cape Town, 28 March 1988]

Mr Vlok said that of the 171 cases brought against him as minister of law and order, 145 had been settled out of court. Two had been settled in favour of the claimants with costs, three had been abandoned and 21 had been withdrawn. A total of R380 was paid out as a result of successful lawsuits brought against him and R351 032 in out-of-court settlements. Of that figure, a total of R240 877 was paid out to claimants through damage to property caused by vehicle collision by the police.⁵¹ [⁵¹ Information received from the PFP research office. Cape Town, 19 April 1988]

An undisclosed number of KwaNdebele (north of Pretoria) policemen were to face charges of assaulting detainees at the Kwaggafontein Police Station. Investigations into police assaults on detainees followed newspaper reports and affidavits by three employees of *The Sunday Star* who, while on an assignment in May, saw a number of people, including young boys and girls, being assaulted. The KwaNdebele commissioner of police, Brigadier Herzog Lerm, said that he was deeply shocked at the newsmen's accounts. He appointed a senior officer to inquire into the claims. In late June, Brig Lerm confirmed that an undisclosed number of KwaNdebele policemen were to face charges of assaulting and torturing detainees. Subsequently, a spokesman for the homeland said that the policemen facing charges would

not be suspended. 'The case is not serious and you cannot suspend anybody for common assault,' he commented.⁵² [⁵² *The Sunday Star* 27 May]

A professor of psychology at the University of Cape Town, Professor Don Foster, and a law lecturer at the Cape Town Technikon, Mr Clifford Luyt, claimed in January that government payouts to the public in compensation for injuries allegedly inflicted by police had increased from R990 in 1970 to R4,5m in 1986.⁵³ [⁵³ *The Weekly Mail* 9 January]

They also claimed that figures for the conviction of police for violent crime showed that 10% to 15% of those convicted had previous convictions.⁵⁴ [⁵⁴ *Ibid*]

The minister of law and order faced four Supreme Court suits for damages totalling more than R300 000 arising from the destruction of large parts of the squatter camps at KTC, Portland Cement, Nyanga Bush and Nyanga Extension (western Cape) in 1986.⁵⁵ [⁵⁵ *The Star* 23 July]

At the heart of all the 3 198 similar suits against the police was the allegation that the police actively helped vigilantes damage and destroy the homes and belongings of the people living in the KTC camp, and the other three areas. It was alleged that the police unlawfully failed to take steps to prevent an alleged vigilante rampage that resulted in an estimated 60 000 people losing their homes. The case was expected to last well into 1988. Information gathered from the Legal Resources Centre (LRC) revealed that as of late March 1988 the police had started to give their evidence. This was expected to take at least six months.⁵⁶ [⁵⁶ Information gathered on 24 March 1988 from Mr Steve Kahanowitz of the Legal Resources Centre]

After an attack on the Johannesburg headquarters of the Congress of South African Trade Unions (COSATU) in April and after police opened fire on a meeting at COSATU's premises in Germiston (east Rand) where three unionists were killed and four policemen were injured, COSATU lodged urgent applications against the minister of law and order and, respectively, the east Rand divisional commissioner of police and the Witwatersrand divisional commissioner of police in the Witwatersrand Local Division of the Supreme Court (Rand Supreme Court) restraining members of the South African Police (SAP) from disrupting COSATU's members' lawful activities at its Germiston and Johannesburg headquarters. The divisional commissioner of police for the Witwatersrand, Brigadier I P Minnaar, gave an undertaking in April that police under his command would not unlawfully assault, harass or intimidate COSATU and its members at its Johannesburg headquarters. However, he denied the allegations made by COSATU about police activities.⁵⁷ [⁵⁷ *The Citizen* 24 April] The east Rand divisional commissioner of police undertook not to act unlawfully but without making any admissions. After this undertaking, the case was not pursued.⁵⁸ [⁵⁸ *The Sunday Star* 26 April]

Emily Patel, a 16-year-old girl, was murdered in 1986 when she was forced to travel in a police van with criminals. Her family planned to sue the commissioner of police for R18 000 to make good the loss of support and to cover funeral expenses. Miss Patel was loaded into the police van because she did not have the R20 she needed to pay an admission-of-guilt fine for disturbing the peace in the Bredasdorp

(western Cape) squatter camp where she lived. One of the prisoners in the vehicle, who was due to face trial for murder, fatally stabbed her. The murderer was given a double death sentence, (see 1986 *Survey* Part 2 p873).

In July just over R1,3m was paid out by the state in 51 civil claims arising out of the Langa (Uitenhage) shootings in March 1985 in which 20 people died as a result of police action (see 1985 *Survey* pp489–492). An initial payment of R1,1m was made unconditionally by the minister of law and order in July but this was rejected by the plaintiffs' representatives in respect of three claims. Settlement was concluded when the minister approved an increase in the payments in the three claims. The costs of the applications were also to be paid by the state. The director of the Centre for Applied Legal Studies at the University of the Witwatersrand, Professor John Dugard, said that the overall settlement was the largest claim of its kind awarded in South African legal history. He saw it as significant because it amounted to an admission of liability on the part of the government in that it was an admission that the shootings were unlawful. Professor Dugard claimed that it was strange that despite the fact that the government was prepared to pay such a large sum, no disciplinary action had been taken against the police.⁵⁹ [⁵⁹ *Cape Times* 31 July]

Two assessors overruled a judge of the Cape of Good Hope Provincial Division of the Supreme Court in Cape Town in September and acquitted two policemen of the murder of one and attempted murder of three Belville South residents in August 1985. Warrant Officer Paulus Kruger and Constable Ernest Villet pleaded not guilty to a charge of murdering Mrs Sarah van Wyk and attempting to murder the three others. Mr Justice C T Howie said that he would have found the men guilty but had to acquit them in the light of the majority opinion of the assessors. In their opinion the policemen were following the orders given to them.⁶⁰ [⁶⁰ *Business Day* 16 September]

In December the minister of law and order was ordered by the Transvaal Provincial Division of the Supreme Court (Pretoria) to pay R300 000 to the father of a youth who became a paraplegic after being shot by police two years previously. Mr Justice E H Stafford further ordered the minister to pay the legal costs of the victim's father, Mr Aaron Moatshe, including the fees of several expert witnesses. Mr Moatshe originally claimed R984 979 from the minister of law and order as guardian of his son Andries, and R20 000 in his personal capacity.⁶¹ [⁶¹ *The Citizen* 4 September] Judge Stafford rejected evidence from the police and concluded his judgement by asking the registrar of the Pretoria Supreme Court to send a copy of the judgement to the attorney general. Leave to appeal by the respondent's lawyers was refused by Judge Stafford. They then petitioned the chief justice in Bloemfontein, but their application was dismissed with costs in December.⁶² [⁶² *Sowetan* 9 December]

Inquests

An inquest into the fatal shooting of a 17-year-old boy in April by a Port Elizabeth riot policeman found that the policeman had been justified in his shooting of the youth. Big Boy Mgwinya was shot at the

funeral of an unrest victim in 1986. The policeman had told the inquest court that he had deemed the situation at the funeral to be violent as the mourners 'were singing in their own language and this always causes riots'.⁶³ [⁶³ *Eastern Province Herald* 27 April] The policeman had shot the youth and tried to remove a bottle from his hand as he believed there might have been acid in it. He told the magistrate that the boy had been dragged to the bus immediately after the bottle had been taken from him so that he could be transferred to hospital at once. He later admitted that the boy had been lying in the bus while the policemen had searched the area for petrol bombs and had not been taken to the hospital immediately.⁶⁴ [⁶⁴ *Ibid*]

An inquest was heard in Johannesburg in July into the death of three Soweto children, Pakiso Seaka (12), Ephraim Diholo (12) and Clive Samson Nkosi (13), who died after an encounter between three riot policemen and a group of pupils in Diepkloof on 18 July 1985. The policemen were in Diepkloof in a police bus when they were confronted by a crowd of young people. When asked if the crowd was armed, Lieutenant A J Buytendag said in his evidence that they were, as 'they had stones in their hands'. He and his colleagues had been equipped with weapons, including shotguns, R1 rifles, teargas and submachine guns. Explaining why he described the crowd as aggressive and riotous, Lt Buytendag said that 'they screamed and whistled and danced and jumped in the air with their fists clenched'. He believed that the shots fired had been necessary as the lives of the policemen had been in danger. Ten rounds of birdshot had been fired by the three policemen.⁶⁵ [⁶⁵ *The Star* 24 July]

The magistrate ruled that the proceedings be held in camera on the grounds that identification of a police witness earlier in the inquest had led to telephone death threats against him.⁶⁶ [⁶⁶ *Ibid* 31 July]

An inquest into the death of a trade unionist, Mr Andries Raditsela, was reopened in the Johannesburg magistrate's court in March. The inquest magistrate, Mr T R Steenkamp, found no one criminally liable for his death. Mr Raditsela had died in May 1985 in Baragwanath Hospital (Soweto) shortly after his release from detention under the Internal Security Act of 1982. During evidence the state advocate, Mr A Human, said that 'it appeared that there was perhaps a degree of negligence ... on the part of the police. He lay there the whole day until he was removed to hospital'. Mr Human noted that the incident had taken place during a period of unrest but found that 'this [was] not sufficient to absolve them [the police] from any criticism'. Mr Raditsela sustained a severe head injury when he fell forwards out of a police Casspir and died of brain damage, the court found. It also found that there had been no negligence on the part of the doctors who treated him (see chapter on *Labour Relations*).⁶⁷ [⁶⁷ *The Citizen* 12 June]

On 8 June an inquest court sitting in Potgietersrus (northern Transvaal) announced its findings on the death in police custody of a journalist, Mr Lucky Makompo Kutumela, on 5 April 1986 (see 1986 *Survey* Part 2 pp661–662 and chapter on *The Homelands*). The magistrate, Mr M B Mabusa, found that ten Lebowa policemen were liable for his death. No finding was made regarding the actual cause of death, which the magistrate said was an open matter, but he added that the policemen's acts and omissions had led to the death. A doctor's report stated that Mr Kutumela had died after receiving 11 sjambok lashes on his body, as well as a number of serious blows inflicted by a sharp instrument and injuries to his head. The police denied that they had assaulted the men and said that they had

sjambokked the detainees briefly because they refused to enter police cells.⁶⁸ [⁶⁸ *Cape Times* 10 June]

On 14 March 1988 ten Lebowa policemen facing a culpable homicide charge as a result of Mr Kutumela's death were acquitted in the Potgietersrus magistrate's court.⁶⁹ [⁶⁹ *Business Day* 15 March 1988]

On 17 August an inquest magistrate in Seshego (Lebowa), Mr N C Nkoenyane, announced his findings on the death in custody of the president of the northern Transvaal region of the United Democratic Front (UDF), Mr Peter Nchabeleng, at the Schoonoord Police Station on 10 April 1986. He found nine members of the riot squad, which had taken him into custody, responsible for his death. 'The deceased's death was brought about while he was in the hands of the riot squad of which Sergeant Mokhudi Bernard Marokane was in charge. It was Sgt Marokane and other members of the riot squad who assaulted the deceased,' the magistrate found. Sgt Marokane had died before the inquest.⁷⁰ [⁷⁰ *The Star* 18 August]

The family of an activist, Mr Ashley Kriel of Bonteheuwel in the western Cape, requested an open inquest hearing into his death in July. Police had shot and killed him and had seized firearms from his home. A private pathologist appointed by the family found that Mr Kriel had been shot in the back at point blank range, but that it was important to establish what clothing he had worn. He also found what could have been an imprint of the muzzle circling the wound. The pathologist confirmed that his findings largely concurred with those of the state pathologist.⁷¹ [⁷¹ *South* 23 July]

Deaths in police custody

A total of 105 people died in police custody in 1987 according to Mr Vlok. He was not prepared to release the names of the people involved as he felt it was not in the interests of the relatives of the people. Fifty of them had committed suicide, 36 had died as a result of natural causes, 11 from assaults by fellow prisoners and eight as a result of gunshot wounds sustained when attempting to escape from custody. They had been held on a variety of charges, ranging from murder to drunken driving. In none of the 41 cases in which inquests had been completed had the presiding officers blamed the police. Inquests into the remaining 64 cases had not yet been completed.⁷² [⁷² *The Star* 8 April 1988]

Prisons

Finance

The amount budgeted for the directorate of prisons for the 1987/88 financial year was R490m, an increase of 20% over the previous year's estimated amount of R408m.¹ [¹ Republic of South Africa, Estimate of the Expenditure to be Defrayed from the State Revenue Account during the Financial Year ending 31 March 1988, RP 2 & 4/1987]

Population

According to the 1985/86 report of the Department of Justice, South Africa's average daily prison population of sentenced and unsentenced prisoners increased from 108 955 in 1984/85 to 111 401 in 1985/86 (excluding prisoners in the Transkei, Bophuthatswana, Venda and the Ciskei). On 30 June 1986 there were 99 642 persons in custody in South African prisons.

A total of 469 055 people were admitted to jail between July 1985 and June 1986. This was a drop of 13 176 from the 482 231 admitted in 1984/85.² [2 Department of Justice of the Republic of South Africa, *Annual Report for the Period 1 July 1985 to 30 June 1986*, p110]

During the period 1 July 1985 to 30 June 1986 there were 1 007 escapes from prisons, compared to 1 027 during the period 1 July 1984 to 30 June 1985. During this same period, 2 286 children, of whom 1 902 were African, were either admitted to prison with their mothers or born in prison.³ [3 Ibid p108]

During the period 1 July 1985 to 30 June 1986 the maximum number of people that could be accommodated in prison was 83 943. This was 3 653 more than the previous year. The average population rate of prisons was 118,7% as against 135,7% for the previous year. The lower rate was attributed by the Department of Justice to the opening of additional accommodation, as well as to the special remission of sentences granted on 31 May 1986 (see 1986 *Survey* Part 2 p872).⁴ [4 Ibid p60]

Supplying figures for 1987, the minister of justice, Mr Kobie Coetsee, said that the daily average of prisoners was 103 200, nearly 20 000 more than the number that could be accommodated. He said that jails could hold 84 802 prisoners. Mr Coetsee said that while the prisons were overpopulated this was a 'relative concept'. According to the minister, everything possible was done to keep prisoners productively occupied, and this meant that many worked outside the prison during the day. They had access to spacious courtyards, and ample opportunity was given for outdoor recreation, which meant that overcrowding was not an unmanageable problem.⁵ [5 *The Citizen* 18 March]

The most overcrowded prisons according to figures given by the minister were Grootvlei Maximum (99,2% overpopulation), Pollsmoor Maximum (95%) and Victor Verster Maximum (93,6%).

Mr Coetsee revealed that as of 29 February 1988, there were 278 prisoners in the maximum-security prison and 296 in the medium-security prison on Robben Island.⁶ [6 *The Star* 30 March 1988]

There were 20 096 awaiting-trial prisoners in custody at the end of December 1987, according to Mr Coetsee. The figure for January 1988 was 21 829.⁷ [7 *The Citizen* 5 March 1988]

A new prison for juveniles was opened during the 1985/86 year at Leeuwkop near Johannesburg after a

departmental investigation into the detention and treatment of juveniles. In this prison, a complete day programme was followed in which education, training and teaching played a vital role. Psychological services also formed an integral part of the project. A basic teaching programme up to standard 4 level was compulsory for every prisoner who had not progressed to this level.⁸ [⁸ *Business Day* 19 June]

The minister of constitutional development and planning, Mr Chris Heunis, said in Parliament in August that 937 African juvenile offenders had been sent to reform schools in Bophuthatswana, the Ciskei, KwaZulu and KwaNdebele between 1984 and 1986. Mr Ken Andrew MP (Progressive Federal Party) asked the government to explain why children convicted in South African courts were sent to reform schools in distant places. The fact that reform schools were to be established in 'South Africa' did not explain why it had taken the government so long to provide these facilities, Mr Andrew said. In 1986 South African courts sent 314 children to reform schools. These schools were situated at Isiko Lolutsha in the Ciskei, Eureka in Bophuthatswana, Vuma and Ngwelezana in KwaZulu and Elandsdoom in KwaNdebele.⁹ [⁹ *Eastern Province Herald* 28 August]

The minister said that a total of 308 people were serving sentences for crimes against the state as at 31 December 1987. None was under 18 years of age. A total of 80 576 prisoners over 18 and 623 under 18 were serving sentences for other crimes as at that date.¹⁰ [¹⁰ *The Citizen* 18 March 1988]

Replying to a question in the House of Assembly in March 1988 Mr Coetsee stated that on 31 December 1987 there were 582 people under the age of 18 in prison awaiting trial.¹¹ [¹¹ *Business Day* 16 March] The minister revealed that 871 people under the age of 18 were serving prison sentences during the year under review.¹² [¹² Information received from the PFP research office, Cape Town, 20 April 1988]

Mr Coetsee said that the cost per prisoner per day during the 1986/87 financial year was estimated at R11,29.¹³ [¹³ *Hansard* (A) 6 q col 566, 18 March]

He announced that a new system of parole had been introduced. He said that the day-parole system would allow prisoners to leave prisons during the day and return in the evening. The system was designed to help prisoners by making available temporary accommodation until such time 'as they could afford to look after themselves'.¹⁴ [¹⁴ *The Citizen* 29 September] Mr Coetsee said that the system was new to South Africa but was normal practice in other western countries where it was used to great advantage.¹⁵ [¹⁵ *Ibid*]

Mr Coetsee said in October that South Africa had come a step closer to introducing community service as an alternative option for keeping offenders out of jail and reducing the exceptionally large prison population. He said that 'because of the Republic's exceptionally large prison population there existed a need to extend sentencing options—especially as an alternative to short-term imprisonment'.¹⁶ [¹⁶ *Diamond Fields Advertiser* 27 October]

An investigation undertaken by a work group on the overpopulation of prisons identified certain problems which had prevented the effective use of community service in sentencing. Firstly, there was a lack of infrastructure to organise, develop and manage community service, and, according to the work group, there was a need for sentencing guidelines. Secondly, the group also suggested that current legislation was inadequate and uncertainty existed regarding the legal implications of damage or injury, both of which had a restrictive effect on the use of community service. According to Mr Coetsee, certain sections of the Criminal Procedure Amendment Act of 1982 had been placed on the statute book to eliminate such deficiencies and to develop community service into a meaningful and viable sentencing option.¹⁷ [¹⁷ Ibid]

Conditions

The first two cases of Acquired Immune Deficiency Syndrome (AIDS) in South African prisons were confirmed in March and the affected people were treated in hospital. An official statement advised that 'prisoners are also warned regularly against the dangers of infectious diseases, including AIDS. They are urged to avoid activities that can expose them to such a disease and are also provided with the necessary information regarding the virus' (see chapter of *Health*).¹⁸ [¹⁸ *The Natal Witness* 18 March]

A doctoral thesis on the conditions in South African prisons by a senior law lecturer at the University of Bophuthatswana, Dr Janos Mihalik, was initially suppressed by both the South African Prison Services and the University of South Africa (UNISA). The degree was conferred on Dr Mihalik by UNISA despite government displeasure, but the university removed the thesis from its library and ceded copyright to the author. The thesis alleged, among other things, that prison conditions were harsh and unhygienic, that cells were seriously overcrowded, that inmates were at the mercy of prison officers and that prisoners had suffered assaults by warders and that some had died. In condemning prison conditions, Dr Mihalik dismissed as worthless visits by judges and magistrates, which had been designed to protect prisoners against abuse by officials. He suggested that allegations made by prisoners could be investigated by an official of the Department of Justice who would eventually report to the commissioner of prisons. There was, however, no procedure to ensure that allegations were investigated and that complainants were not victimized. Where prison officers had been charged, the culprits had escaped with light sentences.¹⁹ [¹⁹ *The Saturday Star* 17 October]

The South African Prison Services said that 'on examination it was found that sections of the Mihalik thesis dealing with the South African Prisons' administration contained inaccuracies, incorrect presentation of facts, as well as generalised allegations that left us with an impression of malevolence and even of libel'.²⁰ [²⁰ Ibid]

In October Mr Justice J C Kriegler, who spoke at the University of Bophuthatswana on the subject of sentencing in times of political unrest, said that he could 'hardly believe' that a thesis on prison conditions in South Africa had been 'embargoed' in an apparent attempt to prevent public criticism of

prison authorities.²¹ [²¹ *The Star* 24 October]

In October various lawyers wrote to the state president, Mr P W Botha, on behalf of a former long-term prisoner, Mr Temtem Dopholo, to demand that a commission of inquiry be held into conditions at the Barberton Prison (eastern Transvaal). The former prisoner alleged that malpractice was rife at the prison and that unprovoked and unjustifiable assaults on prisoners by warders were carried out. A report of the committee of investigation into the events at Barberton maximum security prison on 20 and 30 September 1983 (the Van Dam commission) had found the prison to be 'altogether/entirely inadequate and unfit for the housing of human beings, that it was foul smelling and unhygienic and gave the impression of being a breeding ground for disease' (see 1985 *Survey* p801).²² [²² *The Saturday Star* 17 October] Specific mention was made of these conditions in the above mentioned doctoral thesis.²³ [²³ *City Press* 18 October]

Deaths in prison

According to the 1985/86 report of the Department of Justice, 24 unsentenced prisoners had died in custody during the year ending June 1986. Sixteen died of natural causes, four by suicide, three as a result of assaults by fellow prisoners and one by choking. Of the 194 sentenced prisoners who died in custody, 21 died by suicide, 143 of natural causes, 21 as a result of assaults by fellow prisoners, one as a result of an accident, one as a result of drowning, one from choking, and one from an incident involving members of the prison service.²⁴ [²⁴ Department of Justice of the Republic of South Africa, *Annual Report for the Period 1 July 1985 to 30 June 1986*, pill]

The minister of law and order, Mr Adriaan Vlok, gave figures in Parliament for the numbers of deaths of unsentenced prisoners during 1987. Some 105 people died while in police custody; 50 as a result of suicide, 36 from natural causes, 11 from assault by fellow prisoners and eight of gunshot wounds while attempting to escape. The minister claimed that in none of the 41 instances where inquests had been carried out had the responsibility lain with the South African Police (SAP).²⁵ [²⁵ Information received from the PPP research office, Cape Town, 19 April 1988]

The minister said in Parliament that a total of 163 natural and 32 unnatural deaths were reported in South Africa's prisons during 1987. Some 151 black people died of natural causes, while 26 black people died of unnatural causes.²⁶ [²⁶ *Hansard* (A) 6 q col 534, 16 March 1988]

At the beginning of 1988, Mr Coetsee said in Parliament that a total of 1 030 prisoners had been injured in 1987 by other prisoners and had been referred to prison hospitals or treated outside prisons. Mr Coetsee added that prisoners were given the opportunity daily to lodge complaints, and preventative measures were instituted if there was reason to believe that a prisoner had been threatened. A complaints register of injuries was kept, and besides the necessary medical treatment administered or prescribed by the medical officer, a departmental inquiry was instituted. When a complaint was substantiated, action

was taken in terms of Prisons Regulation 99 in the case of minor assaults. Serious assaults were reported to the police.²⁷ [²⁷ *The Citizen* 24 March 1988]

Complaints against warders

Mr Coetsee said that no substantiation could be found in 1 184 of the 1769 complaints by prisoners of alleged assault by warders during 1987. He said that of the remaining 585 complaints, 95 had been referred to the SAP and 388 had resulted in departmental hearings. The remaining 102 complaints were still being investigated. The results of the departmental hearings were as follows:²⁸ [²⁸ *Ibid*]

- 144 members were found guilty of 136 charges;
- 198 members were found not guilty of 187 charges; and
- 65 charges involving 72 members were in the process of finalisation.

Of the complaints investigated by the police, 14 members were found guilty in 11 cases and five were found not guilty in five cases. The attorney general refused to prosecute in 55 cases involving 101 members, while in 24 cases involving 26 members, the outcome of police investigations or the attorney general's decision was not yet available.²⁹ [²⁹ *Ibid*]

Political prisoners

As mentioned above, as at 31 December 1987, 308 people were serving sentences for crimes against the state.

The state president's release offer

In 1985 the state president, Mr P W Botha, said that the government would consider the release of political prisoners if they renounced violence (see 1985 *Survey* pp507–508).

The minister of justice said that five people serving sentences for offences against the security of the state had been released in 1987 after renouncing violence in terms of the state president's offer. The fact that they had renounced violence was 'an important factor which was considered together with individual circumstances and all other relevant factors which are normally taken in to account when the release of prisoners is considered'.³⁰ [³⁰ *Ibid* 18 March 1988]

Mr Botha said in Parliament in August that he had asked the minister of justice, Mr Kobie Coetsee, to look into the possible release from prison of Mr Govan Mbeki, a former national chairman of the outlawed African National Congress (ANC). He was one of eight people sentenced to life imprisonment in 1964 after a raid in July 1963 uncovering the secret Rivonia (Johannesburg) headquarters of the ANC and its military wing, Umkhonto we Sizwe (see 1964 *Survey* p87). However Mr Botha said that renunciation of violence alone would not be decisive in procuring the release from prison of long-term security prisoners. During the debate on his budget vote in September, he commented that the release of Mr Mbeki and others would be in terms of certain principles contained in an advisory note issued by the Advisory Release Board in August, advice which coincided largely with policies followed over recent years. The principles emphasised that the policy regarding ordinary criminals and security prisoners should be the same. This means that renouncing violence could, like any other single positive factor, contribute to a positive prognosis, but cannot be the determining factor in its own right. What still has to be taken into consideration is, inter alia, the aims of the one imposing the sentence, the interests of the community and the state, the nature of the crime and the motive underlying it, the length of the sentence, the previous criminal record, the prisoner's reaction to the sentence imposed and the overall personality and predisposition of the prisoner himself.³¹ [³¹ *Hansard* (A) 9 cols 3759-3760, 13 August]

Mr Mbeki was released in November. He said upon his release that he still embraced the political ideals which had led to his imprisonment. 'I am still a Communist Party member and I still embrace Marxist views,' he said. (Two of the four other persons released with Mr Mbeki were Afrikaner - Weerstandsbeweging members who had served four years of their 15-year sentences after being convicted of terrorism in 1983.)

Many observers speculated that the government would carefully gauge the reaction of Mr Mbeki and the public to his release, with a view to the possible release of other prominent prisoners, including such ANC leaders as Messrs Nelson Mandela and Walter Sisulu. However, it was reported a few weeks after Mr Mbeki's release that the reaction of many white voters to the release was so adverse that it was highly unlikely that Mr Mandela would be released early, if ever (see chapter on *Political Organisations*).³² [³² *The Citizen* 6 November, 4 December; *The Star* 7 November]

A month after he was released, Mr Mbeki was served with restriction orders. He was forbidden to leave the magisterial district of Port Elizabeth or to be involved in imparting or contributing to any information prohibited in terms of the Internal Security Act of 1982.³³ [³³ *City Press* 13 December]

A trade unionist, Mr Oscar Mpetha, who was serving a five-year sentence for terrorism, refused to renounce violence as a condition for his release. Mr Mpetha was the national president of the Release Mandela Campaign and a former president of the United Democratic Front. He started serving his sentence in August 1985 and had been hospitalised since April 1986. An offer of early parole was made by Mr Coetsee in August 'on humanitarian grounds provided the prisoner's co-operation with regard to parole could be obtained. In this case the denouncement of the propagation of violence could be a factor' (see 1986 *Survey* Part 2 p877).³⁴ [³⁴ *South* 6 August]

The minister of constitutional development and planning, Mr Chris Heunis, said that he 'took exception' to media reports that suggested that he favoured the release of political prisoners as a means of encouraging Africans to participate in the proposed national council (NC). Mr Heunis said that legislation provided that any person 'shall be disqualified to be appointed as a member of the NC if he has at any time been convicted of any offence for which he has been sentenced ... unless he has received a grant of amnesty or a free pardon, or unless the period of such imprisonment expired at least five years before the date of his appointment'.³⁵ [³⁵ *Business Day* 21 July]

Other releases and related matters

Mr Coetsee said in October that a number of recommendations had been made by the Advisory Release Board pertaining to the release of prisoners, including security prisoners. The board had recommended the release of 81 prisoners and in a further four cases it had recommended that the people concerned could not be considered for release at that stage. In 79 cases it had recommended conditional release and in two cases unconditional release. One recommendation for unconditional release had not been approved. He did not indicate in his reply which of these cases had involved security prisoners.³⁶ [³⁶ *Hansard*(K) 15 q cols 186-190, 7 October] Mr Coetsee added that since 1982, when the board was instituted, its chairman had made recommendations on a variety of policy matters. Some of the recommendations were approved unaltered, while some were accepted after changes.³⁷ [³⁷ *Ibid*]

A total of 45 other convicted security prisoners were released during the year.³⁸ [³⁸ *The Citizen* 18 March 1988] A total of 153 security prisoners had been released since May 1982.³⁹ [³⁹ *Business Day* 19 August]

A Frenchman, Mr Pierre Albertini, was jailed for four years in October 1986 in Fort Hare (Ciskei) for refusing to testify in a political trial in the Ciskei.⁴⁰ [⁴⁰ *The Citizen* 25 July] In August negotiations began for a three-way exchange of security prisoners between Pretoria, the Ciskei and Angola. In September, Major Wynand du Toit, a former reconnaissance officer who had been imprisoned for two years in Angola after being captured, and the remains of two South African soldiers killed in Angola, corporals Rowland Liebenberg and Louis Pieter van Breda, who had accompanied Maj Du Toit on a mission in 1985 (see 1985 *Survey* p429) were handed over to the South African government.⁴¹ [⁴¹ *Ibid* 9 September] Angola received 133 Forças Armadas Populares de Libertação de Angola (FAPLA) soldiers held by União Nacional para a Independência Total de Angola (UNTTA), the remains of one Angolan citizen and the promise of the return of another seven prisoners within ten days. France received Mr Albertini. The Netherlands secured the release of Mr Klaas de Jonge, who had been living in the Dutch Embassy in Pretoria for two years, after seeking refuge from the South African Police who wanted him on treason charges. South Africa also received official recognition for its new ambassador to Paris, Mr Hennie Geldenhuys, whose credentials the president of France, Mr François Mitterand, had refused to accept while Mr Albertini was in jail.⁴² [⁴² *The Star* 7 September]

The exchange of seven Cuban/Angolan soldiers held by UNITA in exchange for the bodies of the above South African soldiers was scheduled to take place ten days after the main prisoner swap. This, however, did not occur as, according to the head of UNITA, Mr Jonas Savimbi, the French reneged on negotiations.⁴³ [⁴³ *Business Day* 5 October]

A former *Post* newspaper reporter, Mr Thami Mkhwanazi, who was convicted of terrorism in 1980, was released from Robben Island in March. Five ex-members of the ANC were released from prison in the same month after 18 years in jail. They were Messrs Silas Motsepe Mogotsi, Lennox Dlamini, Matthews Ngcobo, Patrick Mathanjana and Lawrence Phokanoka. All except Mr Phokanoka were released from Robben Island, Mr Phokanoka having been transferred to Diepkloof Prison. The above five had been convicted under the Terrorism Act of 1967 along with seven others for conspiring to use violence to overthrow the government.⁴⁴ [⁴⁴ *The Star* 26 March]

Following the release of Mr Mbeki, six prisoners sentenced for political offences were released. Among those freed were Messrs Walter Tshikila and Thomas Masuku. Both were members of the ANC who had been jailed for ten years for the murder of a policeman. Messrs Mike Matsobane and John Nkosi, members of the Pan-Africanist Congress, were also released. Two white political prisoners, Messrs Jacob Viljoen and Hendrik Jacobz, were also set free. They were members of the Afrikaner Weerstandsbeweging and had been convicted in 1983 of terrorism for stockpiling arms and plotting to kill African leaders.⁴⁵ [⁴⁵ *Ibid* 6 November]

In November at a speech given at the Goodwood Civic Centre (Cape Town), the state president, Mr P W Botha, denied that South Africa had any political prisoners. He went on to say that ‘there is not one person in this country who is in jail for holding a particular viewpoint. Everyone in this country is entitled to say that they hold a particular viewpoint. What we do have in our prisons are people who have been convicted of a criminal offence or who have threatened the security of the state’.⁴⁶ [⁴⁶ *The Citizen* 10 November]

Security Trials

Treason trials

According to the Detainees’ Parents Support Committee (DPSC), during the course of 1987 a total of 36 persons faced charges of treason in four trials. By the end of the year, none of these trials had been completed and no persons had been acquitted during the year. Four persons spent most of 1987 awaiting the beginning of their trials, which had not yet started by early 1988.¹ [¹ Detainees’ Parents Support Committee (DPSC) Annual Review of 1987, February 1988]

Delmas

The Delmas treason trial resumed on 21 January 1987. Nineteen men were facing charges of treason, subversion and murder linked to unrest in the Vaal Triangle in 1984. Three co-accused had been acquitted before the court went into recess at the end of November 1986. After several applications all of the remaining 19, except Messrs Moses Mabikela Chikane, Patrick 'Terror' Lekota and Simon Popo Molefe were granted bail. Explaining his decision to refuse bail to the three, Mr Justice K van Dijkhorst said that they posed a danger to the security of the state. All the accused pleaded not guilty to the charges.² [² *Sowetan* 19 January]

The state claimed that the accused and the United Democratic Front (UDF) had conspired with the African National Congress (ANC) and the South African Communist Party (SACP) to bring about a revolution. In its evidence it attempted to show that a certain pattern of unrest had emerged in the Vaal, including attacks on councillors and their property, the property of local authorities, schools, post offices, police vehicles and public transport. In cases where the disturbances conformed to this pattern, there had been a UDF presence, the state claimed.

The accused denied that they had called for, or had supported, the violence which had erupted in the Vaal Triangle in September 1984. The formation of and the campaign by the Vaal Civic Association (VCA) to oppose the increased rents in the Vaal Triangle had been part of a local initiative and had not been spearheaded or even co-ordinated by the UDF. Mr Arthur Chaskalson SC for the defence argued that the UDF did not pursue a policy of violence; that the accused could not be held responsible for the violence which swept the country in 1984/85 (three of the accused were in detention at the time of the unrest in the Vaal Triangle); and that the UDF was not formed in response to a call by the ANC president, Mr Oliver Tambo, in January 1983, for the unification of all 'democratic forces' into one front.³ [³ *The Star* 22 January] The idea of forming a broad united front was one which had been articulated locally long before the ANC had called for such a strategy. There was no link, formal or informal, between the two organisations, he said.⁴ [⁴ *Ibid*]

In March Judge Van Dijkhorst dismissed one of the assessors, Professor W A Joubert, after he had apparently informed the judge that he had signed a UDF petition to collect a million signatures against the Koomhof bills in 1984. (The bills had related to the restriction of permanent urban rights for Africans and the structure and functioning of African local authorities.) The trial then went ahead with one assessor.⁵ [⁵ *Business Day* 12 March]

The defence called for the trial to be stopped, on the grounds that the dismissal was improper. It was argued that the second assessor, Mr W F Krugel, and the judge himself had formed opinions that were adverse to their case. Judge Van Dijkhorst denied allegations that Mr Krugel would be biased because of his membership of the Afrikaner Broederbond and said that 'Mr Krugel regards the Broederbond as an Afrikaner cultural and political think tank. It does not prescribe to its members what political beliefs to adhere to'.⁶ [⁶ *Ibid* 31 March] The judge took the unusual step of denying that he had 'strong or right-wing' political beliefs. He did so in a statement to the court in which he disclosed 'with great reluctance' confidential details of political and legal disagreements between himself and the assessor he had

dismissed.⁷ [⁷ *Cape Times* 31 March]

At the time of writing the trial was still continuing with one assessor.

Messina

Two men, Mr Mthetheleli Zephania Mncube and Mr Mzondeleli Euclid Nondula, pleaded not guilty to a total of 41 charges, including murder, contraventions of the Arms and Ammunition Act of 1937 and the Terrorism Act of 1967 and an alternative charge of treason, following landmine explosions in the Messina area in 1985 that had resulted in ten people being killed and approximately 20 being injured. The state also alleged that Mr Mncube killed two policemen in 1986, and that both accused had been involved in activities that promoted the aims of the ANC and endangered state security. The trial was continuing at the time of writing.

Alexandra

Sedition charges against seven Alexandra residents arising out of unrest in Alexandra (Johannesburg) between January and July 1986 were converted to charges of treason in May. The accused, who had been in police custody since June 1986 were Messrs Ashwell Mxolisi Zwane, Vusi Andries Ngwenya, Andrew Mafutha, David Mafutha, Arthur Selby Vilikazi, Albert Ali Sebola, Piet Mogano and a 17-year-old youth. The charges were changed after the state ruled that the accused had ‘conspired to overthrow the authority of the state, or undermined or endangered, defied and challenged the authority of the state’.⁸ [⁸ *The New Nation* 14 May] The state alleged that the accused had played a role in ‘intimidating the people of Alexandra in encouraging them not to report any incidents of alleged misconduct against them to the South African Police’. The accused were also alleged to have renamed schools and streets in the township after members of the ANC and other imprisoned leaders.⁹ [⁹ *Ibid*] They pleaded not guilty to the main count of treason and alternative counts of sedition and subversion. All were members of the Alexandra Youth Committee (AYCO).¹⁰ [¹⁰ *The Star* 19 May]

In a further trial relating to unrest in Alexandra, the general secretary of the National Union of Metalworkers of South Africa (NUMSA), Mr Moses Mayekiso, was charged with high treason, along with four other prominent members of the Alexandra Action Committee (AAC), Messrs Obed Bapela, Mzwanele Mayekiso, Richard Mdakane and Paul Tshabalala. The trial began in August in the Witwatersrand Local Division of the Supreme Court (Rand Supreme Court) in Johannesburg. The five were alleged to have tried to ‘overthrow, usurp or endanger the authority of the state, with seditious intent to defy or subvert the authority of the state’. They were also accused of running people’s courts; street, block and area committees; of forming an action committee; and of plotting to seize control of Alexandra or to render the area ‘ungovernable’.¹¹ [¹¹ *The Weekly Mail* 31 July] The five all pleaded not guilty to the charges. The judge, Mr Justice P J van der Walt, presided without assessors. He explained to the court that he had decided not to call assessors to assist him because, after reading the indictment and its

annexures, he did not think that the death sentence would have to be imposed if the accused were found guilty.¹² [¹² Ibid]

The trial was postponed to 1 February 1988.

Piet Retief

Four people, Messrs S Dladla, E Ebrahim, A Maseko and Vusumuzi Nene, were all charged with high treason in August in a special circuit court in Piet Retief. The first three accused had allegedly planted landmines on farm roads in the Breyten (eastern Transvaal) and Volksrust (southern Transvaal) areas, which had led to various people being injured. It was alleged that the three had been involved in car bombings and that Mr Nene had conspired with them to further the aims of the outlawed ANC. It was also alleged that the accused had had military training outside the country and that Mr Maseko had smuggled explosives into South Africa, which he had hidden in Pretoria.

Mr Ebrahim, allegedly a prominent member of the ANC, had been abducted from Swaziland in 1986 and detained by security police in Pretoria. He contended that no South African court had the jurisdiction to try him since he was arrested unlawfully in terms of both local law and international common law. Mr Ebrahim maintained in an affidavit that he was arrested at his home, taken away at gunpoint, blindfolded and driven to the Swaziland border. There, he and one of his abductors had proceeded on foot across the border into South Africa. There they had been met by men in other vehicles who had taken him to Pretoria to a place he discovered later was the headquarters of the security police.¹³ [¹³ *The Star* 3 August] Mr W Prinsloo for the state said that the complicity of the South African Police (SAP) in the kidnapping had been properly denied. Therefore, Mr Ebrahim's arrest and subsequent detention under security laws and his appearance in a court of law were all lawful. Mr Justice H Daniels ruled that Mr Ebrahim had to stand trial for treason in South Africa, although he was abducted in Mbabane and brought forcibly to Pretoria. The complicity of the SAP in the kidnapping had been denied by the state. The trial was continuing at the time of writing.¹⁴ [¹⁴ Ibid 5 August]

Trials under security legislation

The Detainees' Parents Support Committee recorded a total of 133 trials under the Internal Security Act (ISA) of 1982 and other acts. Completed during 1987, these trials involved 792 persons, of whom 563 were acquitted or charged for refusing to testify as state witnesses. Details of the trials are as follows:¹⁵ [¹⁵ DPSC Annual Review of 1987, February 1988]

Security trials recorded by the DPSC: 1987

Offence

Number of trials

Number of persons charged

Acquitted or* withdrawn

Terrorism

26

120

59**

Harbouring terrorists

2

6

3

Furthering aims/membership of a banned organisation

16

42

18

Subversion

3

16

15

Sedition

5

58

50

Intimidation

7

53

21

Incitement

2

162

162

Contravention of Internal Security Act

7

22

21

Contravention of emergency regulations

5

23

19

Sabotage

5

15

12

Possession of firearms/explosives

11

16

7

Possession of banned articles

19

22

13

Attending an unlawful gathering

Security trials recorded by the DPSC: 1987 (continued)

Offence

Number of trials

Number of persons charged

Acquitted or* withdrawn

Picketing without permission

1

18

—

Contravention of Protection of Information Act of 1982

1

1

—

Contravention of Police Act of 1958

6

10

6

Contravention of Prisons Act of 1959

1

1

—

Failing to report for military camp

1

1

—

Unlawfully publishing a picture of Nelson Mandela

1

2

2

Total

133

792

563

Refusal to testify in above trials

2

9

—

Perjury (as state witness denied truth of previous statement)

4

4

4

*

This category does not include those who absconded

**

Some accused acquitted of terrorism were convicted on other charges

A total of 81 people were charged during 1987 with offences under the ISA, according to the minister of law and order, Mr Adriaan Vlok. Two were acquitted, two were convicted of lesser offences and 71 were still on trial or awaiting trial as at 10 February 1988. (The minister's figures did not, however, add up to 81.) The periods for which the 81 had been detained before being charged or released ranged from 16 days to 321 days. Seventeen had been held for 179 days.¹⁶ [¹⁶ *The Citizen* 25 March]

Thirteen African National Congress (ANC) members and sympathisers were sentenced by the Cape of Good Hope Provincial Division of the Supreme Court in Cape Town in August to jail terms ranging from three years to life. The trial was described as 'tragic' by the defence team's leader, Mr Denis Kuny

SC, because the 13 ‘are not criminals but people of integrity, intelligence and principle’.¹⁷ [¹⁷ *Cape Times* 12 August] They were convicted of terrorism and other related charges in terms of section 54(1) of the ISA. Mr Justice H C Nel said that those convicted under this section were ‘terrorists not only as defined in the relevant statute but in the ordinary sense of the word’ and should have ‘exemplary sentences imposed on them’.¹⁸ [¹⁸ *Ibid* 13 August] He sentenced an Umkhonto we Sizwe commander, Mr Lizo Ngqungwana, to life imprisonment and two Umkhonto members, Messrs Thembinkosi Mzukwa and Joseph Ngoma, to 25 years. Mr Sazi Veidman was sentenced to 15 years, and 12-year terms were imposed on Messrs Cecil Esau and Quentin Michels. The rest of the 13 were convicted in terms of section 54(4) of the same act, which made it an offence to harbour or help or fail to report to the police any person ‘there is reason to suspect’ may have committed or be planning terrorism, subversion or sabotage as defined by the act. They were sentenced to terms of between three and eight years.¹⁹ [¹⁹ *Ibid*] Legal counsel for the 13 announced that an application for leave to appeal would

Two security policemen who gave information to the ANC for a number of years were sentenced to a total of 70 years in jail in December. Mr Matshwenyego Daniel Mokgabudi was sentenced to 36 years’ imprisonment on charges under the ISA, the Official Secrets Act of 1956 and the Protection of Information Act of 1982. Mr Tshifhango Cedric Rabuli was sentenced to 34 years on six charges under the ISA and the Protection of Information Act. The sentences were to run concurrently so that each would serve an effective 14 years. The magistrate, Mr F Snyman, maintained that the state had proved beyond reasonable doubt that the accused were active members of the ANC. Counsel for the defence, Mr E Moseneke, argued that ‘not all members of the community would necessarily view membership of the ANC as despicable’.²¹ [²¹ *The Natal Witness* 5 December]

Other trials

The large numbers of unrest-related trials that took place in cities and small towns has made it difficult to record precisely the number of arrests and trials relating specifically to public violence and other unrest-related offences. However, the Detainees’ Parents Support Committee (DPSC) attempted for the first time to monitor politically-related trials. While the figures below give some indication of the numbers involved, they in no way attempt to be fully comprehensive.²² [²² DPSC Annual Review of 1987, February 1988]

Trials as a result of unrest: 1987

Offence

Number of trials

Number of persons charged

Acquitted or withdrawn*

Murder/attempted murder**

27

172

71***

Arson

6

15

8

Malicious damage to property

4

345

337

Assault

4

11

10

*

This category does not include those who absconded

**

Some trials which included murder charges are not counted here but are classified as terrorism trials

Some persons acquitted on charges of murder were convicted on other charges, eg assault or public violence

Information received from the Dependants' Conference put the number of public violence trials during 1987 at 126.²³ [²³ Information supplied by the Dependants' Conference, 20 April 1988]

The minister of justice, Mr Kobie Coetsee, said in Parliament in February that the number of people prosecuted and convicted of public violence tripled between 1984/85 and 1985/86. The number of youths under the age of 18 who were convicted of public violence escalated sixfold. Mr Coetsee said that 1 627 people of the 3 972 prosecuted for public violence were convicted between 1 July 1985 and 30 June 1986. Some 562 people of the 1 003 prosecuted for such violence in 1984/85 had been convicted. During 1985/86 the largest number of convictions—252—were in the Cape Penin

The western Cape court monitoring group of the Black Sash claimed in March that, apart from numerous allegations of torture in detention, those charged with unrest-related offences were often denied bail, their trials were postponed unnecessarily and their sentences were often disproportionately high. The group analysed data collected by 30 volunteers who monitored 234 court cases in the Cape Town and Boland areas (western Cape) from January to October 1986. Only 17% of those charged were found guilty, 83% had charges withdrawn or were acquitted, a total of 42% accused were juveniles, and only 13% of adults and 22% of juveniles were found guilty.

Eight teenage children were convicted of public violence and began their prison sentences of between one and three years in June. Their convictions arose out of a stone-throwing incident when police broke up a rally at the Wynberg Senior Secondary School (Cape Town). The Union of Teachers' Associations of South Africa (UTASA) condemned the spate of sentences imposed on the Wynberg school pupils and resolved to lend its full support to the parents in their appeal that the sentences be set aside. Religious leaders and academics joined the campaign to save the pupils from going to jail. Approximately 30 000 people signed a petition asking the chief justice to grant the eight leave to appeal against their sentences. He rejected the petition. The sentence of one 16-year-old girl was postponed for five years.²⁵ [²⁵ Ibid 8 June]

Professor Noel Manganyi, clinical psychologist and senior research fellow in the African Studies Institute at the University of the Witwatersrand, gave evidence in mitigation for two Fort Beaufort (eastern Cape) residents who had been convicted of murder on two counts and of public violence. (Six others had been convicted of culpable homicide and public violence in the same trial). He told the court that South Africa in the 1980s had become an 'atrocious-producing society' and was one of the most violent in the world. The level of public violence had reached such levels in the country that it was bound to affect public consciousness in destructive ways. The judge president of the eastern Cape, Mr

Justice J P Eksteen, found that extenuating circumstances existed with regard to the two accused. However, sentences ranging from an effective 21 years' to three-and-a-half years' were imposed by the court on the eight accused who had been convicted of murder, culpable homicide and public violence.²⁶ [26 *Daily Dispatch* 25 November]

Trials for 'necklacing'

In March a two-year eastern Cape political murder trial in March in the South Eastern Cape Local Division of the Supreme Court (Port Elizabeth) drew to a close. The trial involved the president of the United Democratic Front (UDF) in the eastern Cape, Mr Edgar Ngoyi, and three youths who were sentenced for the 'necklace' murder and assault of an alleged member of the Azanian People's Organisation (AZAPO). Two were sentenced to two years' imprisonment and the third, a youth of 17 years of age, to 14 years for murder. Mr Ngoyi was acquitted of the murder charge on the basis that he had not been present when the group allegedly attacked the deceased as he had been called to answer a telephone call. However, in his judgement, Mr Justice A Solomon expressed scepticism about Mr Ngoyi's ignorance of the killing. Judge Solomon found it unfortunate that the youngest of the accused had to bear the heaviest burden but he found the youth's actions 'were deliberate and remorseless. It was only his age which saved him from the gallows'.²⁷ [27 *The Weekly Mail* 13 March] Professor Don Foster, head of the Department of Psychology at the University of Cape Town said in mitigation that the emotions of the black youths were exacerbated by the way in which situations were handled by the police. At home none of the youths had shown signs of being emotionally deprived or aggressive.²⁸ [28 *Ibid*]

Six people were sentenced to death for a 'necklace' murder in Queenstown (eastern Cape) in June on the same day that three people who were convicted of committing a similar offence in Duduza (east Rand) escaped the death sentence. Lawyers for the condemned in Queenstown hoped to call on expert evidence given in mitigation in the Duduza case, which was believed to have played a key part in keeping the accused from the gallows.

The six who received death sentences were Messrs Mzwandile Gqeba, Mzwandile Mninzi, Thembinkosi Press Feet, Whanto Silinga, Monde Tingwe, and Lundi Wana. They were convicted in the Transvaal Provincial Division of the Supreme Court (Pretoria) of the 1985 'necklace' murder of 18-year-old Mr Nosipho Zamela in Queenstown. A seventh accused, Mr Thomazile Bacela, was also convicted of the murder but sentenced to 20 years' imprisonment by the presiding judge, Mr Justice F Kroon. A further five accused were convicted of assault with intent to do bodily harm.

The Duduza trial passed sentence on the 'necklacing' of Ms Maki Sikhosana in Duduza in 1985, an incident that was filmed in full. Three of the 11 accused who received life sentences for their involvement in the murder were Messrs Daniel Mbokwane, Linda Hlophe, and Sanna Twala. The six others were found guilty of murder and sentenced to a total of 62 years' imprisonment. All were granted leave to appeal. Two were acquitted.²⁹ [29 *Ibid* 25 June]

The defence team for the nine accused in the Duduza trial had invited Professor Edward Diener, an expert in crowd psychology, to explain to the court the mechanisms behind the attack. This was believed to be the first time that an authority on mob psychology had been called in a South African trial.³⁰ [³⁰ Ibid]

Sedition and subversion

Thirteen member of the Krugersdorp Residents' Organisation (KRO) on the west Rand including Sister Mary Bernard Ncube, who was also president of the Federation of Transvaal Women, were charged in August with sedition, alternatively subversion, as well as assault. The charge sheet claimed that the accused were all involved in the KRO, which aimed to 'establish its own authority' in Kagiso and Munsieville, and 'to govern in these areas and in Krugersdorp'.³¹ [³¹ *The Citizen* 3 October] In line with this the KRO allegedly tried to create political, social and cultural awareness among the black residents and also wanted to 'create new civic structures to replace the existing organs of the state', such as the magistrate's court, the police and the village council.³² [³² Ibid]

The case of Sister Bernard Ncube and 14 others was quashed in the Johannesburg regional magistrate's court in March 1988. Mr J J B Esterhuizen announced the quashing of the case without elaboration. The defence for the 15 submitted that the prosecutor had failed to comply adequately with a prior court order in which the prosecution had been told to supply the defence with certain details regarding the charges that had been brought against them. Sister Bernard Ncube and the 14 others were to sue the minister of law and order for a total of R5,5m for unlawful arrest.³³ [³³ *Sowetan* 18 March 1988]

State witnesses

A student from the University of Fort Hare (Ciskei), whose name the court ruled could not be revealed, was sentenced to four years' imprisonment for refusing to testify in a security trial heard in the Bisho Supreme Court in March. The man was a state witness in the trial of five people, among them the secretary of the border region of the United Democratic Front, the Rev Arnold Makhenkesi Stofile, who were charged in terms of Ciskei's National Security Act of 1982.³⁴ [³⁴ *The Citizen* 23 March]

Mr Abdul Aziz Kader refused to testify against seven alleged Pan-Africanist Congress members in the Pretoria Regional Court in November. He refused to give evidence in camera and asked to testify in an open court. When this was granted, he refused and said, 'It is against my Islamic principles to testify against my brothers' (see 1986 *Survey* Part 2 p882).³⁵ [³⁵ *South* 19 November]

State of Emergency

In terms of section 2(2) of the Public Safety Act of 1953 a proclamation declaring a state of emergency could not remain in force for longer than 12 months. However, the section provided that a new proclamation could be issued 'at or before the expiration of the said period of twelve months'. On 11 June 1987, a day before the state of emergency declared on 12 June 1986 was due to expire, the state president, Mr P W Botha, reproclaimed the existence of a state of emergency in terms of section 2(1) of the Public Safety Act. Emergency regulations were proclaimed in terms of sections 3(1)(a) and 3(1)(b) of the act. The emergency affected the whole of South Africa (excluding the 'independent' homelands).

Announcing the reproclamation of the state of emergency in Parliament on 10 June, Mr Botha said: 'Although the extraordinary measures adopted during the past year have resulted in a decline in the visible incidence of violence, on the basis of information supplied to me by the security services I am of the opinion that if such measures could no longer be utilised, there would be a serious and real danger of another escalation of internal violence. This information refers not only to people's intentions to cause violence to escalate but also to positive efforts to achieve this. Information also indicates that the entire Republic is still a target area in this regard and that the security of the state is at stake. In view of this I am convinced that the security of the public and the maintenance of public order is under threat to such an extent that the ordinary laws of the Republic are still insufficient to counteract the threat. With a view to the security of the public and the maintenance of public order I have therefore decided to reproclaim the existence of a state of emergency in the whole of the Republic, including the self-governing national states.'

Mr Botha added that the declaration of a state of emergency was undertaken 'only after careful consultation and consideration'. He said that it represented an infringement of the rights which people normally enjoyed, and required the consideration of various weighty interests. 'In the midst of continuous and determined attempts to fan yet further the flames of violence and to sow chaos and disorder, it is at the same time still the government's duty and responsibility to ensure security, order and stability in this country,' Mr Botha said.¹ [¹ *Hansard* (4) cols 1182-1183 10 June]

The state of emergency was declared in Proclamation R95 of 11 June 1987. A year later, in June 1988, the emergency was again renewed, so entering a third year.

The regulations

In terms of section 3(1)(a) of the Public Safety Act of 1953, the state president could, in any area where a state of emergency had been declared under section 2 of the act, by proclamation in the *Government Gazette*, 'make such regulations as appear to him to be necessary or expedient for providing for the safety of the public or the maintenance of public order and for making adequate provision for terminating such emergency or for dealing with any circumstances which in his opinion have arisen or are likely to arise as a result of such emergency'. Regulations for the reproclaimed state of emergency were made in terms of Proclamation R96 of 11 June 1987 as amended from time to time.

In terms of **regulation 2** of Proclamation R96 if any member of a security force (ie the South African Police (SAP); any part of the SAP of which the control, organisation and administration have been transferred to the administration of a non-independent homeland; the police force in the non-independent homelands; the South African Defence Force; and the South African Prison Services) was of the opinion that the presence or conduct of any person or persons at any place in South Africa (excluding the 'independent' homelands) endangered or might endanger the safety of the public or the maintenance of public order, 'he shall in a loud voice in each of the official languages order such person or persons to proceed to a place indicated in the order, or to desist from such conduct, and shall warn such person or persons that force will be used if the order is not obeyed forthwith'. If the order was not obeyed the officer might apply or order the application of such force as he thought necessary to prevent the suspected danger.² [² *Government Gazette* no 10771, Proclamation R96, 11 June 1987]

Regulation 3(1) and (2) provided that a member of a security force might, without a warrant, arrest or cause to be arrested any person, and might under a written order signed by any member of a force, detain or cause to be detained any such person for a period not exceeding 30 days (unless the period was extended by the minister of law and order) if, in the opinion of that member, it was necessary for the safety of the public or that person, or the maintenance of public order, or for the termination of the state of emergency. In terms of the emergency regulations issued on 12 June 1986 (Proclamation R109 of 1986), the period of detention could not exceed 14 days (unless the minister of law and order extended the period) (see 1986 *Survey* Part 2 p831). **Regulation 3(6)** empowered a member of a force to interrogate any person detained in terms of the emergency regulations.

In terms of **regulation 5** a member of a security force could, in the performance of his/her functions in terms of the regulations, without a warrant enter any premises or building and there take such steps as the member might deem necessary for the safety of the public or the maintenance of public order or for the termination of the state of emergency. A member of a security force was also empowered to search at any time without a warrant, any person, building, premises, place, vehicle, vessel, aircraft or receptacle and could seize any article or object which was concerned, or on reasonable grounds believed to be concerned, with the commission or suspected commission of an offence, or which could be used in a public disturbance, disorder, riot or public violence, or which might show evidence of the commission or suspected commission of an offence.

Regulation 6 provided that a member of a security force might request any person to furnish such member with his/her full name and address.

In terms of **regulation 7** of Proclamation R96 the commissioner (defined in the regulations as the commissioner of the SAP, the divisional commissioner of the SAP or the commissioner or other officer in charge of the police force in the non-independent homelands) could, for the purpose of the safety of the public, the maintenance of public order or the termination of the state of emergency, and without prior notice to any person and without hearing any person, issue orders relating to:

- (a) the demarcation of areas;
- (b) the closing off of any particular area in order to control entrance to or departure from such area;
- (c) the control of entrance to or departure from any particular area;
- (d) the control of traffic;
- (e) the temporary closing of any public or private place or any business or industry;
- (f) the control of essential services and the security and safety of any installation and work connected therewith;
- (g) the bringing into any particular area of any object or article specified in the order or being in possession of any object or article in such an area;
- (h) the performing of any act or the carrying on of any activity specified in the order in any particular area;
- (i) the presence of anyone outside the boundaries of any particular area or outside the boundaries of his/her residential premises in any particular area at any time;
- (j) the setting in motion or driving of or the presence of anybody in or upon any vehicle that was in motion in any particular area at any time; and
- (k) the entry of any person into any particular area or part thereof if he/she was not normally resident there.

In terms of **regulation 7(3A)** the commissioner could issue a consent for a person to be able to perform any of the actions mentioned in (g) to (k) above, subject to such conditions as he might determine. The commissioner would grant the consent only if he was convinced that it would not threaten the safety of the public or the maintenance of public order or delay the termination of the state of emergency.³ [³ *Government Gazette* no 11156, Proclamation R23, 24 February 1988]

In terms of **regulation 7(1) (c)** and **(d)** of Proclamation R96 the commissioner could issue orders prohibiting any particular gathering, or any gathering of a particular nature, class or kind at any place or area specified in the order. The commissioner could also prohibit gatherings unless certain conditions were met including: obtaining the commissioner's prior approval for the time, date and place of the gathering; prescribing the hours of the day or the days of the week during which the the gathering might or might not take place; limiting the number of persons who might attend the gathering; and prohibiting

persons not belonging to a specified category of persons from making speeches at the gathering. The commissioner could also prohibit people from committing any acts specified in the order at any such gathering, or from attending or remaining present at a gathering in respect of which a condition specified in the order had not been or was not being complied with. The commissioner could also require that any procession or funeral procession should proceed along a route determined by the commissioner or that the persons forming the procession or funeral procession should proceed in vehicles only.

Regulation 7(3) provided that a member of a force might, without prior notice to any person and without hearing any person, order any person present in a particular area who was not normally resident there to leave the area if it was deemed necessary for the maintenance of public order or the safety of that person or for the termination of the state of emergency. If the person failed to obey the order the member of the security force might arrest the person or cause him/her to be arrested and might remove the person from that area or cause the person to be removed.

In terms of **regulation 7(4)**, in any proceedings before a court of law in which it was relevant whether or not the commissioner had issued a particular order, 'a copy of the order certified under the commissioner's hand shall be accepted as conclusive proof of the issuing and contents of the order concerned'.

In terms of **regulation 8** any order promulgated under regulation 7 had to be promulgated by:

- (a) publication of the order in the *Government Gazette* or the *Official Gazette* of a non-independent homeland;
- (b) publication of the order in a newspaper which circulated in the area in respect of which the order applied;
- (c) making the order known by means of radio or television;
- (d) distribution of the order in writing among members of the public and by affixing it to public buildings or prominent public places in the area concerned;
- (e) handing the written order to a particular person if the order was directed to that person; or
- (f) oral announcement to any particular person, or to members of the public in general in the area concerned in a manner determined by the commissioner whenever, due to urgency or for any other reason, the commissioner was of the opinion that the order could not be published, made known, distributed or announced in accordance with the provisions of 8(a) to (e) above.

In terms of the Public Safety Act the administration of the provisions of the act were assigned to the minister of law and order. On 31 March 1987 a notice was issued in the *Government Gazette* in which

the state president announced that, in terms of the powers vested in him under the Republic of South Africa Constitution Act of 1983, he had assigned the provisions of the Public Safety Act, with the exception of section 5A of the act (which deals with the declaration of an area as an unrest area), to the minister of justice.⁴ [⁴ *Government Gazette* no 10686, Government Notice no R664, 31 March] On 31 July the state president assigned the provisions of section 3(4) of the Public Safety Act to the minister of law and order. Section 3(4) provided for the minister to table in Parliament the names of those persons arrested or detained for longer than 30 days under the emergency regulations.⁵ [⁵ *Government Gazette* no 10857, Government Notice no 1710, 31 July]

Restrictions on organisations and people

In terms of an insertion into Proclamation R96 by Proclamation R23 of 24 February 1988, provision was made for the restriction of activities or acts of organisations and people.

In terms of **regulation 6A(1)**, if the minister of law and order was of the opinion that it was necessary for the safety of the public, the maintenance of public order or the termination of the state of emergency, he might, without prior notice to any person and without hearing any person, issue an order by notice in the *Government Gazette* prohibiting an organisation specified on the order from carrying on or performing:

- any activities or acts whatsoever;
- any activity or act specified in the order; or
- activities or acts of a nature, class or kind specified in the order.

An order issued in terms of regulation 6A(1) would be in force for a period specified in the order or, if no period was specified, until the order was withdrawn or until the declaration of the state of emergency was withdrawn or expired, whichever occurred first. In terms of **regulation 6A(4)**, an order issued under regulation 6A(1) should not prohibit the organisation from:

- (a) preserving its assets;
- (b) keeping its books and records up to date and performing administrative functions in connection therewith;
- (c) complying with an obligation imposed on it by any law or by a court of law;
- (d) taking legal advice or judicial steps; or

(e) carrying on any activities or acts which the minister might have consented to, insofar as the activities or acts were performed in accordance with any conditions subject to which the minister had granted such consent.

No consent contemplated in subregulation 4(e) would be granted by the minister unless he was convinced that the granting of such consent would not result in the safety of the public or the maintenance of public order being threatened or the termination of the state of emergency being delayed. Each consent granted by the minister in terms of subregulation 4(e) would be made known by the minister by notice in the *Government Gazette*.

While an order issued under regulation 6A(1), subject to regulation 6A(4), was in force no person could:

- on behalf or in the name or in a capacity as office bearer of that organisation, carry on an activity or perform an act which the organisation was prohibited by the order from doing; or
- participate in an activity or act of that organisation which the organisation was carrying on or performing in contravention of the order.

On 24 February 1988, the day on which this regulation was gazetted, in terms of the powers vested in him under regulation 6A of Proclamation R96 as amended, the minister of law and order, Mr Adriaan Vlok, issued an order prohibiting 17 organisations from carrying on or performing any activities or acts, except those listed in terms of regulation 6A(4). The organisations affected were: the Azanian People's Organisation; the Azanian Youth Organisation; the Cape Youth Congress; the Cradock Residents' Association; the Detainees' Parents Support Committee; the Detainees Support Committee; the National Education Crisis Committee; the National Education Union of South Africa; the Port Elizabeth Black Civic Organisation; the Release Mandela Campaign; the Soweto Civic Association; the Soweto Youth Congress; the South African National Students' Congress; the South African Youth Congress; the United Democratic Front; the Vaal Civic Association; and the Western Cape Civic Association.⁶ [⁶ *Government Gazette* no 11157, Government Notice no 334 24 February 1988]

In March 1988, in response to the banning of the 17 organisations, a new organisation, the Committee for the Defence of Democracy, comprising leaders of church, educational, women's and sports' organisations, was formed.⁷ [⁷ *The Weekly Mail* 11 March] On 12 March 1988 in terms of regulation 6A of Proclamation R96 Mr Vlok issued a notice prohibiting this organisation from carrying on or performing any activities or acts except those mentioned in regulation 6A(4).⁸ [⁸ *Government Gazette* no 11194, Government Notice no 502, 12 March 1988]

Also on 24 February 1988 Mr Vlok issued an order under regulation 6A prohibiting the Congress of South African Trade Unions (COSATU) from performing the following activities:⁹ [⁹ *Government Gazette* no

11157, Government Notice no 335, 24 February 1988]

- the soliciting of support by way of publicity campaigns for the lifting of the ban on an unlawful organisation, the release of prisoners in detention, the suspension, remission, reduction or non-carrying out of a sentence imposed on a person for the commission of an offence, or the abolition of a local authority or local authorities;
- the stirring up, by way of publicity campaigns of opposition to the detention of a person or persons under the Internal Security Act of 1982 or the emergency regulations, the system of local government, or negotiations or proposed negotiations regarding a new constitutional dispensation for which the government was, or was likely to be, a party;
- calling, encouraging or inciting the public to boycott local authority elections or to prevent, frustrate or impede such an election, to commemorate the founding of an unlawful organisation, to commemorate days which were important to an unlawful organisation, to commemorate an incident of riot, public violence, unrest, gathering or march, to commemorate the death of a person or persons belonging to a category of persons, to honour a prisoner or prisoners belonging to a category of prisoners;
- the founding, establishment, propagating, financing, organising, management or operation of alternative structures;
- interference in, or meddling with, or calling on the public to interfere in, or meddle with, the affairs or functions of a local authority;
- calling for or encouraging disinvestment, sanctions or the cutting of ties with South Africa; and
- arranging, organising or propagating public gatherings to discuss any of the matters mentioned in this order.

In terms of **regulation 6B(1)** if the minister was of the opinion that it was necessary for the safety of the public, the maintenance of public order or the termination of the state of emergency, he might, without prior notice to any person and without hearing any person, issue an order under his hand prohibiting a specified person from:

- carrying on an activity or performing an act specified in the order;
- carrying on activities or performing acts of a nature, class or kind specified in the order;
- being, at any time or during the hours specified in the order, outside the boundaries of an area specified; or

- being, during the hours specified in the order, outside the boundaries of the premises where he/she lived.

The commissioner could issue a consent for a person to be able to perform any of the abovementioned activities and, in terms of regulation 6B(3), the commissioner could impose such conditions as he might determine. The commissioner would grant the consent only if he was convinced that the granting of such consent would not threaten the safety of the public or the maintenance of public order or result in the delay of the termination of the state of emergency.

An order issued in terms of regulation 6B(1) would be in force for a period specified in the order or, if no period was specified, until the order was withdrawn or until the declaration of the state of emergency was withdrawn or expired, whichever occurred first.

The provisions of regulations 7(4) and 8(e) would apply to an order issued under regulation 6B(1) and any reference to the commissioner in the said provisions would be construed as a reference to the minister.¹⁰ [¹⁰ *Government Gazette* no 11156, Proclamation R23, 24 February 1988]

On 24 February 1988 Mr Vlok, in terms of the powers vested in him under regulation 6B, served restriction orders on the following people: Mrs Albertina Sisulu and Mrs Dorothy Zihlangu, and Messrs Azhar Cachalia, A S Chetty, Simon Gqubule, Mbulelo Grootboom, Archie Gumede, Willie Hofmeyr, Derek Jackson, Zoli Malindi, Joe Marks, 'Joey' Marks, Jabu Ngwenya, Reggie Olifant, R A M Salojee, Roseberry Sonto, and Christmas Tinto.¹¹ [¹¹ Centre for Applied Legal Studies, *Human Rights Update*, University of the Witwatersrand, Johannesburg]

Offences and penalties

Regulation 4 of Proclamation R96 provided that any person who directly or indirectly, verbally or by any other act, threatened to inflict any harm, hurt or loss upon any other person or that person's property, or prepared, compiled, printed, published, transmitted, processed or disseminated any writing which threatened harm or loss to any person or property, would be guilty of an offence.

In terms of **regulation 9** as amended, a person would also be guilty of an offence if that person contravened or failed to comply with any order issued under the emergency regulations; contravened or failed to comply with any condition imposed under regulations 3(9), 6A(3), 6A(4)(e), 6B(3) or 7(3A) of the emergency regulations (see *The regulations and Restrictions on organisations and people* above and *Detentions* below); hindered any other person in the execution of any duty or the exercise of any power or the performance of any function under the regulations; destroyed, defaced or falsified any notice or other writing issued under the emergency regulations; or disclosed the name or identity of any person arrested or detained under the regulations or who was detained unless the minister or a commissioned officer had already disclosed the name and identity of that person.¹² [¹² *Government Gazette* no 10771,

Proclamation R96 11 June; *Government Gazette* no 11156, Proclamation R23, 24 February 1988]

In terms of **regulation 10** as amended, any person convicted of an offence under the regulations would be liable to a fine not exceeding R20 000 or imprisonment for a period not exceeding ten years, or to imprisonment without the option of a fine. The court convicting the person could declare any goods, property or instrument by means of or connection with which the offence had been committed to be forfeited to the state.¹³ [¹³ *Government Gazette* no 10771, Proclamation R96, 11 June; *Government Gazette* no 10805, Proclamation R106, 26 June]

Indemnity

Regulation 12(1) of Proclamation R96 provided that no civil or criminal proceedings could be brought against the state or the administrations of the non-independent homelands; the state president; any member of the cabinet of South Africa or the non-independent homelands; any member of a force; any person in the service of the state or the administration of a non-independent homeland; or any person acting by direction or with the approval of any of the abovementioned, for any act in good faith advised, commanded, ordered, directed or performed by any person carrying out his/her duties in terms of the regulations with intent to ensure the safety of the public, the maintenance of public order or the termination of the state of emergency, or to deal with circumstances which had arisen or were likely to arise as a result of the state of emergency.

Regulation 12(3) provided that no interdict or other process could be issued for the staying or the setting aside of any order, rule or notice issued under the regulations, and no order, rule or notice would be stayed on the grounds of an appeal against a conviction under the regulations.

Regulation 12(4) provided that if, in any proceedings brought against the state or the administration of a non-independent homeland or any person referred to above, the question of good faith arose, it would be presumed, until the contrary was proved, that such acts were advised, commanded, ordered, directed or performed in good faith. **Regulation 12(5)** provided that this regulation would apply also to any default by any person mentioned above in complying with any provision of any law in connection with advising, commanding, ordering, directing or doing any such act.¹⁴ [¹⁴ *Government Gazette* no 10771, Proclamation R96, 11 June]

Control over non-residents and entry into unoccupied areas

On 23 June the divisional commissioner of police for the western province issued an order prohibiting any person from entering or being present on specified open, cleared and unoccupied ground in Nyanga Extension 3, and specified open and clear ground in Nyanga Township without the divisional commissioner's written permission.¹⁵ [¹⁵ *Government Gazette* no 10802, Government Notice no 1417, 23 June] On 1 March 1988 the divisional commissioner of the western province issued an order which provided that no person who was not normally resident in Nyanga Township could enter on or be present on or in any

part of the area without the written permission of himself.¹⁶ [¹⁶ *Government Gazette* no 11168, Government Notice no 411, 1 March 1988]

Restrictions on funerals

Between January 1987 and April 1988 orders were issued restricting, in certain specified areas, funeral ceremonies including memorial services, commemoration services, funeral processions or burials of any person who had died in or during any security action or unrest, or of wounds sustained by him/her in or during any security action or unrest. Orders restricting funerals before 11 June 1987 were issued in terms of Proclamation R109 of 1986 (see 1986 *Survey* Part 2 p832), while the orders made after 11 June 1987 were issued in terms of Proclamation R96 of 1987. The orders were issued by the divisional commissioners of police in terms of the powers vested in them in terms of regulation 7 of Proclamation R109 of 1986 and regulation 7 of Proclamation R96 of 1987.

On 20 and 23 January, and 18 and 19 March orders were issued by the divisional commissioners of police for the eastern province, the east Rand, Port Natal, Soweto, the west Rand and the Witwatersrand restricting funeral ceremonies in 67 townships in South Africa.¹⁷ [¹⁷ *Government Gazette* no 10592, Government Notice 157, 20 January; *Government Gazette* no 10598, Government Notices 173, 174 and 175, 23 January, *Government Gazette* no 10669, Government Notice R617, 18 March; *Government Gazette* no 10670, Government Notices R618 and R619, 19 March]

On 16 and 18 June and 11 September the divisional commissioners of police for the eastern province, east Rand, Port Natal, Soweto and the west Rand issued orders restricting funeral ceremonies in 70 townships (see also *Directorate of Security Legislation* above).¹⁸ [¹⁸ *Government Gazette* no 10787, Government Notices nos 1344, 1345, 1346 and 1350, 16 June; *Government Gazette* no 10794, Government Notice no 1360, 18 June; *Government Gazette* no 10915, Government Notice no 2039, 11 September]

The orders were as follows:

- (a) the prior approval of the divisional commissioner for the time, date and place of any such funeral ceremony should be obtained;
- (b) no memorial or commemorative service or any other service (except any such service held at the grave of the person who is buried) could be held out of doors;
- (c) only an ordained minister of religion could speak during a funeral ceremony;
- (d) no public address system could be used;
- (e) the number of people attending the funeral could not exceed 200;

- (f) a particular funeral ceremony could last for not more than three hours;
- (g) no person could attend or remain present at a funeral ceremony if conditions in (a) to (f) had not been complied with. However this would not apply to the spouse, child, grandchild, parent, grandparent, brother or sister or other next of kin of the deceased, in the case of non-compliance with condition (e);
- (h) no joint funeral and no joint ceremonial gathering in connection with the burial of two or more people could be held;
- (i) people attending a funeral ceremony could travel only by vehicle from the place where the memorial service took place to the place where the deceased was to be buried—and along a route determined by the divisional commissioner of police; and
- (j) no flags, banners, placards, pamphlets or posters could be displayed or distributed at any such funeral ceremony. This, however, would not affect the distribution of any customary funeral notice.

In addition to the above restrictions, restrictions were also placed on the funerals of specific people. On 27 February, 20 and 26 March, 4 April and 15 May restrictions were placed on the funerals of Messrs Msizeni Shadrack Mapumulo, Mcoleni Nicholas Shange, Vusi Maduna, David Skosana, Benedict Ngaoketse Moshoke and Zazi Kuzwayo.¹⁹ [¹⁹ *Government Gazette* no 10644, Government Notice no 501, 27 February; *Government Gazette* no 10676, Government Notices no 649 and 650, 20 March; *Government Gazette* no 10687, Government Notice no 703, 26 March; *Government Gazette* no 10702, Government Notice no 791, 4 April; *Government Gazette* no 10750, Government Notice no 1120, 15 May] On 18 June; 9, 16, 17, and 23 July; 3 and 4 September; 11 December; 8, 19 and 22 January 1988; 3 and 9 February 1988; 31 March 1988; and 22 April 1988 restrictions were placed on the funerals of Messrs Vuyisile Anthony Bixa, Salvin Botha, Sicelo Dhlomo, Bongani Petrus Dlamini, Andrew Soyisile Douse, Willie Mpithizeli Dunjana, Johnny Karelse, Andile Anthony Kobe, Ashley Kriel, Zolile Magaga, Peter Sello Motau, Jerry Ndishe, France Thulani Ngcamu, Percy Qoboza, Killeyon Ntuluyise Sangweni. Richard Mthembeni Zondi, Linda William Zwane, and Ms Greta Ncapai and Ms Zandile Christophollar Sangweni.²⁰ [²⁰ *Government Gazette* no 10794, Government Notice no 1361, 18 June; *Government Gazette* no 10831, Government Notices nos 1534 and 1535, 9 July; *Government Gazette* no 10841, Government Notice no 1590, 16 July; *Government Gazette* no 10842, Government Notice no 1610, 17 July, *Government Gazette* no 10846, Government Notice no 1645, 23 July, *Government Gazette* no 10904, Government Notice no 1953, 3 September; *Government Gazette* no 10905, Government Notices nos 1965, 1966 and 1980, 4 September; *Government Gazette* no 11075, Government Notice no 2811, 11 December; *Government Gazette* no 11102, Government Notice no 52, 8 January 1988; *Government Gazette* no 11114, Government Notices nos 108, 109 and 110, 19 January 1988; *Government Gazette* no 11121, Government Notice no 132, 22 January 1988; *Government Gazette* no 11131, Government Notice no 163, 3 February, *Government Gazette* no 11137, Government Notice no 212, 9 February 1988; *Government Gazette* no 11138, Government Notice no 229, 11 February 1988; *Government Gazette* no 11247, Government Notice no 700, 31 March 1988; *Government Gazette* no 11276, Government Notice no 831, 23 April 1988]

Banning of gatherings

In September, November and December 1987 and March 1988 several meetings were prohibited by the divisional commissioners of police for the eastern and western provinces, in terms of the powers vested in them under regulation 7 of Proclamation R96 of 1987. On 11 September a meeting organised by the South African Youth Congress which was to have been held at the University of the Western Cape on 13 September was prohibited.²¹ [²¹ *Government Gazette* no 10915, Government Notice no 2042, 11 September] On 27 November a meeting organised by the Interdenominational African Ministers Association of South Africa which was to have been held on 28 November in Zwide (Port Elizabeth) was prohibited.²² [²² *Government Gazette* no 11059, Government Notice no 2705, 27 November] On 14 December a meeting in Cape Town organised by the Mbeki Reception Committee was prohibited.²³ [²³ *Government Gazette* no 11076, Government Notice no 2813, 14 December] In March 1988 a 'National Detainees Day Mass Rally' organised by the Committee for the Defence of Democracy (also known as the Defend Democracy Committee) was prohibited in the magisterial districts of Bellville, Goodwood, Kuils River, Simon's Town and The Cape (Cape Town) (see also *Directorate of Security Legislation* above).²⁴ [²⁴ *Government Gazette* no 11195, Government Notice no 503, 12 March 1988]

Control of school boycotts

On 11 June 1987 the state president issued a proclamation in the *Government Gazette*, in terms of the Public Safety Act of 1953, which provided that the director general of education and training might, for the purpose of the safety of the public, the maintenance of public order or the termination of the state of emergency, issue orders prohibiting:

- (a) the presence of a pupil (or student at a college of education) on any school or hostel premises during such hours of the day as might be specified or during weekends or public or school holidays, (b) the presence, at any time, of any other person on any school or hostel premises, or (c) the use of school property, facilities, equipment or accessories, without permission from an authorised person;
- the offering on any school or hostel premises of any syllabus, work programme, class or course which had not been approved in terms of the Education and Training Act of 1979;
- a person who was not officially concerned with school activities from interfering with such activities;
- a person from obstructing or disrupting any activity of a school;
- the wearing, possession or displaying on any school or hostel premises of any clothing, case, flag, banner, pennant, poster or any other article on which a slogan specified in the order appeared, or the badge, emblem, name or flag of any organisation specified in the order appeared; and

- the distribution on any school or hostel premises of any notice, letter, book, pamphlet, poster, paper or any other writing dealing with a subject specified in the order.

The order could apply generally to all persons, or to a person specified in the order or to all person belonging to a category of specified persons. It could also apply generally in respect of all schools, or to a school specified in the order or to all schools belonging to a category of specified schools. Any person who contravened or failed to comply with any order would be guilty of an offence and liable to a fine not exceeding R4 000 and/or imprisonment not exceeding two years.²⁵ [²⁵ *Government Gazette* no 10773, Proclamation R98, 11 June 1987]

Restrictions on the media

During the period under review a number of proclamations and notices were issued in the *Government Gazette* which placed restrictions on the media. For information on these proclamations and orders see chapter on *The Media*.

Detentions

Provision for the arrest and detention of people in terms of the emergency regulations was made under **regulation 3** of Proclamation R96 of 1987 as amended by Proclamation R106 of 1987. The regulations provided that a person could be detained for a period not exceeding 30 days unless the period was extended by the minister of law and order. The minister could extend the period 'without notice to any person and without hearing any person', by written notice signed by him and addressed to the head of the prison. A written, printed, telegraphic or similar communication purporting to be from the minister or any officer acting under his authority would have the effect of such a notice provided that the minister or the authorised officer forwarded the written notice as soon as possible. In terms of regulation 3(9) the minister could at any time, by notice signed by him, order that a detained person be released. The minister could subject the release of a person to such conditions as might be specified in the order.

In July 1986, following the case of the *Metal and Allied Workers' Union (MAWU) v the State President* in the Durban and Coast Local Division of the Supreme Court, the court ruled that the regulation in Proclamation R109 of 12 June 1986 which denied access to a detainee was invalid. Consequently, the regulation fell away, enabling detainees to have access to lawyers (see 1986 *Survey* Part 2 p845). However, this provision was reintroduced in Proclamation R96 of 1987 pending the outcome of three cases in the Appellate Division of the Supreme Court (*State President v Bill, Fani v the Minister of Law and Order* and *Omar v the Minister of Law and Order*) concerning the validity of such a prohibition. Towards the end of June 1987 the judgement of the acting chief justice, Mr Justice P J Rabie, overruled the MAWU decision regarding legal access.²⁶ [²⁶ Haysom N, Levin L and Smuts D, 'Human Rights Index 1 February 1987 - 16 June 1987' in *South African Journal on Human Rights* vol 3 part 2, July 1987; Dugard J, 'Focus on Omar' in *South*

African Journal on Human Rights vol 3 part 3, November 1987 o] In terms of **regulation 3(8)(a)** of Proclamation R96 of 1987 no person other than the minister or a person acting by virtue of his office could have access to a detainee (except with the consent of the minister or an authorised person).

Regulation 8(b) provided that only the minister or a person acting by virtue of his office could be entitled to any official information relating to a detainee.

In terms of regulation 3(7) of Proclamation R96 rules regulating detentions were made by the minister of justice. The rules, which were published under Government Notice no 1300 on 11 June 1987, were the same as those published in 1986 (see 1986 *Survey* Part 2 pp842–845).²⁷ [²⁷ *Government Gazette* no 10775, Government Notice no 1300, 11 June 1987] A few days after these rules were published, a detainee, Mr Gaylord Mkhize, brought an urgent application before the Durban and Coast Local Division of the Supreme Court against the state president, the minister of justice and the officer commanding Westville Prison (Durban) challenging some of the rules of detention issued by the minister of justice on the basis that they were punitive.²⁸ [²⁸ *The Weekly Mail* 19 June; Information supplied by the director of the Legal Resources Centre (Durban), 24 May 1988] However, on 26 June the state president, Mr P W Botha, issued **Proclamation R106** of 1987 which deleted regulation 3(7) of Proclamation R96 which empowered the minister of justice to make rules regulating detention, effectively repealed Government Notice no 1300 and provided new conditions for detention.

In terms of **regulation 2** of Proclamation R106 of 1987 the provisions of sections 82 and 83 of the Prisons Act of 1959 and regulations 132(2), (3), (5), (6), and (10) of the Prison Regulations of 1965 (subject to certain exceptions—see below) were made applicable to people detained in terms of regulation 3 of the emergency regulations, thereby placing detainees in a similar position to awaiting trial prisoners. In terms of sections 82 and 83 of the Prisons Act certain specified categories of prisoners, including awaiting trial prisoners and persons detained as witnesses, might, subject to conditions as might be prescribed by the commissioner of the South African Police (SAP), be allowed to write and receive letters, receive visits and procure from outside the prison and to receive at prescribed hours such food, unfermented drink, bedding, clothing, literature and other articles as might be approved by the commissioner. The prisoner would also not be compelled to wear prison dress. The relevant regulations in the prison regulations provided that:

- association between prisoners who were awaiting trial or sentencing should be restricted to a minimum in order to prevent collusion or conspiracy to defeat the ends of justice;
- no personal articles other than dangerous weapons or articles with which an escape might be effected, or such articles, money or valuables as the commissioner might specify, should be removed from such a prisoner;
- the prisoner might receive or purchase at his/her own expense from outside sources such stationery and reading matter as might be approved by the commissioner of the SAP—provided that the privilege might

be withdrawn if the commissioner was of the opinion that the prisoner was in any manner abusing the privilege;

- the head of the prison might, at the request or with the consent of a prisoner, deliver money, valuables, documents or other personal effects of such prisoner to a relative, friend or legal representative; and
- such a prisoner would be guilty of a contravention of the prison regulations if, without the permission of the commissioner, he/she sells or in any other manner transfers or attempts to sell or transfer to another person any article which he/she has been allowed to bring into prison for his/her own use.

However, in terms of **regulation 2(3)** of regulation 106 of 1987, notwithstanding any of the above provisions, a detainee would not be allowed to procure for him/herself from outside the prison any newspapers, foodstuffs or potables, radio, record player, tape recorder, musical instrument or television set.

Regulation 3 of Proclamation R106 provided that as far as it was practicable detainees should be segregated from 'sentenced and other categories of unsentenced prisoners'.

In terms of **regulation 4** a detainee should be examined by a medical officer as soon as might be practicable after his/her arrest and as shortly as possible before his/her release. The head of a prison would ensure that any medical or dental treatment prescribed by the medical officer would be carried out promptly. Medical or dental treatment by a doctor who was not the medical officer, or by a specialist, or in a hospital outside the place of detention could be provided only on the recommendation of the medical officer

If, in the opinion of the head of the prison, it was practicable, a detainee might be allowed to study by way of correspondence through an educational institution approved by the commissioner of the SAP, subject to such limitations and reservations which might be determined generally or with reference to a particular detainee by the head of the prison with the concurrence of the commissioner.

The head of a prison would ensure that a detainee was allowed to perform physical exercises for at least half an hour a day, either in the open air if the weather permitted or in any place outside his/her cell. A detainee who did not desire to take any exercise could not be forced to do so. Provision was also made for a detainee to be allowed to participate in intramural sports activities if facilities were available.

Unless the consent of the commissioner of the SAP had been obtained, no detainee could be detained in a police cell or lock up for a continuous period exceeding 14 days.

LABOUR RELATIONS

Trade Unions

Statistics

The director general of manpower, Dr Piet van der Merwe, said in March 1988 that the membership of registered trade unions had risen from 677 000 in 1976 to 1,87m in 1987. He said that if the preliminary estimated 240 000 members of unregistered unions were added, then total trade union membership would exceed 2,1m, which represented about 24% of the unionisable workforce. He said that whereas there were 292 000 Africans who were members of registered unions in 1980, some 835 000 Africans belonged to registered unions in 1987.

Dr Van der Merwe said that preliminary figures for 1987 revealed that there were 205 registered and 85 unregistered trade unions. There were also ten registered trade union federations and eight unregistered federations. Dr Van der Merwe said that there had been a structural change in trade union membership with a growing number of unions opening up membership to workers of all population groups and with a growing number of credible emergent union leaders. The number of mixed unions increased from 39 in 1978 to 106 in 1987. Membership of multiracial unions climbed from 206 000 at the end of 1978 to 1 592 097 at the end of 1987.¹ [1 Speech by Dr P J van der Merwe, director general of manpower, at the management school of the University of Stellenbosch, 14 March 1988]

The growth in overall union membership occurred notwithstanding allegations by some unions that the government had launched an attempt to destroy them.

The numbers of registered trade unions and federations of trade unions for the years 1983 to 1987 are given below:

Registered trade unions: 1983–87

1983

1984

1985

1986

1987

Racial exclusive

White

54

59

46

46

41

Asian and coloured

38

34

24

17

29

African

19

19

26

23

29

Mixed unions

White, coloured, Asian

23

23

11

11

11

Coloured, Asian, African

13

6

20

20

15

White and African

4

—

4

3

5

All races

43

52

53

56

55

Unspecified

—

—

12

19

20

Total

194

193

196

195

205

Membership (m)

1,3

1,4

1,4

1,7

1,9

Federations

13

Groupings

Congress of South African Trade Unions (COSATU)

The Congress of South African Trade Unions (COSATU) continued with its programme of creating one union in each industry. In addition it embarked on a 'living wage campaign'. The federation also made explicit its belief that it should take up broader political issues, especially in the light of the exclusion of African workers from the main political processes of the country. However, this position culminated in the government's serving COSATU with an order in February 1988 restricting it to economic activities.

Structure

At the time of writing, COSATU claimed a signed-up membership of about 1m and a paid-up membership of 691 151, organised in 13 unions and divided into nine regions. This represented a decrease over its July 1987 figure, which was 721 231.² [² Congress of South African Trade Unions (COSATU) *Second National Congress Report*, July 1987; Information supplied by COSATU]

In February COSATU's eastern Cape region was launched in Port Elizabeth. The launch had been postponed in 1986 because of differences within the federation (see 1986 *Survey* Part 1 p234).³ [³ *The Star* 16 February] In March the Orange Free State/northern Cape region of COSATU was founded at a rally in Galeshewe (Kimberley). The region represented an estimated 90 000 members.⁴ [⁴ *Cape Times* 31 March] The other seven regions were Highveld, northern Natal, northern Transvaal, southern Natal, western Cape, western Transvaal and the Witwatersrand.⁵ [⁵ COSATU, *Second Annual Congress Report*, July 1987]

Progress was made with COSATU's policy to form one union per industry, although this was slower than originally anticipated.

In January a new union, the Construction and Allied Workers' Union (CAWU), was formed, its 30 000 members being drawn from a number of other unions.⁶ [⁶ *Financial Mail* 30 January]

On the weekend of 23 May, a number of COSATU's affiliates merged to form the **National Union of Metalworkers of South Africa** (NUMSA), representing about 130 796 members. This made it the country's second biggest trade union (the largest is the National Union of Mineworkers (NUM), which claims 261901 members). The union was launched after three days of discussion by 500 delegates from seven unions—the Metal and Allied Workers' Union (MAWU), the National Automobile and Allied

Workers' Union (NAAWU), the Motor Industry Combined Workers' Union (MICWU), and four smaller unions.⁷ [⁷ *The Star* 25 May]

In June the **National Education, Health and Allied Workers' Union** (NEHAWU), with 9 172 members, was formed when three unions merged. The formation of the union was viewed as an interim step in the setting up of a broad-based public sector union.⁸ [⁸ COSATU, *One Country One Federation*, July 1987]

On 28 June the **Commercial, Catering and Allied Workers' Union** (CCAWUSA) merged with the Hotel and Retail Workers' Union and the Retail and Allied Workers' Union (Pretoria). The new union retained the name CCAWUSA and had a membership of 56 000. The Johannesburg branch of CCAWUSA refused to accept the merger, however. Protracted conflict followed. After a six-member committee appointed by COSATU had failed to resolve the difficulties, the federation affirmed its support for the merged union.⁹ [⁹ *The Citizen* 7 November] The federation said that it had taken this decision because, it claimed, the faction opposed to the merger had conducted anti-COSATU activities which had undermined the policies and principles of the organisation.¹⁰ [¹⁰ *The Star* 17 November] The Johannesburg-based faction denied that it was anti-COSATU.¹¹ [¹¹ *Ibid* 18 November] The conflict continued well into 1988.

In July seven unions or parts of unions merged to form the **Transport and General Workers' Union** (TGWU), which claimed 18 281 members. The federation stated that this union and the South African Railways and Harbours Workers' Union (SARHWU) should merge after COSATU's national congress in July. The merger had not taken place by the end of April 1988, however.

After the recruitment of workers from the printing industry, the Paper, Wood and Allied Workers' Union was reconstituted in October as the **Paper, Printing, Wood and Allied Workers' Union**.¹² [¹² *South* 29 October]

In the same month five COSATU unions with membership in the municipal sector merged to form the **South African Municipal Workers' Union**, comprising 20 000 workers.¹³ [¹³ *Business Day* 23 October]

In November a new 70 000-strong clothing and textile union, the **Amalgamated Clothing and Textile Workers' Union of South African** (ACTWUSA), was formed. It was the product of a merger between COSATU's National Union of Textile Workers (NUTW) and two former affiliates of the now-defunct Trade Union Council of South Africa (TUCSA)—the National Union of Garment Workers and the Textile Workers' Industrial Union (see *Trade Union Unity* below).¹⁴ [¹⁴ *Ibid* 5 October]

The federation reported that small but significant progress had been made in organising farmworkers, a task undertaken by the Food and Allied Workers' Union (FAWU). Four full-time organisers had been employed in the sector.

Policy

On 24 February 1988 the government placed restrictions on COSATU in an attempt to curtail its political activities, as part of a general clampdown in which 17 other extra-parliamentary organisations were effectively banned (see *Trade Unions and Politics* below and chapters on *Political Developments*, *Political Organisations* and *Security*). Although these other organisations were effectively banned, the restrictions against COSATU were much less severe, in that they did not attempt to curtail its normal trade union work.

Since its formation at the end of 1985, COSATU had voiced its belief in the need to link community and shopfloor issues. In 1987 it adopted a more overt political position: its leaders repeatedly referred to its political role, and the federation formally adopted the Freedom Charter at its annual congress in July, also refining its position on alliances with other organisations (see below). On a number of occasions during 1987 government spokesmen had warned that they would take steps against the federation if it continued to take a political role (see *Trade Unions and Politics* below).

Delivering his presidential address at COSATU's second annual congress in July 1987 (attended by 1500 delegates from the 13 affiliates), Mr Elijah Barayi said that the federation made no apologies for 'connecting issues on the shopfloor and issues facing workers in the society as a whole'. 'Politics and especially the lack of even the most basic democratic rights for the majority of our people is a bread and butter issue for the working class,' Mr Barayi said. The state could not speak of negotiations before releasing political prisoners, allowing the safe return of political exiles, and the lifting of the ban on the African National Congress (ANC).¹⁵ [¹⁵ *The Star* 16 July] COSATU demanded full political rights for the country's blacks in a united South Africa, Mr Barayi said.¹⁶ [¹⁶ *The Citizen* 16 July]

Referring to its adoption of the Freedom Charter at the congress, COSATU said that the document encompassed 'the minimum demands of the democratic majority'. Sources said that about two thirds of the delegates supported the charter's adoption. Opposition came from those who wanted it to be complemented by a workers' charter, as well as others who believed that it would be divisive to adopt any particular political programme.

Affiliates within COSATU had taken various positions on the adoption of the charter. At its fifth congress in February, the NUM had adopted it, and FAWU had followed suit a few weeks later.¹⁷ [¹⁷ *The Star* 2 March] NUMSA had also adopted the charter but only after heated debate within its ranks and a resolution that it should be read together with a workers' charter. At its national congress in June CCAWUSA had avoided adopting either the Freedom Charter or the Azanian People's Manifesto because 'endorsing either lays the union open to serious division'. Instead, it had opted for a 'socialist programme of action which will bind together all workers regardless of political affiliation'.¹⁸ [¹⁸ *The Weekly Mail* 19 June] However, the merged union later adopted the charter. NEHAWU also adopted the charter. ACTWUSA decided against adopting it, and the union was seen as being on the 'workerist' wing of the federation. The Chemical Workers' Industrial Union (CWIU) decided not to adopt the

charter but referred the issue back to its members for discussion.¹⁹ [¹⁹ Information supplied by COSATU]

Delegates at the July congress decided to set up permanent structures that would encourage political alliances with other 'progressive' political and community organisations in South Africa, while still ruling out any formal affiliation. The resolution stipulated that COSATU's allies should have policies that promoted the interests of the working class as well as a belief in democracy and nonracialism.²⁰ [²⁰ *The Citizen* 20 July]

Commenting in July on progress in forming these links, COSATU's general secretary, Mr Jay Naidoo, said that in some areas community organisations were represented on shopsteward councils, while in other areas shopstewards came together with community organisations in a separate structure.²¹ [²¹ *Post Natal* 29 July]

In December Mr Naidoo said that COSATU was committed to building alliances with national nonracial democratic organisations, such as those representing youth, students, women, etc to ensure that all workers actively played a leading role in the struggle against 'exploitation' and 'oppression'. 'This is why we propose a united front alliance with these organisations with the aim of setting up permanent structures at local, regional, and national level,' Mr Naidoo said. He said that this was already happening in different local areas.²² [²² *The New Nation* 3-9 December]

Speaking at the *Financial Mail's* investment conference in November, Mr Naidoo, criticising political solutions favoured by business, described the KwaZulu Natal indaba as an undemocratic regional solution based on principles similar to the tricameral parliamentary system.²³ [²³ *Business Day* undated]

COSATU also made clear its stand on **economic issues**. In August COSATU published a booklet entitled *Political Economy—South Africa in Crisis* in which it criticised solutions put forward by South Africa's business community, seeing them as unable to solve the country's deep-seated economic problems. It called for the economy to be restructured but warned that merely to talk of socialism, as if it were a magic formula, also failed to answer key questions.

The booklet rejected privatisation, small business development and inward industrialisation as solutions to the economic crisis. It argued that privatisation would mean a hand-over of parastatals to large monopolies, which would not constitute new investment nor create jobs. A more likely outcome would be retrenchment, as the new owners rationalised the corporations to make them more profitable, it claimed. COSATU said that a major effect of deregulation would be to lower wages and create more dangerous working conditions. It also argued that the policy would give rise to a middle class which would defend the interests of capitalism, but which would not be able to create the jobs that were needed.

The booklet stated that, in contrast to the political proposals of big business, COSATU and the Freedom Charter favoured universal suffrage and were committed to economic solutions which included stale

ownership and controls over profits.²⁴ [24 *Business Day* 17 August; COSATU, *Political Economy - South Africa in Crisis*, July 1987]

COSATU's position on **sanctions and disinvestment** again came under scrutiny during the period under review. For further details see *Trade Unions and Sanctions* below.

At an investment conference in November, Mr Naidoo said that meaningful relations between management and labour were possible only if there was a common understanding that South African society had to be fundamentally restructured. He claimed that the basic features of the apartheid system—migrant labour, influx control and the homelands—were designed mainly to meet the aims of capital, which included the control, allocation, supply and the cost of labour. He also highlighted the fact that employers had remained silent on the government's attack on COSATU's living wage campaign (LWC)' (see below). 'In this context, are we mistaken in believing that employers are acting in concert against our legitimate campaigns and that the co-ordinated activity involves that apartheid state and its key apparatuses?' he asked.²⁵ [25 *The New Nation* 19 November]

In a policy document at the beginning of 1987, COSATU mentioned the organisation of the **unemployed** as one of its priorities. COSATU said that its aim to unionise the unemployed stemmed from its desire to ensure that the employed and unemployed were not set against each other.

Delegates at the July congress resolved to fight for social security benefits for the unemployed, and help organise them. About 20 observers from the National Unemployed Workers' Co-ordinating Committee (organised by unemployed workers themselves) attended the congress as observers. It was decided that organised unemployed workers were to be given observer status on local shopsteward councils. COSATU's ultimate aim was to give 'systematic material assistance to the organisation of the unemployed into a national union that would affiliate to the federation'.²⁶ [26 COSATU, *Second National Congress Report*, July 1987]

At its **education** conference in October, COSATU adopted guidelines for 'people's education', stressing that 'education must assist in the process of liberation through exposing the structures that exploit people in all aspects of their lives—schools, work, home, etc'. A conference statement noted that 'education must be linked to production, but in creative liberating ways. Under capitalism, education is also linked to production, but in such a way as to entrench exploitation'.²⁷ [27 *The Weekly Mail* 30 October]

COSATU passed resolutions on a number of **other issues** at its national congress in July. In a document prepared for the congress, COSATU said that the organisation was not financially self-sufficient. It had realised that it would initially depend on 'fraternal national centres' abroad, and had set affiliation fees at a minimum. However, this issue would require serious debate, especially in the light of government plans to clamp down on overseas funding. In 1988 the government published a bill, the Promotion of Orderly Internal Politics Bill, which would prohibit foreign funding of restricted organisations (see chapter on *Security*).²⁸ [28 *Ibid* 4 March]

COSATU rejected **regional services councils** and warned that it would take action if employers began deducting rents from wages in terms of a bill before Parliament (see chapters on *Government and Constitution* and *Housing*). It also laid down minimum employment conditions for domestic workers, confirmed its commitment to industrial unions and resolved to hold a national health and safety conference. COSATU also pledged to oppose the Labour Relations Amendment Bill, which, it said, was a threat to the entire industrial relations system (see *The Labour Relations Structure* below).

The congress also voted ‘actively to support the campaign to save 32 compatriots on **death row**’, launched two weeks before the congress by the South African Youth Congress. Three members of the NUM were among the 32. The congress also voted to support a campaign to force the government to sign the Geneva Convention on the treatment of prisoners of war and to observe it in its treatment of captured members of Umkhonto we Sizwe, the military wing of the African National Congress (ANC). It also called for the immediate release of all detainees.²⁹ [29 COSATU, *Second National Congress Report*, July 1987]

Campaigns

COSATU initiated a number of campaigns during the period under review.

In March plans were announced for the implementation of a ‘**living wage campaign**’ (LWC). The campaign centred around demands for.

- a living wage and jobs for all;
- a 40-hour week without loss of pay and a ban on overtime;
- 21 March, 1 May and 16 June as paid holidays;
- the abolition of tax deductions;
- a minimum of six months’ paid maternity leave;
- an end to migrant labour and hostel systems, and the provision of decent housing near places of employment; and
- the right to decent education and training.

It also made a call for a subsistence fund in addition to unemployment benefits, supplemented by rent, transport and medical concessions for all unemployed workers. The federation called on companies to open their books for inspection because ‘we want to see how every cent is spent’. The campaign would

be directed against monopolies which had ‘amassed a great amount of wealth at the expense of workers and the unemployed’.³⁰ [³⁰ *The Weekly Mail* 20 March]

Outlining the reasons for the campaign, COSATU said that the struggle was more than just an economic one. ‘It is a struggle against apartheid-capitalism which is built on ultra-cheap, ultra-controllable and super-exploitable labour.’ COSATU claimed that 1 360 families, not even representing 0,1 % of the population, owned and controlled 80% of the country’s wealth.³¹ [³¹ *The New Nation* 19 March]

However, at the end of March the minister of law and order, Mr Adriaan Vlok, banned outdoor meetings planned in the Transvaal to launch the campaign, which was to have coincided with the commemoration of the Sharpeville and Langa shootings on 21 March in 1960 and 1985 respectively (see 1959–60 *Survey* pp56–57 and 1985 *Survey* p356). Township councillors banned COSATU meetings in northern Natal, while magistrates in the northern Transvaal, eastern Cape and Highveld also refused permission for the meetings to be held.³² [³² *Business Day* 23 March, *The Star* 27 March]

An urgent application by COSATU to have the government order set aside was turned down in the Witwatersrand Local Division of the Supreme Court (Rand Supreme Court) on 28 March.³³ [³³ *Sowetan* 31 March] COSATU launched its campaign in a hall in Standerton (Transvaal) on 29 and 30 March. About 400 shopstewards attended the launch.³⁴ [³⁴ *Cape Times* 31 March]

In April workers at Willard Batteries (Benoni, east Rand) were the first to win a 40-hour week, one of the demands of COSATU’s LWC.³⁵ [³⁵ *South African Metal Worker* March/April]

COSATU’s ‘living wage campaign’ was reported as having had a positive effect on black workers’ wages in 1987. In its annual report on collective bargaining trends, Andrew Levy and Associates stated that unionised black workers were the only section of South Africa’s working population to achieve wage increases above the inflation rate in 1987. The report stated, ‘While white salary increases have been put at 15% to 16% for 1987 by salary surveys, black unions are achieving settlement levels of 18% and higher for 1987. These settlement levels demonstrate the efficacy of COSATU’s living wage campaign in 1987, which has been an importance force in determining the high levels of settlement recorded and it must be anticipated that next year will see an increased effort going into this campaign.’³⁶ [³⁶ *The Citizen* 4 December] In May COSATU launched a ‘**hands off COSATU**’ campaign as a result of attacks by security forces and unknown assailants on its affiliates, officials and members during 1987. The attacks included raids on and the bombings of various of its offices; attacks on unionists’ homes, possessions and their lives. Many of these attacks occurred during a strike by railway workers who were members of the South African Railways and Harbours Workers’ Union (SARHWU), a COSATU affiliate (see *Action Affecting Trade Unions and Strikes* below).

At the launch of the campaign, Mr Naidoo said that COSATU’s central executive had defined the federation’s current priority as defence against the propaganda attacks by the government and the South

African Broadcasting Corporation (SABC), and against physical attacks on COSATU premises.

Part of the campaign was a letter to employers from COSATU which was published on 29 May. In the letter the federation condemned the SABC's alleged attempts to portray it as an instrument of the ANC. Arguing that employers had a powerful influence on the government, it asked whether they were using this power to secure and protect freedom of speech and association. If employers remained silent this would undoubtedly 'pave the way for ministerial decrees designed to destroy COSATU', it contended.³⁷ [37 *The Weekly Mail* 29 May] Mr Naidoo denied that COSATU was affiliated to the ANC, or had been involved in the 'necklacing' of railway workers during the railway strike as had allegedly been claimed in certain media (see *Strikes* below).³⁸ [38 *The Citizen* 23 May]

As part of its campaign, an advertisement entitled 'a message to all democrats' appeared in the press in the last week of May. COSATU said that it demanded the right to: speak freely without intimidation; meet freely without harassment; organise freely without victimisation; campaign for a living wage and the release of its members in detention; and campaign for a stake in a unitary, nonracial South Africa.³⁹ [39 *The New Nation* 28 May]

In June COSATU lodged a complaint with the South African Media Council against the SABC, based on the latter's alleged bias in covering the railway strike. A few days previously South African Transport Services (SATS) had withdrawn an application for an interdict restraining COSATU and SARHWU from assaulting and intimidating railway workers. COSATU said that the SABC had reported that the Rand Supreme Court had granted the interdict. However, the federation and the union had denied SATS's allegations that they had been involved in torture; they had also undertaken to 'prevent any alleged unlawful acts'; and, at the same time, had said that they were opposed to violence.⁴⁰ [40 *The Weekly Mail* undated]

Towards the end of June affiliates of COSATU claimed that a number of employers had taken 'a new tough line' in their dealings with the federation because they allegedly believed the climate to be suitable to attack unions—especially after the election for the House of Assembly on 6 May and the government's alleged anti-COSATU campaign.⁴¹ [41 *The Star* 23 June]

In July COSATU reacted strongly to a warning by the minister of manpower. Mr Pietie du Plessis, that the government would not hesitate to take counter measures against politicised trade unions. The federation's press officer, Mr Frank Meintjies, said. 'COSATU does not apologise for being involved, and urges all concerned and democratically-minded South Africans to involve themselves in trying to resolve the burning issues in South Africa.' He added: 'Our membership bears the brunt of apartheid and are using the organisation they have built to speak out on problems such as housing, transport, urban rights and even the vote.' The attacks on COSATU in recent months had gone a long way to making COSATU members more politically conscious, Mr Meintjies claimed.⁴² [42 *Sunday Times* 12 July]

In April COSATU announced that 5 and 6 May would be designated as 'national days of peaceful

protest' over a wide range of demands, as well as in protest against the forthcoming **white election** (see *Strikes* below)

COSATU also planned countrywide rallies in celebration of **May Day**, which, however, were banned (see *Strikes* below).

Commenting in December on the federation's **plans for 1988**, Mr Naidoo said that the important challenge was to unite all workers under the COSATU banner, to build a national union of the unemployed, to strengthen the campaign for a living wage, and to formulate a coherent national education programme that would be worker-controlled and address workers' needs.⁴³ [⁴³ *The New Nation* 3-9 December]

National Council of Trade Unions (NACTU)

Structure

In October the Council of Unions of South Africa (CUSA) and the Azanian Confederation of Trade Unions (AZACTU) merged to form CUSA-AZACTU, which later adopted the name, the National Council of Trade Unions (NACTU). At the time of writing the federation had 22 member unions and claimed a signed-up membership of about 500 000.⁴⁴ [⁴⁴ Information supplied by the National Council of Trade Unions]

In April one of the oldest unions in the country in its sector, the National Union of Furniture Workers (NUFW), affiliated to NACTU.⁴⁵ [⁴⁵ *Sowetan* 18 April]

In June NACTU's president, Mr James Mndaweni, said that two of its affiliates, the African Allied Workers' Union and the Black General Workers' Union, would shortly dissolve and their members would be divided among other affiliates. Mr Mndaweni said that the federation had been successful in promoting worker unity by the merging of two or more unions in a particular region.⁴⁶ [⁴⁶ *Ibid* 17 June]

In November, at its sixth national congress, in Mapumulo (Zululand), the Media Workers' Association of South Africa (MWASA) voted to affiliate to NACTU. It said that it had decided to affiliate because it believed in black working-class leadership, which was a principle of the council.⁴⁷ [⁴⁷ *The Star* 16 November]

Policy

During the period under review, NACTU officials clarified the council's **political position** vis-à-vis the state and other unions.

In April the assistant general secretary of CUSA-AZACTU, Mr Pandelani Nefolovhodwe, said that although the trade union movement had grown substantially in membership, that growth had not been

equalled in understanding and union solidarity. He said that separatism had mined several strikes, for instance that by workers of the South African Transport Services (SATS) which was a COSATU affiliate (see *Strikes* below). He believed that unity between NACTU and COSATU would have broadened the pressure on SATS to resolve the strike. It was his federation's policy to co-operate with all workers despite their political affiliations. The only criterion was that they had to be supportive of the broader liberation struggle, he added. Mr Nefolovhodwe said that workers should strive for a new order where there would be no room for tribalism, regionalism or ethnicity. He said that the state of emergency had been a hindrance only insofar as meetings were concerned. 'There is a new understanding of trade unionism and militancy and the emergency will not be able to break that,' he added. Mr Nefolovhodwe said that workers had not yet taken over the leadership of the struggle and that in many cases had been scared off by the battles of the youth. 'To some extent the youth has failed in fundamental issues, like convincing the working class on the type of campaigns needed to bring about change,' he added.⁴⁸ [⁴⁸ *The Weekly Mail* (undated) April]

Commenting on the issue of co-operation between NACTU and COSATU, NACTU's general secretary, Mr Phiroshaw Camay, said in June that union unity and assistance had always been a prime consideration of the body. 'We foresee over the short- to medium-term that government will hammer various worker bodies. This requires a concerted response on the part of the union movement and we are trying to lay the ground in anticipation. If the unions are united, our response will be more coherent and logical,' he said. 'In the long term we would want to see all workers united in one federation,' he added. Commenting on the federations' differing political perspectives, Mr Camay said that NACTU was neither a black consciousness, nor an Africanist, nor a charterist body. 'Among our members there would be adherence to all those ideological groups. But NACTU itself is independent of all these movements and will decide on its own path. Trade unions are by their nature democratic bodies; that means that there is a plurality of views. But it does not mean that ideological differences override the collective ideas of the workers,' he said.

Mr Camay continued, 'In fact it is the needs of the workers which override the narrowness of those positions. It is time that people got away from the naive belief that the Freedom Charter belongs to one political group. It belongs to us all. It is a basic historical document and has to be respected. But there are other documents like the National Forum Manifesto which should be respected and these things should be the basis of a new society.'⁴⁹ [⁴⁹ *Finance Week* 18 June]

Speaking on the principles of the council in June Mr Mndaweni said, 'We have a situation in our daily lives which is characterised by race classification and ethnicity. People have deliberately been kept apart by the Nationalist government in order to further the policy of divide and rule which is coupled with exploitation.' He said that blacks, being the people who were discriminated against, were the only ones who could lead the struggle for human dignity in South Africa, including being leaders of the trade union movement. The federation had opened its doors to anyone who recognised him/herself as a worker but only if he/she accepted its belief in black working-class leadership, he added. Mr Mndaweni said that the council had received an application for affiliation from a union with white members and was considering this on condition it 'ratifies its constitution in terms of the federation's principles'.

He outlined the main principles of NACTU as black leadership, worker control, industrial trade unionism, independent trade unionism, non-affiliation to political parties, continued community involvement and financial accountability. He believed that the land belonged to the indigenous people—the Africans—and that the country would be part of a united Africa. This did not mean that whites did not belong in South Africa because the council believed in the total eradication of racial discrimination and an end to government by a white minority. Mr Mndaweni said, ‘Armed with our policies we will accelerate the struggle for freedom and justice in a free country with no white domination.’⁵⁰ [⁵⁰ *Sowetan* 17 June]

Commenting on the necessity for NACTU’s existence, he said that it had to be born to advance a worker democracy. He said that the council saw no difference between factory floor aspirations and those of the community.⁵¹ [⁵¹ *Ibid*]

In a message of solidarity to COSATU at its national congress in July, NACTU further expounded on its principles, saying that it was committed to worker unity based on anti-racism, anti-sexism, anti-imperialism and anti-capitalism. It said also that it was committed to discussing joint activities with student, parent, community, civic, political and worker organisations, especially on the following minima:

- establishing trade union regional solidarity committees;
- developing a workers’ manifesto;
- establishing a national commemorations committee for all the national days of the people; and
- joint campaigns of resistance on all issues relating to the struggles of workers and the community at both factory floor level and within the exploited and oppressed community.⁵² [⁵² *Ibid* 16 July]

In July NACTU rejected a pamphlet issued in its name in which it allegedly called on workers to reject the Freedom Charter. It denied that it had printed and distributed the pamphlet in some townships. The federation’s statement said, ‘NACTU wishes to state unequivocally that the federation has not rejected any historical document, be it the Pan-Africanist Manifesto, the Azanian People’s Manifesto, or the Freedom Charter. We cannot and will not ever reject the history and contribution to the struggle for national liberation made by all organisations and individuals. At the last national council meeting of NACTU it was agreed that workers should develop a workers’ manifesto to ensure that workers’ rights and interests are protected now and in the future. This is a commitment which NACTU will carry out and has invited all workers’ organisations to this public debate.’ It said that the pamphlet was a deliberate attempt to sow division and confusion among workers and should be rejected with contempt.⁵³ [⁵³ *Ibid* 29 July]

Speaking at Rhodes University in September, Mr Nefolovhodwe said that the immediate task of trade union leaders was the 'identification of our role and involvement in both the trade union movement and the struggle for national liberation'. Union leaders should accept that they should not only be guided by the philosophy of the working class but by its practice as well.⁵⁴ [⁵⁴ *City Press* 4 September]

NACTU also made various statements on **economic matters**, including sanctions.

In June, commenting on the national budget, NACTU said in a statement, 'This budget is aimed at placating the white voters in keeping with the attitude of the National Party and the basis on which it fought the election' (for the House of Assembly on 6 May). 'That there is no tax increase at the upper end of the tax bracket means that the government wants to continue to protect white workers. Yet black workers with lower earnings still pay GST [general sales tax] at the same rate. The increase in police and defence spending clearly means that the state of emergency will continue and repression will escalate.' The statement said that there was still not parity in education expenditure between black and white children and the minister of finance still persisted in paying a discriminatory pension while taxing people on the same basis. 'We repeat our call of last year that while we do not have a government of all the people we will not have a budget reflecting the true needs of the people.'⁵⁵ [⁵⁵ *The Star* 4 June]

In October the federation distanced itself from the distribution of a pamphlet which 'gives a false impression about the federation's stand on sanctions'. NACTU said that 'the federation recognises that foreign investment supports and maintains the economic system in this country and is geared at the maximum exploitation of the working class'. NACTU said that it was committed to a full **sanctions** programme for as long as the 'racist capitalist minority regime exists'.⁵⁶ [⁵⁶ *Sowetan* 21 October]

In December NACTU condemned a scheme by the Anglo American Corporation of South Africa and De Beers Consolidated Mines to offer their employees **shares** in their companies 'as an attempt by big business to co-opt workers into the capitalist scheme of things'. Mr Camay said that NACTU's national council had decided to take a firm stand that equity participation be rejected (see *Noteworthy labour practices* below).⁵⁷ [⁵⁷ *Ibid* 1 December]

Other issues

In April NACTU was among the organisations that condemned the South African government for the killing of four civilians when the South African Defence Force (SADF) launched an attack against Zambia. A spokesman for NACTU said that he condemned the 'callous killing' of innocent people and raids on neighbouring states. No amount of intimidation would stop people from attaining their freedom, he said.⁵⁸ [⁵⁸ *Ibid* 29 April]

NACTU called on its workers to attend May Day rallies and to join forces with other organisations in supporting protest action against the general election for the white House of Assembly on 6 May (see *Strikes* below).

In June NACTU suggested that the South African Broadcasting Corporation (SABC) was preparing its listeners for state action against the United Democratic Front (UDF) and the Azanian People's Organisation (AZAPO). It accused the state of 'acting against the force which are attempting to build democracy and a new vision of our country'. 'The deafening silence of employers together with the massive support provided at the general elections leaves us under no doubt that the majority of white persons prefer their race privileges and support apartheid—no matter what the cost to the dignity of the vast majority of the oppressed and exploited.'⁵⁹ [⁵⁹ Ibid 25 June] (Both the UDF and AZAPO were among 17 organisations which were effectively banned in February 1988—see chapters on *Political Organisations* and *Security*.)

In September a five-man delegation from NACTU led by Mr Mndaweni visited Tanzania, where discussions were held with that country's labour organisation and the exiled Pan-Africanist Congress (PAC). In a statement the federation said that it had briefed the labour organisation on the current situation in South Africa, the role of the federation, and the importance of the workers' struggle. Mr Nefolovhodwe said that they had explained NACTU's policies to the Tanzanian body and that NACTU had confirmed its objective of pursuing dialogue with all liberation organisations consistent with its principle of non-affiliation to political groups. This had been accepted by the PAC, which also encouraged dialogue 'aimed at uniting all Azanian workers'.⁶⁰ [⁶⁰ Ibid 4 September]

They also discussed the 'intensification of the total resistance against the apartheid regime', the implication of the state of emergency and the continued detention of children.⁶¹ [⁶¹ *The Star* 5 September]

In December, commenting on a decision by the Appellate Division of the Supreme Court in Bloemfontein to turn down an appeal by the 'Sharpeville six' against their convictions and death sentences for allegedly taking part in the killing of a Lekoa (Vaal) town councillor in 1984 (see chapter on *Security*), NACTU said that it regretted the decision and hoped that the state president would grant clemency to the six. It pledged support for legal action to obtain such clemency.⁶² [⁶² *Sowetan* 12 December]

South African Confederation of Labour

In 1985 it was reported that the South African Confederation of Labour had 110 000 members in 12 affiliates (see 1985 *Survey* p185). No further information on the federation was available at the time of writing.

South African Congress of Trade Unions (SACTU)

At COSATU's second annual congress in July, a message of support was received from the South African Congress of Trade Unions (SACTU), the labour wing of the African National Congress (ANC). In its message SACTU said that while it welcomed the widespread discussions on socialism (being held

within COSATU), this should not be elevated and adopted as COSATU policy. The priority of COSATU should be the strengthening of the federation and all the interests of the workers. SACTU urged COSATU to strengthen its shopfloor base.⁶³ [⁶³ *The Weekly Mail* 17 July]

It was reported in August that Mr Joe Slovo, chief of staff of the ANC's military wing, Umkhonto we Sizwe, would be moving from that position and would concentrate in future on trade union affairs (see chapter on *Political Organisations*).⁶⁴ [⁶⁴ *The Citizen* 19 August]

Labour Forum

The Labour Forum was formed in January 1987 as a non-membership organisation aimed at improving communication between unions and to assist them with information. A cross-section of more than 50 trade unionists attended its founding discussions. The forum sends out briefing documents on subjects of interest, such as the Labour Relations Amendment (LRA) Bill of 1987. It also conducts surveys of union opinion. Subjects covered in 1987 were: the LRA bill, the possibility of a prices and wage freeze, the possibility of government interference with negotiated agreements, May Day, government action against trade unions, pensions, maternity leave and small businesses in relation to working conditions.⁶⁵ [⁶⁵ Information provided by Labour Forum]

Notes on particular unions

At its fifth annual congress, at the end of February, the **National Union of Mineworkers** (NUM) adopted the Freedom Charter as a blueprint for a democratic South Africa. The decision was publicly supported by about 15 000 NUM members who attended a rally at the end of the congress. The union's president, Mr James Motlatsi, said, 'We want to tell (P W Botha) that our organisation has taken a political stance because in the five years of its existence it has found that politics are responsible for our problems.' Mr Motlatsi criticised the Chamber of Mines of South Africa for accusing NUM leaders of supporting economic pressure against South Africa without a mandate from members. 'If the Chamber of Mines wants to talk about sanctions, they must tell P W Botha to end apartheid, and sanctions will come to an end,' he said.⁶⁶ [⁶⁶ *The Star* 2 March]

In a resolution, the NUM demanded that the chamber make a clear statement of intent to dismantle the migrant labour system and compounds 'within a reasonable, specified period'. If this demand was not met, the NUM intended to declare a dispute as a precursor to a national strike. The demand arose out of a joint NUM-Anglo American Corporation of South Africa investigation into the cause of violence on the mines, which had found that this was due to the migrant labour system and the conditions in single-sex hostels in which miners lived. Other resolutions called for:

- employers to recognise 1 May and 16 June as paid public holidays;

- employers to stop deducting taxes from workers' wages and paying these over to the government, as the system of taxation without representation was unacceptable;
- employers to cease making unemployment deductions from workers' wages and instead negotiate a system that would benefit workers irrespective of origin;
- efforts to conscientise workers about the 'negative effects' of the United Workers' Union of South Africa (UWUSA);
- employers to negotiate with the union about any plans to mechanise on the mines before they were implemented;
- a ban on overtime as part of COSATU's 'living wage campaign'; and
- the abolition of job reservation on the mines.

In a move away from previous union policy, Mr Motlatsi said that the NUM had to build 'firm, disciplined and effective alliances with democratic organisations'.⁶⁷ [⁶⁷ Ibid 1 March] The general secretary of the NUM, Mr Cyril Ramaphosa, said that a previous COSATU resolution that the federation should not affiliate to any political organisation but should co-operate with other progressive organisations was too loose and often led to misinterpretation (see *Congress of South African Trade Unions* above).⁶⁸ [⁶⁸ *The Weekly Mail* 6 March] In October Mr Ramaphosa was awarded the first Olaf Paimé prize. (The prize was named after the Swedish prime minister who was assassinated in 1986.) The committee awarding the prize cited 'the courage and wisdom which the members of the black mineworkers' union showed in their loyal struggle for people's rights and dignity, with him [Mr Ramaphosa] as leader'.⁶⁹ [⁶⁹ *The Star* 9 June]

For NUM initiatives regarding housing on the mines, see chapter on *Employment*.

The **United Workers' Union of South Africa** (UWUSA), formed in 1986 (see 1986 *Survey* Part 1 p242), claimed it had 100 000 signed-up and 60 000 paid-up members in about 60 establishments in Natal and 30 in the Transvaal, and that it had negotiated a number of substantive agreements.⁷⁰ [⁷⁰ *Business Day* 30 April] The union is linked to Inkatha.

In April UWUSA's general secretary, Mr Simon Conco, said that the union had not been involved in any strikes because it had always negotiated satisfactory agreements. In a few cases where members had downed tools, UWUSA leaders had intervened and had ended the stoppages. Mr Conco said that the union's most serious difficulty had been an inability to get foreign funding for the training of leaders. Foreign funding agencies had refused to fund UWUSA because they saw it as divisive, he said.⁷¹ [⁷¹ Ibid]

On 20 August UWUSA was officially registered as a trade union, entitling it to use stop-order facilities to deduct union dues. According to its new general secretary, Mr Godwin Radebe, companies and industrial councils had refused to negotiate until it had registered. In terms of its registration, UWUSA could recruit workers in all sectors. The union's aim was to form industry-based unions once there were 5 000 members in each industrial sector. Mr Radebe said that UWUSA would concentrate on the mining and metal industries. A further priority was to organise farm and domestic workers. He hoped that UWUSA would have 1 000 trained shopstewards by the end of 1987. Training courses conducted by Industrial Consultancy Services had started in early August at the KwaZulu Training Trust. He said that while UWUSA supported the fight of other unions for workers' rights, it disagreed with them on strategy and tactics. The union, for example, did not support sanctions and disinvestment because they reduced employment. Maintaining that UWUSA was an 'independent' union, he said that its members strongly believed that politics should be kept out of trade unionism. Mr Radebe became general secretary when Mr Conco resigned for health reasons.⁷² [⁷² *Financial Mail* 11 September]

In October, at its second annual congress, UWUSA formally backed the KwaZulu Natal indaba and called for stronger resistance to sanctions and disinvestment. It also called on all other trade unions to attend a meeting to talk about the workers' struggle.⁷³ [⁷³ *Sowetan* 26 October]

Unity moves

In June attempts by eight unions from the defunct Trade Union Council of South Africa (TUCSA), as well as some unaffiliated unions, to form a new federation failed. Among the unions were the Mine Surface Officials' Association, the Artisan Staff Association (ASA), and the South African Typographical Union.⁷⁴ [⁷⁴ *Business Day* 25 March] Talks had been held for several months to bring the unions together on a platform which would restrict them to shopfloor issues. The general secretary of the ASA, Mr Willie van der Merwe, who co-ordinated the talks, said that the failure of the merger meant that the more moderate unions would be 'left out in the cold'. He said that delegates felt that the state of labour relations was too volatile at the moment to enter into agreements.⁷⁵ [⁷⁵ *Ibid* 3 June]

At the beginning of December the Garment Workers' Industrial Union (GWIU) of Natal and the Garment Workers' Union (western Province) (GWU-WP) merged to form the third largest union in the country, with more than 100 000 members. Delegates at the merger gave union officials permission to seek affiliation to COSATU. The move was criticised by the newly formed textile union in COSATU, the Amalgamated Clothing and Textile Workers' Union of South Africa (ACTWUSA), which had expected the GWIU to merge with it. It said that the merger was an act of disunity, as COSATU's policy was to form only one union per industry. ACTWUSA had refused to discuss merging with the Cape union until it had transformed the union into an effective organisation.⁷⁶ [⁷⁶ *South* 26 November]

In November a number of teachers' unions met with a view to forming one union for all teachers. Organisations which committed themselves to the new union were: the Democratic Teachers' Union; the East London Progressive Teachers' Union; Education for an Aware South Africa; the National

Education Union of South Africa, the Progressive Teachers' League; and the Western Cape Teachers' Union. A spokeswoman for the steering committee said that the union aimed to establish a nonracial, unitary education system, to democratise schools, end sexist practices in schools and implement people's education.⁷⁷ [⁷⁷ *The Weekly Mail* 13 November]

In the last week of November, after a year of inactivity, the South African Co-ordinating Council of the International Union of Foodworkers (IUF) was revived. The revival brought together three COSATU affiliates and one NACTU union and increased the prospects for unity at worker level between members of the two union federations.⁷⁸ [⁷⁸ *The New Nation* 22 October]

Inter-union rivalry

Conflict between the Congress of South African Trade Unions (COSATU) and the United Workers' Union of South Africa (UWUSA) continued during 1987, and centred on the east Rand and Natal. Both sides were drawn into the United Democratic Front (UDF)/Inkatha political violence in Natal. For details on this violence, see chapter on *Political Developments*. Some of the incidents, where it has been possible to identify the unions, are mentioned below.

In January UWUSA accused management at Jabula Foods in Springs (east Rand) of siding against it and with the Food and Allied Workers' Union (FAWU), a COSATU affiliate. This followed an altercation in which seven UWUSA members were injured. There had been tension at the plant between the two unions since a FAWU member employed there had been murdered in 1986. Workers had accused five UWUSA members of being responsible for the killing and they had been suspended. An arbitrator appointed by UWUSA and the company had ordered their reinstatement, and they and two other workers were then injured in the fight.⁷⁹ [⁷⁹ *Business Day* 7 January]

Commenting on the violence allegedly involving UWUSA members in various incidents during 1986 and 1987—at the Mobane Colliery (Natal), and at Jabula Foods and Zinc Corp of South Africa's refinery, both in Springs—which had claimed the lives of at least 15 people, mostly COSATU members, UWUSA's general secretary, Mr Simon Conco, said that UWUSA opposed violence and that there was no evidence that it had been involved in any way. COSATU had also claimed that its members in Natal had been harassed by Inkatha vigilantes.⁸⁰ [⁸⁰ *Ibid* 30 April]

In April UWUSA's new general secretary, Mr Godwin Radebe, said that UWUSA wanted to make peace with COSATU. He said that workers should not be wasting their time fighting each other. However, peace talks would not end the fundamental differences between the two groupings.⁸¹ [⁸¹ *Ibid* 26 May] The Natal branch of COSATU welcomed UWUSA's call to end violence between the organisations.⁸² [⁸² *Post Natal* 10 June]

In May the Natal Provincial Division of the Supreme Court (Pietermaritzburg) granted an interim

interdict to the National Union of Mineworkers (NUM) ordering UWUSA not to assault, threaten or intimidate members of the NUM at the Vryheid Coronation Colliery (northern Natal). The NUM had made an urgent application after one of its members, Mr John Ntshangase, had been beaten at the mine by a member of UWUSA. Mr Ntshangase later died. A spokesman for the Anglo American Corporation of South Africa, managers of the mine, said that an inquiry into the killing was taking place.⁸³ [⁸³ *Sowetan* 12 May] On 14 August the application was settled out of court.⁸⁴ [⁸⁴ *The Natal Witness* 15 August] No details were given.

Four UWUSA members and one COSATU member were killed as a result of a dispute between COSATU's Transport and General Workers' Union (TGWU) and UWUSA in Natal following the 5 and 6 May stayaway (see *Strikes* below). The dispute was said to have arisen when UWUSA workers employed at KwaZulu Transport took 'sick leave' on those days, and were seen 'to be painting themselves as good boys in the eyes of management'. Both unions undertook to enforce discipline within their ranks and to restrain their members from attacking each other.⁸⁵ [⁸⁵ *The Natal Witness* 21 May, *Echo* 4 June]

In June COSATU instituted a civil action against Chief Mangosuthu Buthelezi, chief minister of KwaZulu and president of Inkatha, in his capacity as minister of police in KwaZulu and against two Inkatha officials. The claim related to the killing, allegedly by Inkatha members, of Messrs Phineas Sibiya and Simon Ngubane, employees of BTR Sarmcol and both members of the Metal and Allied Workers' Union (MAWU), and another BTR Sarmcol worker, Miss Flora Mnikathi, near Howick on 5 and 6 December 1986 (see 1986 *Survey* Part 1 p256).⁸⁶ [⁸⁶ *Cape Times* 19 June] No further details on the civil action were available at the time of writing. In March 1988 a Howick inquest magistrate found that nine Inkatha members, including Inkatha's assistant national youth organiser, Mr Joseph Mabaso, were responsible for the killings. The magistrate, Mr G Nieuwoudt, said that the court's finding did not exclude the possibility that other Inkatha members could also have been responsible.⁸⁷ [⁸⁷ *Business Day* 22 March 1988]

It was claimed in July that employers were retrenching COSATU workers in order to strengthen UWUSA in Natal. This followed the retrenchment of about 200 workers of the TGWU by South African Stevedores. COSATU workers alleged that members of UWUSA had not been retrenched. Management said that they employed the 'last-in first-out principle' and did not necessarily select TGWU members when retrenching.⁸⁸ [⁸⁸ *The New Nation* 2 July]

At the beginning of October there was conflict between COSATU and UWUSA members who worked for the Sizanani Mazulu Transport Company (Pietermaritzburg). Captain Pieter Kitching of the South African Police (SAP) confirmed knowledge of an incident where unknown UWUSA members had allegedly opened fire on two drivers and members of COSATU, injuring them.⁸⁹ [⁸⁹ *Echo* 8 October] A few days later two inspectors from the company, said to be UWUSA members, were shot dead while on a bus to Pietermaritzburg.⁹⁰ [⁹⁰ *Ibid* 15 October]

In December one miner was killed in clashes between COSATU and UWUSA members at the Cook Three shaft at the Johannesburg Consolidated Investment Company's Randfontein Estates gold mine near Westonaria (west Rand). The NUM said that members of the two unions had been involved in protracted fights in recent weeks. The trouble apparently started after miners returning from the miners' strike (see *Strikes* below) were told that UWUSA had gained representation at the mine and were allegedly forced to join UWUSA if they wanted to be reinstated. They later rejoined the NUM, angering UWUSA supporters.⁹¹ [⁹¹ *Business Day* 4 December, *The New Nation* 3 December]

Links with foreign labour organisations

In June the International Labour Organisation (ILO) voted by 331 votes to eight, with 26 abstentions, to impose mandatory sanctions against South Africa that would stop trade, loans, investment and dealings with South Africa on the world gold market. It called on all governments to sever political, military, cultural, sporting and diplomatic relations with Pretoria, and urged trade unions around the world to boycott South African goods and to expel union members who emigrated to the country.⁹² [⁹² *Cape Times* 20 June]

Speaking at a rally called by the National Education, Health and Allied Workers' Union (NEHAWU), an affiliate of the Congress of South African Trade Unions (COSATU), in Johannesburg in June. the vice president of the British National and Local Government Officers (NALGO), Miss Rita Donaghy, said that the union pledged solidarity with the health union and with COSATU.⁹³ [⁹³ *Sowetan* 29 June]

The Federation of South African Transport Services Trade Unions decided to sever its links with the International Federation of Transport Trade Unions and the World Confederation of Labour after pressure from the Salaried Staff Association (Salstaff). Salstaff withdrew from the South African federation from November 1986 to March 1987 because it objected to the federation's international affiliations. It resumed its membership of the South African federation on 1 July.⁹⁴ [⁹⁴ *The Star* 1 July]

Among those calling for action against South Africa was the (British) Trades Union Congress, which pledged at its annual congress in September to step up support for a boycott of South African goods and to give more direct aid to black trade unions in South Africa.⁹⁵ [⁹⁵ *The Natal Mercury* 12 September]

International action against Royal Dutch Shell continued during 1987 (see 1986 *Survey* Part 1 p246). The campaign which had been waged in the United States in 1986 spread to Britain. At a conference called by the (British) Anti-Apartheid Movement and (British) National Union of Mineworkers (NUM), the latter's president, Mr Arthur Scargill, called for picket lines to be set up at Shell garages because of the company's 'close links' with South Africa. The general secretary of the South African National Union of Mineworkers (NUM), Mr Cyril Ramaphosa, had been refused a passport to attend the conference at which he was to have been the keynote speaker.⁹⁶ [⁹⁶ *The Citizen* 21 September] Criticising the

move, Shell South Africa's executive chairman, Mr John Wilson, said that it was false to allege that Shell was supporting the political and ideological tenets of the South African government on the grounds that it was operating in South Africa. He said that Shell South Africa had resolved to promote and contribute actively to the elimination of racial intolerance, unjust laws and unacceptable human rights practices.⁹⁷ [⁹⁷ *The Star* 26 September]

In October three Irish trade union leaders made a secret visit to South Africa on behalf of the Irish third world agency Troucaire, to foster closer links between the trade unions of the two countries.⁹⁸ [⁹⁸ *Cape Times* 21 October]

In November, following a two-hour meeting in Harare (Zimbabwe), officials of American unions representing workers in Illinois, signed a letter to Mr Jay Naidoo, general secretary of COSATU, in which they expressed support for South African workers. In the letter the unionists said that they had formed the Illinois Labour Networks against Apartheid to support the efforts of South African workers to win decent wages and working conditions and to dismantle apartheid. They intended to begin by stepping up the boycott against Shell (see above), pressurising the government to release detained trade unionists, and supporting stronger sanctions against South Africa by the United States Congress.⁹⁹ [⁹⁹ *The Natal Witness* 25 November]

Deregulation

During 1986 the government introduced a strategy for the deregulation of business and industry as part of its programme to promote small business and create employment opportunities in both rural and urban areas. The cornerstone of this strategy was the Temporary Removal of Restrictions on Economic Activities Act of 1986, which empowered the state president to relax or abolish a wide range of laws, bylaws and regulations which might 'unduly impede the economic progress of persons' engaged in a wide range of businesses or undertakings (see 1986 *Survey* Part 1 p45).

Unions objected strongly to a draft proclamation issued by the state president, Mr P W Botha, in October which would suspend various laws, bylaws, and ordinances in Kew (Johannesburg) in terms of the act. The list of regulations that would be fully or partially suspended included:

- the National Building Regulations and Building Standards Act of 1977;
- the Labour Relations Act of 1956;
- the Wage Act of 1957;
- the Basic Conditions of Employment Act of 1983;
- the Machinery and Occupational Safety Act of 1983;

- the Factories, Machinery and Building Works Act of 1941;
- the Licences Ordinance of 1974 (Transvaal); and
- municipal bylaws relating to secondhand goods, licences and business control, and standard building bylaws.¹⁰⁰ [¹⁰⁰ *Government Gazette* no 10993, Government Notice no 2350, 16 October]

Application for the deregulation was made by Job Creation South Africa, whose main shareholders were Barlow Rand and the National African Federated Chamber of Commerce and Industry (NAFCOC).¹⁰¹ [¹⁰¹ *Financial Mail* 23 October] The National Union of Metalworkers of South Africa (NUMSA) voiced its strong opposition to the move, claiming that the granting of the application would:

- reduce overall employment in the area, particularly in the metal industry;
- lead to a significant reduction in the standards of remuneration, health and safety, and working conditions of workers, especially in the metal industry; and
- adversely affect collective bargaining structures and employees' freedom of association.

NUMSA said that the project had not been discussed with the 'popular and democratically chosen leaders of the residents of Alexandra township' (next to Kew) and was rejected by the 'most representative body of workers—the union's shopstewards' council. One of its major criticisms of the proposed project was that, by exempting employers with no more than 20 employees from paying minimum wages, it would lower costs, placing such employers at an unfair advantage over others not similarly exempted. As a result of the minimum wage exemption employees in the deregulated area would earn even less than the statutory minimum wage in the metal industry or R2,61 an hour. NUMSA warned that the lower cost structure of participating firms would lead to work being subcontracted to them, away from non-exempted, yet labour-intensive employers. This, the union argued, would lead to major job losses in the industry, especially if the scheme was extended to other parts of the country. Instead of creating a substantial number of jobs, the project would 'significantly depress the remuneration and working conditions of employees and undermine collective bargaining structures and create an unstable industrial relations climate'. Such a development would lead to industrial unrest, it claimed.¹⁰² [¹⁰² *The Star* 16 November]

Action involving trade unions

During the period under review there occurred a number of raids on and evictions from union offices, and detentions of unionists and assaults on them and their homes. Refusal by the government to grant

some unionists passports to travel overseas was another of the measures used against some unions. The most seriously affected unions were some of those affiliated to the Congress of South African Trade Unions (COSATU), as well as the federation itself, whose Johannesburg office was twice raided by police in April and was subsequently bombed by unknown assailants in May (see below). COSATU accused the government of embarking on a campaign against it aimed at destroying it. In February 1988 the government prohibited COSATU from engaging in political activity, but did not extend the ban to its strictly trade union work or to any of its affiliates.

Although some unionists were refused passports, others did travel abroad, where some of them advocated sanctions against South Africa.

Another feature of the year under review was the arrest and prosecution of scores of trade unionists on charges ranging from intimidation to murder. Most of the unionists in question were from COSATU affiliates. Several convictions, including a conviction for murder, were obtained in the courts. Allegations were also made that certain union leaders had been guilty of violence and brutality during a strike on the gold mines.¹⁰³ [¹⁰³ *Business Day* 22 December 1987]

Raids on, damage to, and evictions from trade union offices

On 22 April, following clashes in Germiston and Johannesburg between striking workers of the South African Transport Services (SATS) and police, in which six workers were killed, police raided COSATU's headquarters in Johannesburg. They detained about 400 workers, and allegedly assaulted officials and workers. Damage to the property was estimated at R53 000.¹⁰⁴ [¹⁰⁴ Information supplied by COSATU]

On 29 April police again raided the premises of COSATU, allegedly in connection with the 'necklacing' of four SATS workers at Kaseme (Johannesburg) (see *Strikes* below), and arrested 11 people.¹⁰⁵ [¹⁰⁵ *Business Day* 30 April]

On the night of 7 May COSATU's headquarters building in Johannesburg was seriously damaged by two bomb blasts. There were about 20 people in the building at the time, and two of them were slightly injured.¹⁰⁶ [¹⁰⁶ *The Star* 7 May] Estimated damage was about R2m. The police sealed off the building, forbidding access to it. COSATU affiliates moved to temporary accommodation around the city. In some instances attempts to get alternative accommodation were thwarted by landlords who refused the unions premises once they heard that they were from the federation, according to its general secretary, Mr Jay Naidoo. The federation said that the blasts had disrupted union activities in that unionists were not allowed into the building to have access to documents.¹⁰⁷ [¹⁰⁷ *The Weekly Mail* 15 May]

Reacting to the blasts, COSATU's press officer, Mr Frank Meintjies, claimed that the bombing was part of 'a no-holds barred attack which was recently launched against the federation'. He added, 'We are not

intimidated. COSATU's strength does not lie in offices and resources, but in our democratically elected shopstewards and thousands of rank-and-file members.' Mr Naidoo described the bombing of COSATU House as a professional job. He said that there had been no mention in the media that 'the saboteurs had apparently cut their way into the building by scaling a five-metre wall and cutting through iron bars to gain access to the building'. Assaults on COSATU members had occurred in various parts of the country, scores being detained. Mr Naidoo said.¹⁰⁸ [¹⁰⁸ *The Star* 8, 14 May]

The executive chairman of Shell South Africa, Mr John Wilson, condemned the 'wanton destruction of COSATU's property and possessions'.¹⁰⁹ [¹⁰⁹ *Business Day* 12 May] He warned that state pressure on COSATU boded ill for the future. Royal Dutch Shell, of which Shell was a subsidiary, was facing pressure both in the United States and in Britain to withdraw from South Africa (see *Links with Foreign Labour Organisations* above).¹¹⁰ [¹¹⁰ *The Weekly Mail* 22 May]

In May there were also attacks on the Germiston (east Rand) offices of the Metal and Allied Workers' Union (MAWU); the offices of the South African Railways and Harbours Workers' Union (SARHWU) at Fleetwell House, East London (eastern Cape) (which were damaged by fire); and those of the South African Allied Workers' Union (SAAWU) in the same building.¹¹¹ [¹¹¹ *South* 21 May] The unions in Fleetwell House were given eviction notices on 26 May. COSATU affiliate offices in Bloemfontein, Kroonstad and Welkom (all Orange Free State), Pretoria (central Transvaal), and Cape Town (western Cape) were raided; the Construction and Allied Workers' Union (CAWU) office in Witbank (eastern Transvaal) was burgled; MAWU's office in Krugersdorp (west Rand) was vandalised; and a fire broke out in COSATU'S offices in Nelspruit (eastern Transvaal) causing extensive damage.¹¹² [¹¹² *The Weekly Mail* 30 October, Information supplied by COSATU, *The Citizen* 20 May]

In the same month the National Union of Mineworkers (NUM) was forced out of its temporary offices in a Johannesburg hotel after an anonymous caller threatened to blow up the building.¹¹³ [¹¹³ *South* 21 May]

In May the Orange-Vaal General Workers' Union, which organises mainly farmworkers, received a notice warning it to vacate its offices in Vereeniging (southern Transvaal). The notice, issued by the Department of Constitutional Development and Planning, said that the building was to be sold in three months' time because the deputy minister was 'satisfied that the property is being held in contravention of the Group Areas Act' (of 1966).¹¹⁴ [¹¹⁴ *Sowetan* 6 May]

On 3 June eight trade unions, all COSATU affiliates, occupying a building in Johannesburg were given until 30 June by the owners, D and L Properties, to vacate the premises or be evicted, although they had a year's lease in hand. A spokesman for the unions said that they believed that external pressure was being exerted on the landlords to evict them, but this was denied by the owners.¹¹⁵ [¹¹⁵ *Sowetan* 4 June, *Business Day* 8 June]

In July the NUM's offices in Kimberley (northern Cape) were gutted by fire.¹¹⁶ [¹¹⁶ Information supplied by

COSATU]

On 10 August COSATU's offices in Newcastle (Natal) were burgled.¹¹⁷ [¹¹⁷ Ibid]

On 18 August the offices of the National Education, Health and Allied Workers' Union (NEHAWU) in Johannesburg were gutted in an arson attack.¹¹⁸ [¹¹⁸ Ibid]

On 28 August the western Cape offices of COSATU were seriously damaged by a bomb blast. There were no serious casualties. The explosives were apparently placed in a courtyard next to the main hall of the building. A security guard said that he had noticed two cars drive slowly past the building minutes before the blast occurred. In a statement the federation's regional secretary, Mr Nick Henwood, was quoted as saying that 'the immediate arrival on the scene by the security police was strange'.¹¹⁹ [¹¹⁹ *The Natal Witness* 13 August] The police said on 2 September that they took 'the strongest exception possible to the thinly veiled insinuation that the South African Police either condoned or might have prior knowledge of the recent explosion at Community House'.¹²⁰ [¹²⁰ *Cape Times* 3 September]

Also in August, the Krugersdorp (west Rand) offices of the National Metalworkers' Union of South Africa (NUMSA) were razed. COSATU criticised the government for allegedly failing to take action against 'right-wing thugs' responsible for the violence.¹²¹ [¹²¹ *The Weekly Mail* 30 October, *The Star* 5 August]

In September offices housing the federation's Vaal region and a number of its affiliates were broken into; its western Transvaal offices were burgled; and there was an attempted arson attack on the NUM's offices in Kimberley.¹²² [¹²² *The Weekly Mail* 30 October, *Sowetan* 3 September, Information supplied by COSATU]

In the same month COSATU demanded an explanation from the management of the Boulevard Hotel (Pretoria) after security police allegedly spied on a meeting held by the union's northern Transvaal regional education committee. The manager of the hotel, Mr Stephen Dagg, denied collaboration in granting the security police access to facilities to spy on the meeting.¹²³ [¹²³ *The Star* 15 September] Later in the month COSATU claimed that the hotel's catering manager, Mr Joe Jagger, was fired following an investigation into the incident.¹²⁴ [¹²⁴ *The Citizen* 23 September]

In October offices belonging to four COSATU affiliates and the office of the Detainees' Parents Support Committee (DPSC) in Kimberley were set alight. The unions concerned were the NUM, SARHWU, the South African Domestic Workers' Union, and the South African Municipal Workers' Union.¹²⁵ [¹²⁵ *The Star* 28 October] In the same month security police raided COSATU's Pretoria offices looking for the regional secretary, Mr Donsie Khumalo, and confiscated documents.¹²⁶ [¹²⁶ Ibid 2 October]

In November COSATU's Welkom offices were broken into, and vandals sprayed slogans on the walls of its Pretoria offices.¹²⁷ [¹²⁷ Information supplied by COSATU]

There were also attacks on the offices of other unions and federations not affiliated to COSATU.

The Johannesburg offices of the Hotel and Restaurant Workers' Union were broken into in May.¹²⁸ [¹²⁸ *Sowetan* 5 May] The offices of the National Council of Trade Unions (NACTU) in Durban were raided in September. In November a trade unionist was detained and police raided the Johannesburg offices of the National Union of Public Service Workers (NUPSW), a NACTU affiliate. The union was involved in a dispute with the Randfontein Town Council (west Rand) at the time.¹²⁹ [¹²⁹ *The Star* 26 November] In December the Cape Town offices of the Building Construction and Allied Workers' Union, also a NACTU affiliate, were burgled and money and documents stolen.¹³⁰ [¹³⁰ *Sowetan* 29 December]

Conflict involving unionists

During the period under review, there were numerous incidents in which trade unionists were attacked. One of the main areas of conflict was that between COSATU and Inkatha, particularly in Pietermaritzburg (Natal) The Pietermaritzburg conflict is described in the chapter on *Political Developments*. For further details on the COSATU/United Workers' Union of South Africa (UWUSA) conflict, see *Inter-union Rivalry* above. Other incidents are listed below

It was reported that a MAWU shopsteward, Mr Kerry Makhoba, was abducted in February in Katlehong (Germiston) by 16 vigilantes, who took him to the local cemetery and then beat him with sjamboks until he lost consciousness. The next thing he recalled was waking up in the Natalspruit Hospital. Earlier in the month, Mr Makhoba had been detained by the police after attending a court hearing of a fellow unionist, Mr Moses Mayekiso (see below).¹³¹ [¹³¹ *Ibid* 6 March]

In May Mr Bamey Madela, Natal organiser of SAAWU, was killed by vigilantes in Imbali township (Pietermaritzburg).¹³² [¹³² *The Star* 17 May]

In the third week of June the cars of two COSATU officials—the editor of *COSATU News*, Mr Dirk Hartford, and an organiser for the NUM, Mr Howard Gabriels—were set alight outside their homes in Johannesburg.¹³³ [¹³³ *Sowetan* 17 June]

In August the home of Mr Hartford was petrol-bombed; and a petrol bomb was thrown under the car of another official, Miss Marlene Powell.¹³⁴ [¹³⁴ *The Star* 5 August]

In October three COSATU officials were attacked. An organiser for the Commercial, Catering and Allied Workers' Union (CCAWUSA), Mr Amos Tshabalala, was stabbed and killed in the east Rand township of Tsakane; COSATU's northern Natal regional secretary, Mr Matthews Oliphant, narrowly escaped death when three men shot at him outside his home in Esikhawini (Empangeni); and the

Mabopane (central Transvaal) home of COSATU's former northern Transvaal regional secretary, Mr Jerry Thibedi, was petrol-bombed.¹³⁵ [¹³⁵ *The New Nation* 22 October]

In November it was reported that a South African Chemical Workers Union member, Mr Sixabaxiya Nqita, was shot dead in Sasolburg (Orange Free State). Mr Nqita had been among the 1 500 Sasol workers dismissed after participating in a strike the previous month.¹³⁶ [¹³⁶ *South* 5 November]

In November the senior shopsteward at Haggie Rand (Cleveland, east Rand) of the Steel, Engineering and Allied Workers' Union was fighting for his life after being shot four times by unknown assailants.¹³⁷ [¹³⁷ *City Press* 8 November]

In the same month three members of CCAWUSA were allegedly kidnapped from their homes in Ikageng (Potchefstroom), beaten up and questioned about their activities in their union. The kidnappers were allegedly three white men in balaclavas.¹³⁸ [¹³⁸ *Ibid* 22 November]

Arrests of and charges against unionists

In February MAWU expressed anger at the refusal of the Steel and Engineering Industries Federation of South Africa (SEIFSA)—the employer body in the metal industry—to make representations to the authorities requesting the release of Mr Moses Mayekiso, general secretary of MAWU, and leader of the Alexandra action committee. Mr Mayekiso was detained in June 1986 (see 1986 *Survey* Part 1 p252), and had appeared briefly in court, although no charges had been brought against him. The union claimed that SEIFSA's action called into question its purported commitment to reform. SEIFSA's executive director, Mr Sam van Coller, said that the organisation believed that it was wrong for an employer to issue character references on trade union officials, 'which is what a statement on Mr Mayekiso's bail application would require'. The organisation's stance had nothing to do with Mr Mayekiso as an individual, he said.¹³⁹ [¹³⁹ *Business Day* 13 February] During the third week in February, several thousand MAWU workers took part in sporadic stoppages demanding that Mr Mayekiso be discharged or granted bail. A MAWU spokesman said that 30 companies were affected by the stoppages on one of the days. Managements of some of the strike-hit factories sent messages of sympathy to MAWU and telexes to the minister of law and order. Workers returned to work on 19 February.¹⁴⁰ [¹⁴⁰ *Sowetan* 20 February]

On 15 April Mr Mayekiso and four other community leaders were charged with treason, alternatively sedition or subversion, for allegedly running people's courts, and street, block and area committees in Alexandra (near Johannesburg), among other things. They again appeared in the Witwatersrand Local Division of the Supreme Court (Rand Supreme Court) in August, but were not asked to plead. The men were prevented from applying for bail when the attorney general issued a certificate in terms of the Internal Security Act of 1982 forbidding their release.¹⁴¹ [¹⁴¹ *The Star* 4 August] On 6 May the men challenged this ruling in the Rand Supreme Court, but on 13 October the appeal was dismissed with

costs by Mr Justice J Strydom.¹⁴² [¹⁴² *Business Day* 14 October] All four pleaded not guilty to the charges when they appeared in court in October. In November the trial was postponed to February 1988.

On 6 April Transkei soldiers and police arrested and allegedly severely assaulted 75 members of the NUM who were on their way back from a funeral of a fellow miner. The workers claimed that steel pipes, rifle butts and sticks were used to beat them up during their week-long detention. They were repeatedly accused of bringing the African National Congress into the Transkei. They were released after a week without being charged and were escorted out of the homeland.¹⁴³ [¹⁴³ *The New Nation* 15 April]

In October a shopsteward of the SARHWU, Mr Morris Khwidzhili, was sentenced to a fine of R1 000 or one year's imprisonment by a Stellenbosch (western Cape) magistrate, Mr G Claasen, for making a subversive statement while addressing University of Stellenbosch students on the railway strike on 24 April (see *Strikes* below). Half the sentence was suspended for five years. Notice of intention to appeal was lodged and Mr Khwidzhili's bail of R500 was extended. Defence counsel submitted that Mr Khwidzhili 'was being victimised either because of his black skin or because he was a trade unionist or both'.¹⁴⁴ [¹⁴⁴ *The Citizen* 1 October, *Business Day* 7 October]

Scores of trade unionists were arrested on charges ranging from intimidation to murder following strikes during the year under review. The workers were mainly from three COSATU affiliates: SARHWU, CCAWUSA, and the NUM, and the Post and Telecommunications Workers' Association (POTWA).

In November Mr William Ntombela, a CCAWUSA shopsteward who had led the Nels Dairy strike in Johannesburg earlier in the year, was sentenced to death for the murder of a delivery van driver during the strike. This was the first such case since 1964, when three leading members of affiliates of the South African Congress of Trade Unions (SACTU) were hanged after their conviction on charges of sabotage and the murder of a police informer.

Twenty-seven CCAWUSA members who participated in a strike at the O k Bazaars (Johannesburg) in January were convicted on public violence charges.

Altogether 14 members of SARHWU were convicted of offences relating to the SATS strike (see *Strikes* below). Nine of the workers were convicted on charges of public violence arising from the confrontation between police and workers at the Doornfontein Station (Johannesburg) in April in which three workers were shot dead. The nine workers were granted R5 000 bail each pending an appeal against their eight-year sentences. Four of the remaining workers were convicted for intimidation while one was found guilty on subversive statement charges

Another 13 SARHWU workers were facing charges of assault, conspiracy, incitement and intimidation at the Germiston magistrate's court, while four others were facing charges of malicious damage to property and two of attempted murder and intimidation respectively. A further 19 members, including SARHWU's president, Mr Justice Langa, and its treasurer, Mr Thami Mbanxa, were still being held

under section 29 of the Internal Security Act. In April 1988, 18 SARHWU members appeared in the Witwatersrand Local Division of the Supreme Court (Rand Supreme Court) on charges of murder, robbery, abduction and assault.¹⁴⁵ [¹⁴⁵ *Sowetan* 25 April] In August eight of the 18 accused admitted in court to having murdered non-strikers. Two were acquitted, the remainder being convicted of various other crimes.¹⁴⁶ [¹⁴⁶ *The Star* 10 August 1988] Those found guilty had not been sentenced at the time of writing.

There were 34 POTWA members facing various charges, including murder, sabotage, sedition, intimidation and public violence arising from the two postal strikes.

Scores of mineworkers who participated in the miners' strike in August were in detention at the end of 1987.¹⁴⁷ [¹⁴⁷ *The Weekly Mail* 4 December, *The New Nation* 3 December]

Detention of unionists

According to the Detainees' Parents Support Committee (DPSC), 167 trade union officials and members were detained under security legislation in South Africa (including all ten homelands) during 1987. This figure represented 24% of the total of 694 people detained under security legislation during that period. DPSC figures showed that 406 trade union officials and members were detained under the emergency regulations in 1987 out of a total of approximately 7 346 people detained, representing 5,5%. The Institute of Industrial Relations gave a figure of approximately 1424 union officials and members detained and arrested during 1987 under security legislation, labour legislation and emergency regulations.¹⁴⁸ [¹⁴⁸ Information supplied by the Institute of Industrial Relations, and the Detainees' Parents Support Committee]

Deaths of unionists in detention

On 8 June an inquest magistrate in Potgietersrus (northern Transvaal) ruled that ten Lebowa policemen were responsible for the death in detention of a journalist and member of the Media Workers' Association of South Africa (MWASA), Mr Lucky Kutumela. Mr Kutumela was killed in April 1986 (see 1986 *Survey* Part 1 p141 and p257, and chapter on *Security*).¹⁴⁹ [¹⁴⁹ *The Star* 9 June]

On 11 June a Johannesburg inquest magistrate found no one criminally liable for the death of Mr Andries Raditsela, a senior shopsteward of the Chemical Workers' Industrial Union. Mr Raditsela had died on 6 May 1985 in Baragwanath Hospital (Johannesburg) shortly after his release from detention under the Internal Security Act of 1982 (see 1986 *Survey* Part 1 p257). The court found that he had died of a head injury sustained when he fell out of a police Casspir.

The magistrate, Mr T R Steenkamp, said, 'A good deal of criticism could be levelled at police conduct from the time of Mr Raditsela's arrest to the time he was removed to hospital ten days later—already unconscious.' He said that Mr Raditsela had been arrested when unrest was prevalent on the

Witwatersrand, and the charge office had been very busy. ‘There was a continuous movement of police officers in and out of the charge office. Various high-ranking police officers were present. One would have expected them to have had a better perception of the situation,’ said Mr Steenkamp. ‘But witnesses who testified about a horrifying assault in which Mr Raditsela was punched, kicked, hit with a helmet and thrown into the Casspir, contradicted themselves and each other. Police constables testified that Mr Raditsela fell when climbing out of the vehicle. He missed or slipped on the lower step—which is concealed. The ground was hard and covered with loose stones,’ he said.¹⁵⁰ [¹⁵⁰ *Ibid* 12 June] Mr Steenkamp said that the evidence had been that the injuries from the fall had been fatal and that earlier hospitalisation would not have saved Mr Raditsela’s life. During argument, the state advocate, Mr A Human, said that ‘it appears that there was perhaps a degree of negligence—or a couldn’t-care-less attitude—on the part of the police. He lay there the whole day until he was removed to hospital’. Mr Human noted that the incident occurred during a period of unrest but added ‘perhaps this is not sufficient to absolve them (the police) from any criticism’.¹⁵¹ [¹⁵¹ *The Citizen* 12 June]

Mr Raditsela’s widow, Mrs Enid Raditsela, said that she was confused and disappointed by the finding. She wanted to know how her husband had fallen from a police Casspir, if he would have lived if he had been taken to hospital immediately, and whether she would get any assistance in bringing up her daughter, who was almost three years old.¹⁵² [¹⁵² *The Star* 12 June]

In November the minister of law and order, Mr Adriaan Vlok, agreed to pay R40 000 to the widow of Mr Joel Phoshoko of Mabopane. Mr Phoshoko, who was a member of CCAWUSA, had died in police custody at the Pretoria Central Prison in 1986. He had allegedly refused to give police information about a theft.¹⁵³ [¹⁵³ *Ibid* 11 November]

In November Mr Ndiko Marune, a member of the South African Chemical Workers’ Union (SACWU), a NACTU affiliate, died in police custody while being transported to a police station in Sasolburg (Orange Free State). He was one of 1500 Sasol workers who had been on strike. The police said that he and another man had been arrested as suspects in a case of intimidation.¹⁵⁴ [¹⁵⁴ *Sowetan* 19 November]

Deportations of people in the labour movement

Deportation proceedings were withdrawn against a lecturer in the Department of History at the University of the Witwatersrand, Professor Philip Bonner, in January (see 1986 *Survey* Part 1 p258). Professor Bonner, who had been involved in the labour movement for many years, and the minister of home affairs and of communications, Mr Stoffel Botha, issued a joint statement that the withdrawal was subject to certain conditions. These were that Professor Bonner:

- did not talk to the press;
- would employ only lawful means in the pursuit of bona fide academic activities;

- would not ‘promote partisan political interests in his academic activities and in the education of labour organisations’; and
- would ‘advise only peaceful means in the resolution of potential industrial disputes’.¹⁵⁵ [¹⁵⁵ *The Star* 16 January]

In May the editor of the *South African Labour Bulletin*, Mr Jon Lewis, a Briton, was given until 5 June to leave the country. He moved to the ‘independent’ homeland of Bophuthatswana.¹⁵⁶ [¹⁵⁶ *Ibid* 12 May]

Passports

Although foreign travel by union officials is now commonplace during the period under review the government again refused to grant passports to a number of trade unionists. In February Mr Thami Mazwai, news editor of the *Sowetan*, a member of MWASA and the Africa representative on the International Federation of Journalists, sought a passport to attend a meeting of the federation. Mr Mazwai said that his application had been refused in 1986 and that he had resubmitted it in January, but had heard nothing from the authorities by his proposed departure date.¹⁵⁷ [¹⁵⁷ *Sowetan* 20 February]

In September the authorities confiscated the passport of the general secretary of COSATU, Mr Jay Naidoo, as Mr Naidoo was about to board a flight for Australia.¹⁵⁸ [¹⁵⁸ *Business Day* 7 September] The government also, in the same month, confiscated the passport of Mr A Mahlatjie, president of the Transport and Allied Workers’ Union (TAWU)—a NACTU affiliate—who was due to travel to Zurich (Switzerland) to address a meeting on the situation in the transport industry.¹⁵⁹ [¹⁵⁹ *Ibid* 8 September] Reacting to the confiscation of the passports, COSATU and NACTU said that no amount of intimidation and harassment by the authorities and management would deter them from carrying out their activities.¹⁶⁰ [¹⁶⁰ *Sowetan* 9 September]

Mr Naidoo and Mr Cyril Ramaphosa, general secretary of the NUM, were both refused passports to attend a conference on South Africa in October in White Plains (near New York).¹⁶¹ [¹⁶¹ *The Natal Mercury* 2 October] The refusal precipitated a walkout from the conference by seven black South Africans, including the general secretary of NACTU, Mr Phiroshaw Camay.¹⁶² [¹⁶² *The Star* 1 October]

Censorship

The government also confiscated union literature. In May the police seized close to 100 000 copies of COSATU’s programme for the year; the authorities banned the second issue of *COSATU News* and seized a special COSATU publication focusing on the federation’s ‘living wage campaign’.¹⁶³ [¹⁶³

Information supplied by COSATU]

In September COSATU announced that the Department of Home Affairs had demanded that it be sent *COSATU News* under the new censorship regulations (see chapters on *Security* and *The Media*).¹⁶⁴ [¹⁶⁴ *The Star* 17 September]

Proposed curbs on funding of unions

In 1988 the government published the draft Promotion of Orderly Internal Politics Bill, which was designed, inter alia, to prevent restricted organisations from receiving funds from abroad. It was alleged that, apart from extra-parliamentary political organisations, the bill was aimed at trade unions, many of which receive such funds. The question of foreign funding for trade unions had been raised in 1987.

During the mineworkers' strike in August 1987, overseas funds designed for the NUM were frozen for a while by the South African Reserve Bank (see *Strikes* below).

In the same month the South African Association of Municipal Employees sent a letter to the state president, Mr P W Botha, asking him to stop overseas funding to 'militant' trade unions. The letter followed a motion passed at a general meeting of the association, which said that in terms of the Labour Relations Act of 1956 trade unions in local authorities were not allowed to strike because such authorities were seen as essential services. The motion said that in practice some trade unions in local authorities did not heed the act and 'are going ahead with strikes'. In many cases, it said, the strikers were given what they wanted without any measures being taken against them because of the illegal strike. The president of the association, Mr Attie Nieuwoudt, said that these problems had forced the association to call on the state president to investigate the funding of the trade unions, because it seemed that such unions had enough money to be able to withstand extended periods on strike.¹⁶⁵ [¹⁶⁵ *The Citizen* 28 August]

Trade unions and homelands

At its national convention in Johannesburg in July, the Transport and General Workers' Union (TGWU) outlined some of the measures allegedly taken to prevent union organisation within some homelands. Delegates claimed that the **Bophuthatswana** authorities had formed a rival union, the Transport and Allied Workers' Union of Bophuthatswana (TAWUBO), which had unsuccessfully attempted to organise TGWU members. They said that the organisers carried firearms and workers knew that they were 'government' officials because they lived with them in the townships.

At the end of November 200 Matthey Rustenburg Refiners (MRR) workers went on strike against the planned relocation of the company's Wadeville (Germiston) plant to Bophuthatswana (see 1986 *Survey* Part 1 pp56–57). After about a week employers instituted a lockout against the workers and technically

dismissed them. MRR's managing director, Mr Jack Forbes, said that the company had reluctantly imposed the lockout because of the union's consistent refusal to accept the relocation. There had been numerous strikes and stoppages over the last year, he said. He added that all workers had a guaranteed position at the new refinery. The move was scheduled for the second half of 1988.¹⁶⁶ [¹⁶⁶ *Daily Dispatch* 1 December] A meeting between management and the union to resolve the dispute held on 7 December failed (see chapter on *Business*).¹⁶⁷ [¹⁶⁷ *The Star* 8 December]

Delegates from Lebowa Transport also reported on alleged opposition to unionism by the **Lebowa** administration. TGWU's general secretary claimed that ten members attending a union seminar in Phalaborwa (north-western Transvaal) had been assaulted by the Lebowa Police and many had been detained in 1986.

The convention decided to step up campaigns to organise workers in **QwaQwa** and the **Ciskei**.¹⁶⁸ [¹⁶⁸ *Sowetan* 28 July]

On 26 March an application for the lifting of the Ciskei's ban on the South African Allied Workers' Union (SAAWU) was heard in the Bisho Supreme Court (Ciskei). The Ciskei authorities had banned the union in September 1983 (see 1983 *Survey* pp337–338). Counsel for the union argued that the order was invalid because it had been issued by Brigadier L B Madolo in his capacity as acting commander general of a department (that of state security) which had ceased to exist. All functions of the department had been transferred to the minister of justice two months before the banning order. Counsel argued that since the department no longer existed, Brig Madolo's appointment to help the minister of justice as acting commander general was unlawful.¹⁶⁹ [¹⁶⁹ Flanagan L, 'The union-bashing Bantustan', *Work in Progress*, no 48, July] Judgement was reserved until the end of October, when Mr Justice H M Claassens dismissed the application with costs. He said that Brig Madolo had been properly appointed to his post and had had the necessary power to issue the ban (see chapter on *The Homelands*).¹⁷⁰ [¹⁷⁰ *The New Nation* 5 November]

In March Ciskei security police arrested organisers from the Food and Allied Workers' Union (FAWU) and warned them to stay out of the Ciskei. The organisers were told that although unions were not banned, they were not allowed to operate in the Ciskei.¹⁷¹ [¹⁷¹ *The Star* 11 March]

In November, following a weekend stoppage at the Bisho branch of Pick 'n Pay Retailers in support of a detained worker, Ciskei Police demanded that the store end its relationship with the Commercial, Catering and Allied Workers' Union (CCAWUSA) and let police decide who was to be employed there. CCAWUSA said that the company had told it that it had received a letter from the Ciskei Police 'demanding that they terminate their relationship with the union or else the store will be closed down'. CCAWUSA said that its head office had intervened to stop further strike action by the workers and that the company had undertaken to contact urgently the Ciskei president, Chief Lennox Sebe, to ask for the release of the detained worker. The store's regional general manager, Mr Terry Carroll, said that the situation was 'difficult', as the Ciskei was an 'independent' territory. Pick 'n Pay management in

Johannesburg was discussing the issue, he said.¹⁷² [¹⁷² *The New Nation* 26 November, *City Press* 29 November]

In January 1988 a bill, which would make possible the establishment of trade unions and employer organisations, was published in the official newspaper of the QwaQwa administration. In a statement on the bill, the chief minister of QwaQwa, Dr T K Mopeli, said that the main aim of the proposed law, to be tabled in the forthcoming session of the legislative assembly, 'is to facilitate and promote existing labour peace in QwaQwa'. He said that the role of the government in labour relations would be minimal and mostly of a regulatory nature.¹⁷³ [¹⁷³ *The Star* 19 January 1988]

Trade unions and sanctions

COSATU's stand on sanctions and disinvestment was once again a central issue and a source of controversy during the period under review.

In an interview on a British Broadcasting Corporation (BBC) television programme in March, the vice president of COSATU, Mr Chris Dlamini, said his organisation had never called for companies to pull out of South Africa, but did support sanctions.¹⁷⁴ [¹⁷⁴ *Business Day* 9 March] His remarks were reported to have greatly angered anti-apartheid lobbyists in England. COSATU's information officer subsequently argued that the full text of Mr Dlamini's speech did not contradict COSATU policy.¹⁷⁵ [¹⁷⁵ *The Weekly Mail* 3-9 April]

In June a document commissioned by COSATU and prepared by the Community Resource and Information Centre, which reviewed the arguments for and against disinvestment and sanctions, was leaked to the press in London. It led to speculation that COSATU would adopt a more cautious approach. The document showed that the South African economy was weak—it noted, for instance, that the return on investment for United States (US) companies in South Africa had declined from an average 30% in 1980 to just 7% in 1983. It said that pressure groups at home and abroad were able to take advantage of the deteriorating investment climate. 'It matters little to the campaign that disinvesting companies are acting in their own self-interest, so long as their actions have the effect of isolating the apartheid government and the business community.'

The report, quoting Mr Ronnie Bethlehem, group economics consultant at the Johannesburg Consolidated Investment Company (JCI), said that sanctions would add 2m to the number of jobless by the end of the century. This claim was dismissed by COSATU sources.¹⁷⁶ [¹⁷⁶ *Sunday Times* 7 June]

The report said that it was worth considering how the political and economic effect of sanctions would contribute towards the organisation of resistance in South Africa. While arguing that sanctions would have a detrimental effect on jobs, it said that the assessment of this had to go beyond the quantitative impact to the more qualitative question of their political potential.¹⁷⁷ [¹⁷⁷ *Business Day* 4 June]

Reacting to the report, Mr Naidoo said that there was 'no deviation' from the resolution passed at COSATU's congress in November 1986. This said that 'all forms of international pressure on the South African government, including disinvestment or the threat of disinvestment, are an essential and effective form of pressure on the South African regime'. Mr Naidoo added, 'Black workers will not bear the brunt of sanctions. In any withdrawal, there would have to be negotiations so that workers would get the benefits owed to them. An essential element would be negotiations with union representatives on the terms of the withdrawal.'¹⁷⁸ [¹⁷⁸ *Sunday Times* 7 July]

Argument between the National Union of Mineworkers (NUM), a COSATU affiliate, and the Chamber of Mines of South Africa over sanctions had broken out in 1986. The chamber had objected to an alleged statement by NUM's president, Mr James Motlatsi, in an Independent Thames Television interview, in which he was reported to have called for sanctions which would directly affect the goldmining industry (see 1986 *Survey* Part 1 p241).

At its annual congress in July, the federation rejected the selective sanctions applied thus far by western governments as 'ineffective as a form of pressure' on South Africa. The resolution also said that such sanctions could cause serious regional unemployment and often served the interests of the 'imperialist states' applying them. Instead, COSATU came out in favour of 'compensatory and mandatory sanctions' as 'the only ones which are likely to bring effective pressure to assist in bringing about non-violent change in South Africa'. It listed a number of measures that it said it would support, including an end to international loans to the government, local government and business; diplomatic isolation; the stopping of emigration, tourism and overseas trips by businessmen and government officials; the prevention of local capital being invested and skilled labour recruited abroad; and the implementation of the United Nations (UN) arms embargo. The resolution did not make any reference to an embargo against South African exports. Nor did it mention calls for a ban on gold, platinum and diamonds that had been included in an earlier draft resolution.¹⁷⁹ [¹⁷⁹ *Business Day* 21 July, *The Citizen* 20 July]

On disinvestment, a resolution reaffirmed COSATU's support for 'effective pressure on the South African political and economic system' and its view that 'SA's wealth should remain the property of SA's people'. It noted that investment so far had been nothing more than 'corporate camouflage'. It also said that companies withdrawing should give the federation 'adequate notice' of their intentions, and should negotiate with representatives the terms of their withdrawal so that bona fide negotiations could take place. What these terms should be was not specified, those in the original resolution having been dropped because of a failure to reach consensus on them.¹⁸⁰ [¹⁸⁰ *Business Day* 21 July]

The original demands included the following: unions should be given full information on the nature of disinvestment and any remaining licensing and franchise arrangement; new owners should continue to recognise the affected union; no benefits might be prejudiced and control of pension funds should be transferred to the union; monetary compensation of one month's pay should be granted for each year of service; and five years' guaranteed employment should be granted under the new ownership.¹⁸¹ [¹⁸¹ *Ibid*]

These clauses expanded on a set of guidelines outlined in November 1986 by the National Union of Metalworkers of South Africa (NUMSA) and closely paralleled those contained in a document drawn up by the Chemical Workers' Industrial Union (CWIU) earlier in the year (see below).¹⁸² [¹⁸² *The Weekly Mail* 24-30 July]

A columnist on *The Weekly Mail* reported that the resolution 'does not call explicitly on foreign companies to disinvest'.¹⁸³ [¹⁸³ *Ibid*]

There was indeed some confusion as to precisely what the congress had decided on sanctions and disinvestment. *Business Day* said that the congress 'left some vital questions unanswered',¹⁸⁴ [¹⁸⁴ *Business Day* 21 July] while *The Weekly Mail* said there were 'gaps and silences in COSATU's disinvestment call'.¹⁸⁵ [¹⁸⁵ *The Weekly Mail* 24-30 July] *The Sunday Times* said the congress had 'skirted specifics' and 'dumped the problem back in the laps of its 12 affiliate unions'.¹⁸⁶ [¹⁸⁶ *Sunday Times* 19 July]

Questioned on the resolution, Mr Naidoo said that it was a broad policy guideline and that the specific terms that COSATU would demand of disinvesting companies would be left to the affiliates which were affected to work out.¹⁸⁷ [¹⁸⁷ *Ibid*, *The Citizen* 20 July] Mr Naidoo said that the majority feeling at the congress was that the federation should draw up guidelines for its affiliates, setting out general principles, rather than speaking fixed conditions in policy statements.¹⁸⁸ [¹⁸⁸ *The Weekly Mail* 24-30 July]

The main principle of the resolution had already been given effect in practice when NUMSA negotiated the terms of withdrawal of the Ford Motor Company from South Africa with the company (see *Noteworthy Labour Practices* below).

Asked in an interview about the possibility of workers accepting shares or sitting on the boards of companies that withdrew from South Africa—a process that gained momentum during 1987 (see *Noteworthy Labour Practices* below), Mr Naidoo said, 'Forms of working class participation within the present parameters of the apartheid system are not acceptable.'¹⁸⁹ [¹⁸⁹ *The Citizen* 20 July] In another interview he said that the issue had not been fully discussed within COSATU.¹⁹⁰ [¹⁹⁰ *Post Natal* 29 July]

In July it was reported that the Chemical Workers' Industrial Union (CWIU)—a COSATU affiliate—had sent a letter to at least 26 multinational companies with which it dealt, setting out demands to be negotiated should those companies disinvest. The union demanded one year's notice of disinvestment, during which time negotiations should take place. Its other demands included one month's separation pay for every year of an employee's service, wages to be guaranteed for one year after closure, and company loans to employees to be written off. The union asked for full disclosure on all aspects of the disinvestment arrangement, including reasons for disinvestment, details of the sale of assets and destination of proceeds, details of any remaining financial and business connections in South Africa, copies of any contracts of sale, and details of the winding up of the company. The union wanted

companies to pay to the relevant pension or provident fund contributions for each worker up to retirement age. Future control of the fund should be negotiated. Where a company withdrew completely, it should pay over the proceeds of the sale of assets to a union trust fund. Where partial disinvestment occurred, the union demanded to know the names of the new owners, the pre-sale value of shares and the selling price, copies of any agreements of sale, and details of remaining business connections such as royalties, franchises and licence fees.

The letter said that new owners should sign an agreement to disclose regularly details of profits to the union, and that they should guarantee that conditions of employment would be no less favourable than before the sale. The new owners should also recognise the union. Where a change in ownership occurred in the future, this had first to be negotiated with the union during a similar one-year period. *Business Day* reported that some employers were hostile to the agreement, while others were preparing to respond in a fashion which would require the union to stem the disinvestment tide. No public statements by employers were reported.¹⁹¹ [¹⁹¹ *Business Day* 30 July]

In October the National Council of Trade Unions (NACTU) distanced itself from the distribution of a pamphlet which ‘gives a false impression about the federation’s stand on sanctions’. NACTU said that ‘the federation recognises that foreign investment supports and maintains the economic system in this country and is geared at the maximum exploitation of the working class’. NACTU said that it was committed to a full sanctions programme for as long as the ‘racist capitalist minority regime exists’.¹⁹² [¹⁹² *Sowetan* 21 October]

In November NACTU’s president, Mr James Mndaweni, told the United States Congress that ‘full comprehensive sanctions are what we want from the United States’.¹⁹³ [¹⁹³ *The Citizen* 6 November]

The United Workers’ Union of South Africa (UWUSA) reiterated its stand against sanctions and disinvestment. In October, at its second annual congress, the union called for stronger resistance to sanctions and disinvestment.¹⁹⁴ [¹⁹⁴ *Sowetan* 26 October]

The Labour Relations Structure

Report of the National Manpower Commission on dispute settlement, levels of collective bargaining and related matters

In July the report of the National Manpower Commission (NMC) on dispute settlement, levels of collective bargaining and related matters was published. The commission said that the report was a sequel to its report on collective bargaining published in 1984 (see 1984 *Survey* pp326–327).

Non-statutory bargaining procedures

One of the issues examined by the report was collective bargaining agreements outside statutory collective bargaining structures. It estimated that at least 400 000 workers fell under or were affected by such agreements. The commission concluded that in view of the complex nature of the South African labour relations system, it was unwise for it to recommend changes. On the feasibility of bargaining at two levels, ie at industrial council and at plant level, over the same issues, it concluded that for the present and in the 'interests of industrial peace' this should be left to the parties themselves to decide. In the event of a dispute, the dispute-settling machinery available under the Labour Relations Act (LRA) of 1956 should be used.

On the question of whether failure to bargain or to bargain in good faith should be made an unfair labour practice (ULP), the NMC concluded that it would not be desirable at present to expand the definition of an ULP to include this and that the question should be left to the Industrial Court.

Regarding the enforcement of agreements, the NMC noted that section 31A of the LRA—which provides that any labour agreement that does not fully conform to the requirements of the act is not enforceable in any court—was held in 'aversion' and that there was little support for its retention in any form, and thus recommended its repeal. It found that present remedies with regard to the enforcement of agreements outside statutory institutions were sufficient and should be retained.

Industrial councils (ICs)

In the section on industrial councils (ICs), the NMC looked at admission to the IC system and the extension of agreements to non-parties.

In terms of a new section 21A of the LRA (added in 1979 when other amendments provided for the statutory recognition of African trade unions under the the act for the first time) no new party can join an IC unless the existing parties agree unanimously in writing. The council has to advise an applicant of its decision within seven days. Any applicant who feels aggrieved by the refusal of its application can appeal to the Industrial Court within 30 days of the date on which the council makes its decision.

Commenting on this 'veto' right, the commission said that it was clearly aimed at giving the parties to an IC the right to protect their vested interests. It said that it had received reports that many of the newer trade unions found it difficult to gain access to ICs because of the veto right. (The veto was often used by established white unions to keep out newer black and nonracial unions.) The commission recommended that section 21A of the LRA be repealed and replaced with a provision to the effect that membership of an IC should be regulated by its constitution as a domestic matter, as should the right of veto, and that, as is the case at present, any party who feels aggrieved by being refused membership of an IC should have a right of appeal to the Industrial Court.

Extension of IC agreements

Section 48 of the LRA provides that the minister of manpower may declare provisions of an IC agreement to be binding on all non-party employers and employees who are engaged or employed in the undertaking, industry, trade or occupation to which the agreement relates, in the area in respect of which the council is registered. The act, however, also provides that an agreement shall not be extended to non-party employers and employees unless the IC concerned has furnished proof to the satisfaction of the minister that the parties to the agreement are sufficiently representative of the employers and employees to whom the agreement relates. Section 51(6) grants non-parties recourse against such extensions through appeal to the minister of manpower.

Discussing the representativeness of the ICs, the commission found that, in the larger industries (20 000 workers or more) the representativeness of trade unions varied between about 17% and 92% of employees. That of employers varied between 27% and 83% of the employers. These employers had between 71% and 98% of all the workers covered by the agreements in their employ

The NMC made the following recommendations regarding the extension of agreements to non-parties:

- ‘trade union parties should have at least 50% membership of the workers potentially affected by the extended agreement; employer parties should provide employment to at least 60% of the workers potentially affected by the extended agreement; and employer parties should represent a satisfactory proportion of the total number of employers potentially affected by the extended agreement’;
- if the level of representativeness of trade union parties falls below 50% or the employment level of party employers below 60% of employees, the minister should, nevertheless, be able to decide to extend the agreement, taking into account certain considerations, as well as the future expected representative position of the parties;
- if the minister is concerned that extending an agreement would not comply with the guidelines, consultations should take place with the IC concerned on the requirements for meeting the guidelines before any final refusal to extend the agreement is put into effect; and
- the LRA should be amended so that all ICs would be required to make the following provisions for those wishing to apply for exemption from extension of the agreement:
 - applicants should be given an opportunity to state their case before the IC;
 - delays in the processing of the applications should be limited to not more than 45 days;
 - reasons for refusing the application should be in writing; and
 - existing appeal procedures should be retained.

The above recommendations were submitted in 1986 to the minister, who asked the NMC to consider the question of consultation with non-parties before an agreement was extended to include them. The NMC concluded that it would not be practicable to recommend this. It said that non-parties would then, in effect, be given the status of a party to the IC without having to join the council, which should, in fact, be the way to obtain a say in negotiations.¹⁹⁵ [195 National Manpower Commission, *Report of the National Manpower Commission on Dispute Settlement, Levels of Collective Bargaining and Related Matters*, RP 115/1986]

Mediation

Regarding the mediation function of ICs, the NMC found that, although potentially a major function, this had largely been neglected by most councils. It held that little could be done of a statutory nature to remedy this, as statutory provisions for the exercise of this function already existed. It recommended that the Department of Manpower should launch a promotion campaign among ICs regarding this function.

Conciliation boards (CBs)

The NMC also looked at conciliation boards (CBs). Such boards are established by the minister of manpower at his discretion on application by any or all of the parties to a dispute. The NMC concluded that the ministerial discretion with regard to the appointment of a CB had more disadvantages than advantages. It believed that a CB should be appointed automatically. This then would become an administrative function not requiring ministerial discretion and should be undertaken by the Department of Manpower. If the requirements of the law have not been met, then the department could recommend to the minister that a board be appointed. It recommended that the LRA should be amended in accordance with the above conclusions (see *Labour Relations Bill* below).

Strikes and lockouts

In its recommendations on strikes and lockouts, the NMC said that only workers in essential services should be prohibited from striking. It said that it was necessary to investigate further the criteria to be adopted for the purpose of determining which employers and employees were involved in the provision of essential services. The possibility of providing alternative dispute resolution mechanisms for these workers also needed investigation, as did the possibility of extending the provisions regarding strikes and lockouts to include workers in the public sector. (Such workers are excluded from the ambit of the LRA and have their own negotiating systems—see *Noteworthy Labour Practices* below.)

The NMC recommended that section 65 of the act (which sets out which strikes are illegal) and section 79 (which protects unions from civil claims resulting from a legal strike) should be repealed. Instead, a new statutory provision should be formulated whereby:

- the notion of the ‘acceptability’ of a strike is introduced into the legislation;
- criminal sanctions are attached only to strikes and lockouts by employers and employees involved in the provision of essential services pending the investigation referred to above;
- the Industrial Court is given the task of deciding whether a strike or lockout is acceptable or not; and
- certain remedies are provided in the case of an unacceptable strike or lockout.

The NMC specified a list of conditions the Industrial Court should take into account when deciding whether a strike, including a sympathy or third-party strike, was acceptable or not.

The NMC recommended that a party alleging that a strike or lockout is unacceptable should have the following remedies at its disposal in terms of the LRA:

- an interdict preventing such unacceptable action be obtainable from the Industrial Court; and
- should such an interdict be ignored, the possibility of claiming damages from the union/employer/employee.

Acceptable strikes should be protected from such actions

On the question of the dismissal of workers during a strike, the NMC recommended that this should depend on the Industrial Court’s judgement of the fairness of the dismissal

It further recommended that an unacceptable strike or lockout should be an ULP and that the definition of an ULP should be amended to provide for this.

The NMC recommended also that an overriding clause should be inserted into the LRA to provide for workers who participate in acceptable strikes to be protected against prosecution and conviction under other laws and regulations, such as security laws and local authority regulations.

Regarding picketing, the NMC said that while it accepted that picketing, especially if it is uncontrolled, could lead to the protraction of tension and to the undermining of public order, it believed that the present restrictions on picketing should be lifted to at least some degree. It held that the limitation of the right to picket could have other prejudicial consequences, such as sit-ins or the occupation of factories or intimidation at places other than the workplace. It also pointed out that picketing was permitted in many countries and was accepted by the International Labour Organisation (ILO). It accordingly recommended that the law should be amended to permit at least some form of picketing and related forms of industrial action. However, this should be subject to further investigation by the NMC.

Comments on the report

Commenting on the report, the Congress of South African Trade Unions (COSATU) described the NMC's recommendations for the decriminalisation of strikes and picketing as 'positive and sensible'. It said that detentions, arrests, and sjambokking of hundreds of striking workers in 1987 alone had led to an escalation of conflict. However, the National Council of Trade Unions (NACTU) discounted the report for not addressing the crucial issues of the day, namely the issue of the rights of workers excluded from the LRA and the interference by police in trade union matters. The report was welcomed by the South African Federated Chamber of Industries.¹⁹⁶ [¹⁹⁶ *Business Day* 25 June]

Contrary to the liberalising of many aspects of labour relations as recommended in the report, the Labour Relations Bill published for discussion later in 1987 proposed a number of amendments which were seen as designed to curtail the activities of trade unions (see *Labour Relations Bill* below).

Industrial councils (ICs)

The number of industrial councils (ICs) for selected years, the number of IC agreements, and the number of employers and employees covered by them is given below:¹⁹⁷ [¹⁹⁷ National Manpower Commission annual report 1987, RP 74/1988]

Industrial councils

Year

No of councils

No of wage agreements

No of employers

No of employees

1975

102

92

39 146

1 046 105

1980

105

98

41 280

1 095 472

1986

99

77

47 032

961 302

1987*

97

**

**

965 000

*

Estimates

**

Figures not avail

During 1987 pressure was increasingly exerted on ICs arising from the government's initiatives to deregulate labour in the interests of job creation and small business development. In 1986 Parliament had passed the Temporary Removal of Restrictions on Economic Activities Act (see 1986 *Survey* Part 1 pp14–16 and p45 and *Deregulation* above), which gave the state president powers to relax or abolish a wide range of laws, bylaws and regulations insofar as these might 'unduly impede the economic progress of persons engaged in ... specific classes of undertakings, industries, trades and occupations or competition ... or the creation of job opportunities'.

It was reported in January that in November 1986 the Department of Manpower had circulated a letter to all ICs warning that if they did not take steps to remove from their agreements provisions which restricted economic growth, they could be ordered to do so by the state president in terms of the above act. The letter, in which the department made it clear that it was acting on an appeal from the minister for administration and economic advisory services in the office of the state president to bring about a permanent deregulation of unduly restrictive measures, outlined a number of provisions which it found were no longer acceptable. They included prohibition of work on Saturdays (the agreements of the National Industrial Council for the Motor Industry ban on Saturday work for mechanics, for example), or on any other day of the week. Restricted trading hours and compulsory closed periods for annual leave (as in the building industry, for instance) were also mentioned. ICs with agreements containing such provisions were given 30 days to inform the department of the measures that they would take to remove them.¹⁹⁸ [198 *Financial Mail* 30 January]

Reactions to the letter were mixed. A spokesman for the consultative committee of ICs, Mr Carel Venter, said that when the government had broached the subject with the committee at a meeting in November 1986, there had been general agreement that restrictive measures should be removed. Mr Ike van der Watt, chairman of the Labour Forum, which represents about 40–50 unions, was convinced that the Department of Manpower was being pressurised by other government departments. He said, 'It is not the issue of getting rid of restrictive measures that worries us, it is the method being used. It amounts to direct government interference with agreements negotiated between employer and employee representatives, and is a major threat to the union movement. The department's letter refers to IC agreements. But the obvious question is whether all other agreements will come under scrutiny. We are getting to a stage reached by some African states whereby you have freedom of association and the unions can negotiate what they like provided it is approved by government.'

A national organiser of the Metal and Allied Workers' Union (MAWU), Dr Bernie Fanaroff, saw the move as yet another in a series of attacks on the union movement. He said. 'In the last few years, the minister has repeatedly exempted small businesses and companies in the rural areas from IC agreements. But deregulation will not solve the unemployment problem. All it will do is depress wages outside the metropolitan areas. Employers in the metropolitan areas will then say that they cannot compete with employers outside, which will depress wages in the urban areas.'

The director general of manpower, Dr Piet van der Merwe, said, 'We are trying to balance two objectives

—job creation and industrial peace—and have said that any deregulation should be done in consultation with ICs. If councils co-operate in the way that they have been, we can go a long way without using the Temporary Removal of Restrictions on Economic Activities Act.’¹⁹⁹ [¹⁹⁹ Ibid]

In 1987 the NMC published a report in which it investigated the role of ICs, in particular the extension of the terms of IC agreements to non-parties (see *Report of the National Manpower Commission on Dispute Settlement, Levels of Collective Bargaining and Related Matters* above).

Conciliation boards (CBs)

There has been a dramatic increase in the number of applications for the appointment of conciliation boards (CBs) from 1983, when there were 118 applications. The figure rose to 279 in 1984, 514 in 1985, 1 294 in 1986 and 2 312 in 1987. Of the 1986 applications, 346 were refused, 538 were withdrawn, 409 were approved, while one was still under consideration. Of the 2 312 applications in 1987, 409 were refused, 654 were withdrawn, 603 were approved and 646 were under consideration.²⁰⁰ [²⁰⁰ Central Statistical Service, *South African Labour Statistics*, National Manpower Commission annual report 1987, RP 74/1988]

In 1987 the National Manpower Commission made certain recommendations designed to facilitate the appointment of CBs, and the Labour Relations Bill incorporated these recommendations into its provisions (see *Report of the National Manpower Commission on Dispute Settlement, Levels of Collective Bargaining and Related Matters* above, and *Labour Relations Bill* below).

Industrial Court

According to *South African Labour Statistics*, a total of 2 311 cases were referred to the Industrial Court during 1986. Of these, 269 were carried forward from previous years. Cases completed numbered 1 649, 54 had a partial hearing, and 608 were in various stages of progress.²⁰¹ [²⁰¹ *South African Bulletin of Statistics* 1987, p430] The report of the National Manpower Commission (NMC) for 1987 said that 3 533 cases were received in 1987. However, because of a shortage of staff, 776 cases could not be finalised by the end of 1987.²⁰² [²⁰² National Manpower Commission annual report, RP74/1988]

The question of the right of reinstatement of workers dismissed following a legal strike received attention during 1987. In March the Natal Provincial Division of the Supreme Court (Natal Supreme Court) upheld an Industrial Court ruling for the reinstatement of 113 Natal Die Casting workers who had been dismissed in early 1985 following a legal strike at the company’s Pinetown (Natal) plant. The Metal and Allied Workers’ Union (MAWU), which represented the workers, had applied on their behalf to the Industrial Court for their permanent reinstatement, and in January 1986 the court had granted the application (see 1986 *Survey* Part 1 p268). The company took the decision on review to the Natal Supreme Court, which, however, upheld the Industrial Court judgement. Mr John Brand, the lawyer representing MAWU, argued that the Supreme Court ruling meant that the Industrial Court had the right

to reinstate permanently workers dismissed during a legal strike. He maintained that it also had the power and was competent to reinstate illegal strikers.²⁰³ [²⁰³ *The New Nation* 5 March]

In September the Industrial Court found in favour of BTR Sarmcol in its protracted dispute with MAWU. In May 1985 the company had fired 970 workers who had gone on strike at its plant in Howick (Natal) (see 1985 *Survey p191* and 19 *Survey Part 1 p262*). The court found that the company was justified firing the striking workers. It said that MAWU's approach in calling out workers on strike might have been strongly influenced by the 'belief, mistakenly, that because the strike was lawful ... eventual reinstatement was inevitable'. The court left open the question of whether it was in fact a technically legal strike.²⁰⁴ [²⁰⁴ *Finance Week* 17 September]

The judgement was bitterly attacked by MAWU, which drew attention in a statement to its submission at the beginning of the proceedings that the court should be reconstituted on the grounds of a suspicion that it was 'biased and anti-union'. This suspicion had been confirmed by the judgement, the statement claimed. The union had also asked for a member of the court, Mr Pierre Roux SC, to recuse himself as he had accepted an invitation to speak at a seminar organised by BTR Sarmcol's industrial relations adviser. Mr Roux had refused to do so. A spokesman for the union, Mr Ian Weir, said that the judgement glossed over all the points which might have embarrassed the company. For instance, it stated that the company had no intention of 'union bashing', yet its chief witness had admitted under oath that the company was involved in this practice. It also said that the collective democracy of the union would not be tolerated, which 'confirms our view that democratic unionism is anathema to this court', Mr Weir said. He said that the judgement did not change the facts, and that the union intended continuing its campaign against the company internationally 'to obtain justice for the workers'.²⁰⁵ [²⁰⁵ *The Natal Witness* 12 September]

The case, among other things, had been the subject of a debate in the European Parliament, the topic of a British Broadcasting Corporation documentary, the motivation behind sympathy strikes at Dunlop plants, and a stayaway and a consumer boycott in Natal. At least seven people had died as a result of the dispute, four when alleged Inkatha supporters had attacked a meeting and abducted the workers (see 1986 *Survey Part 1 p256* and *Action Affecting Trade Unions* above). The BTR plant is now staffed by members of the Inkatha-linked United Workers' Union of South Africa (UWUSA).²⁰⁶ [²⁰⁶ *Business Day* 14 September]

The editors of the journal *Employment Law* pointed out that the court in one case (which they did not name) had remarked that the 'concept of collective guilt is wholly repugnant to our law', and had emphasised that an employee should be disciplined only if he himself was guilty of the act complained of. However, in the BTR Sarmcol case the damage done to the homes of strike-breakers had been implicitly attributed to the strikers even though there had been no evidence to connect the two, the journal claimed. In *NUM v Hartebeesfontein Gold Mining Company* the court had refused to reinstate strikers because explosives had been found in their dormitory on the mine.

In June the Industrial Court handed down an order directing a Springs (east Rand) manufacturer,

Braitex, temporarily to stay in business. In June the National Union of Textile Workers (NUTW) had applied for an order to restore the status quo in terms of section 43 of the Labour Relations Act of 1956, preventing the company from closing down. The court, taking cognisance of the company's circumstances, granted the order for a period of 30 instead of the usual 90 days. The NUTW argued that it had been given insufficient warning of the impending closure, that Braitex had committed an unfair labour practice by failing to consult or negotiate with it over the closure and that the retrenchment procedure Braitex was intending to use to compensate workers was inappropriate under the circumstances. Retrenchment, the union contended, could not be equated with closure.

In its judgement the court made it clear that the company had the right to close its operations. When doing so, however, it was obliged to act fairly in its relationship with its employees. Braitex, the court held, had acted in good faith in believing that the application of its retrenchment agreement with NUTW would be an adequate way to deal with workers who would be losing their jobs. Nevertheless, it was not satisfied that a retrenchment procedure was meant to operate in a closure situation. The court also paid close attention to whether Braitex had acted fairly. Braitex had not created an opportunity for prior consultation on the closure with NUTW. On this the court stated, 'The question is not whether consideration of alternatives or prior consultation would have been successful. The point is that an opportunity should be created to deal with such matters to minimise industrial conflict.' However, when considering the company's position, the court found that NUTW's request for an order valid long enough for negotiations on the closure or alternatives to it to be finalised went too far. Workers, the court stated, should not abuse their right to consult and negotiate. 'It is not acceptable that consultations and negotiations should be prolonged unduly. This could lead to economic disaster for the employer.' An application in July by the union for the status quo order to be extended by another 30 days was rejected. The NUTW intended pressing for the order to be made permanent.²⁰⁷ [²⁰⁷ *Finance Week* 16 July]

Legislation

Labour Relations Bill of 1987

In 1986 draft amendments to the Labour Relations Act of 1956 were published for comment (see 1986 *Survey* Part 1 p270). During 1987 a new draft bill was published as a result of the comments received.

The bill replaced the brief and open-ended definition of an unfair labour practice (ULP) with a lengthy schedule defining such a practice. Two of the practices to be defined as an ULP were: 'the incitement to, support of, participation in or furtherance of any boycott, whatsoever, of any product or service by any trade union, federation, office bearer, or official of such trade union or federation'; and the 'direct or indirect interference with the right of employees to associate or not associate with any employer or union or members thereof, or other employee', including the prevention by a trade union or its officials of negotiation between non-union members and their employer.²⁰⁸ [²⁰⁸ Labour Relations Amendment Bill B 118-87 (GA); Benjamin P and Cheadle H, 'New Labour Legislation', *South African Labour Bulletin* vol 13 no 1, November]

Based on the Industrial Court's findings on dismissals to date, the bill defined a dismissal as an ULP unless it was for a 'valid reason and in compliance with fair procedures'. Regarding retrenchments, these would be fair if the retrenched workers were selected according to 'reasonable criteria'. These were defined as including the 'ability, capacity, productivity, and conduct of those employees and the operational requirements and needs of the undertaking, industry, trade or occupation of the employer'.

A further proposal was that a new court called the special labour court should be established to act as a court of review for decisions of the Industrial Court. It was also intended to be a court of first reference, ie to hear its own cases. Included in the appeals it would hear were those against section 43 of the act (ie temporary status quo orders). The bill proposed that the appointees to the special labour court be judges of the Supreme Court. Corporate entities, such as trade unions and employer organisations, would not be able to represent themselves in the court. Nor would they be able to use the services of an attorney. Only an advocate would be entitled to appear there.

One of the main activities of the industrial court has been to hear status quo applications (ie for temporary reinstatement after dismissal) in terms of section 43 of the act. The bill introduced a number of requirements that a party seeking a status quo order had to satisfy. For instance, a trade union seeking the reinstatement of dismissed workers would have to prove that a reinstatement order would assist the parties to settle the dispute.

The bill also proposed that a general section (17(11)(a)) entitling the Industrial Court to hear all disputes arising out of the application of the laws administered by the Department of Manpower be removed.

The bill extended the criminal regulation of strikes. A proposed amendment to section 65 sought to prohibit industrial action in a number of circumstances in which it is currently lawful to strike. Sympathy strikes (ie strikes aimed at placing pressure on an employer other than the employer of the workers on strike) would now be a criminal offence if the employer or employee involved in the strike was 'not directly in the dispute giving rise to the strike'. The amendment also prohibited intermittent strikes and lockouts by outlawing any strike or lockout over a dispute which was 'the same or virtually the same as a dispute' which gave rise to a strike or lockout during the previous 12 months.

In addition it would not be possible to refer a dispute to an industrial council (IC) if the council had dealt with a similar dispute between the same parties during the past 15 months. Nor would it be possible to refer a dispute to the council or a conciliation board (CB) if the parties were bound by a wage regulatory measure which related to the dispute and had been in operation for less than 15 months.

Under the principal act strikes may be held only 30 days after an application for a CB or the referral of the dispute to an IC. This period was now to be extended by the director general of manpower at the request of either of the parties.

The bill also contained a provision relating to conciliation boards (CBs). Under the principal act, in order for a case to be heard by the Industrial Court, it has first to be dealt with by a CB or an industrial

council (IC). The referral of disputes to an IC is automatic, but in the case of a CB the minister of manpower has the power to decide whether or not to appoint a board. If he decides not to, he effectively blocks the parties from access to the Industrial Court. In terms of the bill such a board would automatically be appointed by a divisional inspector of manpower, thus putting cases heard by CBs on the same footing in terms of access to the court as those heard by ICs. This amendment had been recommended by the National Manpower Commission (see *Report of the National Manpower Commission on Dispute Settlement, Levels of Collective Bargaining and Related Matters* above).

Some of the lawyers who voiced opinions on the bill were highly critical of a new indemnity provision. In terms of the principal act claims may not be brought against unions or unionists based on a wrongful act committed in furtherance of a legal strike unless the act amounts to a crime. In terms of the proposed amendment, it would be possible for an employer to get an order preventing his employees from going on strike in breach of contract. A new clause would also make unions liable for damage caused to property by the strike. Unions pleading that the wrongful acts of their officials were done without authorisation would in future bear the onus of proving this.²⁰⁹ [²⁰⁹ *Employment Law* vol 4 no 2 November]

Prior to the the bill's publication, the minister of manpower, Mr Pietie du Plessis, said that it aimed at creating a better balance in the legislation between the interests of employers and trade unions.²¹⁰ [²¹⁰ *Business Day* 9 September]

In the view of some of the lawyers who commented on the bill, the new definition of an ULP would seriously curtail the court's powers in defining such a practice. One of the new practices defined as an ULP would prevent majority unions from demanding that employers grant them sole collective bargaining rights and was seen as an attack on 'majoritarian unionism'. Commenting on the new retrenchment provision, some lawyers said that it would give the employer almost total discretion in the matter of selection of employees for retrenchment, and would enable him to fire employees he did not want. Lawyers were also critical of one of the amendments to the strike provision which outlaws strikes or lockouts over a dispute which is the same or virtually the same as the one giving rise to such action in the previous 12 months. They claimed that it would simply discourage workers from returning to work before a dispute had been finally resolved, and was likely to increase the length of strikes.

Commenting on the bill, Mr Clive Thompson, director of the Labour Law Unit, University of Cape Town, argued that it contained some 'utterly perverse features'. He said that some might see it as anti-union, 'but it would be more accurate to describe it as subversive of a coherent and effective system of collective bargaining. It appears to be the product of myopic bureaucrats rather than of ideologues'.²¹¹ [²¹¹ *Cape Times* 6 October]

The bill was strongly criticised by the black union movement. COSATU warned in February that it would take action against employers if they did not satisfactorily oppose the bill.²¹² [²¹² *The Star* 17 February]

Affiliates of the South African Consultative Committee on Labour Affairs (SACCOLA), an umbrella

employer body, held a meeting to discuss COSATU's demand. Details of the outcome of the meeting were not published.²¹³ [²¹³ *Business Day* 17 February] The American Chamber of Commerce in South Africa (AMCHAM) said that it was 'deeply concerned' that the bill, if enacted, would represent a major change in state policy on labour relations. It said that it agreed with some aspects of the bill which could be seen as improvements. But the legislation would undermine many positive developments that had taken place in the post-Wiehahn era. It said, 'We find it particularly disturbing that the draft bill does not protect employees from dismissal even after having complied with legal pre-strike procedures.'²¹⁴ [²¹⁴ *Ibid* 15 February]

Shell South Africa, which criticised the bill in full-page advertisements appearing in several national newspapers, committed itself to the continuation of current labour practices, irrespective of the outcome of the proposed amendments.²¹⁵ [²¹⁵ *The Citizen* 26 April]

Labour Relations Bill of 1988

A revised version of the bill was published in Parliament in May 1988, with only a few minor concessions to union objections and further tightening up.

The clause on sympathy strikes and consumer boycotts remained unchanged. In addition the new version of the bill defined any unlawful strike as an ULP. The revised bill removed the right of the minister of manpower to introduce amendments to ULPs by proclamation. It also reduced the service period during which an employee might not, by definition, be unfairly dismissed from 12 to six months.

The amended bill stated that an inspector could extend the operation of a CB only at the request of both parties, instead of one party, as in the previous version. Unions had feared that this would be used to make any lawful strike impossible. The bill reinstated clause 17(12)a (see above), and renamed the special labour court as the labour appeal court.

Reacting to the new draft bill, COSATU warned the government and employers that they would have to take the blame for the 'chaos and confrontation' resulting from it.²¹⁶ [²¹⁶ *The Star* 18 May 1988]

The Association of Chambers of Commerce of South Africa (ASSOCOM) said that it did not see the bill as being in anyway an assault on the trade union movement. Its manpower secretary, Mr V Brett, said that it welcomed the general thrust of the bill as representing 'an advance' in the structure of industrial relations in South Africa.²¹⁷ [²¹⁷ *Ibid* 19 May 1988] The South African Federated Chamber of Industries (FCI) said in a statement in May that it would back the bill and that it was encouraging to note that a number of issues on which it had commented had been included.²¹⁸ [²¹⁸ *The Citizen* 20 May 1988]

On 2 June COSATU and the National Council of Trade Unions (NACTU) called for three days of protest from 6 to 8 June mainly in protest against the bill.

A meeting between COSATU and SACCOLA on 2 June failed to reach agreement on any major issues relating to the proposed three days of action. After the meeting Mr Bobby Godsell, SACCOLA's chairman, said that COSATU had refused to issue a call that the protest action should not include a stayaway. He said that SACCOLA did not believe that the bill was 'union bashing' legislation. It did not curtail union rights in any respect. COSATU said that there had been no meaningful consultation with it over its proposals on the bill, and said that the bill severely curtailed the right to strike, infringed on employees' job security, and allowed employers to bankrupt unions through litigation. Overall it had represented a major rolling back of union rights, COSATU's general secretary, Mr Jay Naidoo, said.²¹⁹ [219 *Business Day* 3 June 1988]

The three days of protest went ahead as planned, taking the form of a stayaway, although the unions had not specified that this was the action to be taken.

According to the Labour Monitoring Group (LMG), which comprises academics, on the first day there was a 79% absentee rate in the Pretoria/Witwatersrand/Vereeniging (PWV) area, 67% in the Durban region, and 64% in Pietermaritzburg. It said that figures provided by the South African Transport Services (SATS) and bus companies showed that at least 1,9m people did not travel to work. 'This makes it the biggest stayaway in South African history,' claimed a spokesman for the group. Mr Brett said that there was an 'enormous' regional disparity in stayaway figures. These ranged from 5% to 10% in the western Cape, to 20% in Pretoria, and 80% in Johannesburg. An FCI spokesman, Mr Gerrie Bezuidenhout, reported high absenteeism at members' plants in Port Elizabeth, 60% in the Border/East London area, and up to 60% in Pietermaritzburg. The director of the Steel and Engineering Industries Federation of South Africa (SEIFSA), Mr Brian Angus, said that the stayaway in the metal industry was extensive in the PWV area, affecting 90% of operations and moderate in Natal and Port Elizabeth.²²⁰ [220 *Ibid* 7 June 1988] However, the mining industry reported minimal absenteeism. The Chamber of Mines of South Africa said that 9 000 of the 550 000 workers employed by member mines stayed away.

The stayaway was accompanied by a small number of violent incidents, including the bombing of a railway line in Soweto and petrolbombings in Natal. A handful of people were killed.²²¹ [221 *The Star* 6, 9 June 1988; *Business Day* 8, 9 June 1988]

The LMG, the FCI, the chamber and SATS all reported that figures on the third day were down on those reported on the first day. SEIFSA and ASSOCOM said that absenteeism in their sectors remained unchanged.²²² [222 *Business Day* 10 June 1988]

Both SACCOLA and COSATU ran advertisements in the press in the first half of June, setting out their respective positions on the bill.

SACCOLA's advertisement, published on 3 June said, inter alia, Trade union federations have alleged that the Labour Relations Amendment (LRA) Bill currently before Parliament is repressive and directed

at attacking trade unions.

These allegations are not supported by analysis of what the bill actually says. Employer federations have sought a meeting with union federations to explain why they believe the union's allegations are unfounded and why they see merit in the bill.

In sum the revised version of the bill deals with most of the objections raised by COSATU in its written submissions to the parliamentary standing committee and is in line with major western labour legislation.'

SACCOLA then gave a summary of the amendment bill's provisions. Among the points it made was that the legal right to strike remained unaltered. Regarding an ULP it said: 'The additional definition of the ULP in clause 1 provides protection against unfair dismissal as comprehensively as in any other Western democracy. Secondary strikes, where the employer involved in the strike is unconnected with the issue in dispute, together with repeat strikes, dealing with the same issue in a period of 12 months, and product and service boycotts are now included in the definition of unfair labour practices. Secondary and repeat strikes, as well as boycotts all represent a destructive use of power and are discouraged, partially or completely, in many Western democracies and in almost all African countries. The definition also makes intimidatory behaviour on the part of employers or unions an ULP, and similarly makes unilateral alterations of employment conditions, as well as unfair or misleading union or employer organisation recruitment, an ULP.

All the above aspects of the new definition of the ULP are both even handed and reasonable.'

Regarding the indemnity provision, SACCOLA said, 'In the bill now before Parliament indemnity is only removed in the case of illegal strikes or lockouts, or in the case of criminal acts. This seems reasonable, and must at the very least remove much of the opposition to this clause.'

COSATU in its advertisement published on 9 June said that employers and SACCOLA had said that the bill:

- was not an attack on unions;
- preserved worker rights;
- was in line with western labour standards; and
- satisfied most of COSATU's objections.

The advertisement went on to say that workers and COSATU said:

- ‘the bill is part of a broader strategy to suppress democratic opposition and worker organisation. COSATU has been severely restricted and 17 democratic organisations have been banned. COSATU’s right to meet, speak, publish and organise has been systematically undermined by banning all our rallies, constant police raids on our offices, numerous anonymous bomb attacks on our property, regular confiscation of our media, ongoing detention of our members and so on. The minister of manpower has even said that the provisions of the bill will hang “like a sword over the unions’ heads”;²²³ [²²³ *The Star* 17 December]
- the bill makes arbitrary and unfair dismissals legal, restricts the right to strike and encourages minority unions;
- the bill contravenes international labour standards on freedom of association. COSATU has laid a complaint with the International Labour Organisation (ILO) for investigation; and
- not one of COSATU’s major objections to the bill have been met—20 out of our 27 objections to the parliamentary standing committee were ignored.

This week’s protest action demonstrates the opposition of millions of workers to the bill. There is clear disagreement between workers and employers about the bill.

We challenge SACCOLA:

- to submit this disagreement to the judgment of an independent panel of lawyers under the chairmanship of, for example, a retired judge who is a respected member of the legal profession;
- to call on the government to suspend the bill pending determination by the independent panel and the ILO; and
- to call on the government to submit to the jurisdiction of the ILO.’²²⁴ [²²⁴ *Sowetan* 9 June 1988]

In June all parties in the House of Delegates voted to recommit the bill to the parliamentary joint committee on manpower, minerals and energy affairs, for ‘scrutiny of certain conditions’. The minister of manpower, Mr Pietie du Plessis, said that only ‘radical unions’ were opposing the bill and that neither COSATU nor NACTU had made any effort to contact him. However, COSATU had submitted proposals to the parliamentary joint committee that had been appointed in September 1987 to examine the draft bill further.²²⁵ [²²⁵ *The Citizen* 7 June 1988]

On 8 June the minister said that the bill was not the final word on labour legislation. It was not possible to change the bill at this stage because it had already been through all three houses in Parliament. But

‘we can look at amending it next year’, he said. ‘Not everything has to be put in motion right away, and there is provision in the bill for the withholding of some clauses,’ he added. He confirmed that he had sent a formal invitation to COSATU to send a delegation to meet him to discuss the legislation.

However, COSATU denied that it had received such an invitation.²²⁶ [²²⁶ *The Star* 9 June 1988]

COSATU accepted Mr Du Plessis’s invitation as announced in Parliament—it still had not received a formal one. The federation said that it wanted the following placed on the agenda for a meeting:

- the acceptance of an ILO determination on whether the bill was a breach of international standards;
- private arbitration on the bill as proposed by COSATU to SACCOLA;
- suspension of the bill pending these processes;
- COSATU’s objections to the legislation;
- the exclusion of farmworkers, public sector workers and domestic workers from labour legislation;
- how repression affected COSATU’s activities; and
- the ‘discrediting of our leadership and organisations’.

These did not represent a prerequisite for a meeting, it said.

NACTU refused to meet the minister while unionists were in detention, the state of emergency was in force, and 17 organisations remained banned (see chapter on *Security*).²²⁷ [²²⁷ *Business Day* 10 June 1988]

At COSATU’s suggestion a meeting was held between its representatives and those of SACCOLA for discussions on the bill. This followed talks SACCOLA had had with the minister of manpower. Mr Godsell said that he had gained the impression in his talks with Mr Du Plessis that talks with COSATU on the bill would still be worthwhile. These talks occurred before the parliamentary joint committee on manpower, mineral and energy affairs was due to reconsider the bill.²²⁸ [²²⁸ *The Star* 10 June 1988]

COSATU appealed on 9 June to SACCOLA to submit the bill to an independent tribunal for scrutiny on whether it met western standards. It proposed that it be referred to a panel chaired by a former judge, Mr L Ackermann, now chairman of the University of Stellenbosch law faculty. The letter said that judging from meeting with SACCOLA and advertisements placed in the press, they both shared certain beliefs on the desired objectives of legislation. What was in dispute was whether the bill would achieve them. They agreed that amendments should not erode legitimate protection against unfair dismissal; should not erode union bargaining power; should be consistent with international standards; should provide for simple, inexpensive and quick conciliation procedures; and should be coherent and clear. Mr Godsell

said that he was pleased to receive a specific proposal from COSATU.²²⁹ [²²⁹ *Business Day* 10 June 1988]

No information was made public on SACCOLA's response to COSATU, the federation saying on 14 June that it was studying it.²³⁰ [²³⁰ *The Star* 15 June 1988]

As a result of a meeting NACTU and SACCOLA decided to set up a committee of experts to try to resolve their differences over proposed changes to the bill.²³¹ [²³¹ *Ibid* 20 June 1988]

Talks on the bill were held on 21 June between representatives of the Department of Manpower, SACCOLA, and COSATU. No details on the meeting were made public. At the same time the bill emerged from the parliamentary joint committee on manpower, mineral and energy affairs with only a few minor changes.²³² [²³² *Business Day* 22 June 1988]

Late in June COSATU complained to the ILO that the bill would favour all-white unions and curtail the right to strike. It said that the planned amendments made 'fundamental inroads into the freedom of the association of trade unions'. The complaint was referred to the United Nations economic and social council.²³³ [²³³ *The Citizen* 25 June]

At the end of June NACTU said that it and COSATU were seriously considering joining forces for discussion with SACCOLA on the bill.²³⁴ [²³⁴ *Business Day* 28 June 1988]

The bill was passed in the last week of June without further amendments. It was gazetted on 13 July but no date was fixed for the act to come into operation, although 1 September was mentioned by officials as a possibility.²³⁵ [²³⁵ *Ibid* 14 July 1988] Clause 31(2) stated that different dates might be fixed for the coming into operation of different sections.²³⁶ [²³⁶ *Ibid* 27 July 1988]

At the time of writing (August 1988) talks between the various parties were continuing.

South African Transport Services Amendment Act

A section in this act amended section 26 of the Conditions of Employment (South African Transport Services) Act of 1983, which prohibits strike action by employees of the South African Transport Services (SATS). The section states that the general manager shall, 'in substitution for normal disciplinary procedure or action' in the event of a strike, 'extend to the employee or group of employees concerned, an opportunity of providing, within three days, a written explanation for not complying with their normal duties'. Such a notice may be made by verbal communication, letter, publication or the affixing of notices at the place of work. On the expiry of the three days, the general manager shall take into account any representations so made, and shall, thereafter, have the right to terminate the services of such employee or employees.

Introducing the bill in Parliament, the minister of transport affairs, Mr Eli Louw, said that the amendments were necessary as a result of experience gained from the recent strike by SATS workers (see *Strikes* below). It was necessary for certain amendments to existing legislation to be made to enable SATS to handle illegal strikes and labour unrest more appropriately and fairly. The proposed amendment, he said, would give the general manager the authorisation to decide, after employees had been given a fair opportunity to explain their participation in a strike, whether or not to terminate their services.²³⁷ [²³⁷ *Hansard* (A) 15 col 6329, 22 September]

The amendment was criticised by Mr T Langley (Conservative Party) who argued that the new provision would allow workers to strike legally for three days, contrary to the present legislation, which prohibits strikes. Mr D Malcomess (Progressive Federal Party) said that while the PFP would support the bill as a whole, it objected to the strike clause, pointing out that the labour practices of SATS were archaic (see *Noteworthy labour practices* below).²³⁸ [²³⁸ *Ibid* col 6346]

Noteworthy labour practices

The shortest working week

In October the Chemical Workers' Industrial Union (CWIU) and Colgate-Palmolive agreed to an effective 38-hour week, without a drop in pay, at the company's Boksburg (east Rand) factory, making it the shortest working week in the industry. The workers at the Boksburg factory were granted 21 March, 1 May and 16 June as paid holidays, in addition to seven other statutory holidays. The company also agreed to increases in the minimum hourly rate for the lowest grade from R3,67 to R4,65.²³⁹ [²³⁹ *The New Nation* 15 October]

Withdrawal of recognition

In October the Anglo American Corporation of South Africa's President Brand gold mine (Orange Free State) decided to withdraw its recognition of the National Union of Mineworkers (NUM). Anglo said that it had taken the decision after the reported killing of a team leader at the mine's No 4 hostel, in which, it claimed, the NUM leaders had been implicated. The NUM's assistant general secretary, Mr Marcel Golding, said that the claim would have to be proved. The NUM had clearly stated its opposition to violence. Anglo said that management's efforts to discuss events at the mine at regional level had been rejected by the union.²⁴⁰ [²⁴⁰ *The Star* 5 October]

Union representation on pension and provident funds

Novel features were contained in a new provident fund agreement negotiated in March between the

Metal and Allied Workers' Union (MAWU); the CWIU; the Paper, Wood and Allied Workers' Union (PWAU) and Metal Box South Africa. The fund—called the Metal Box South Africa Provident Fund—would be optional for all 7 000 wage earners and would cover the company's 35 plants. The full pension fund actuarial reserve of each employee who joined the new fund would be transferred, giving the provident fund a strong financial base. The trustees would comprise an equal number of management and worker representatives. The fund's actuary would arbitrate in the event of a dispute.²⁴¹ [²⁴¹ *Business Day* 2 March] In May a MAWU shopsteward, Mr Sonnyboy Njokwe, an employee at the Isando (east Rand) plant of Metal Box, was appointed chairman of the fund, the first time an African worker had been appointed to such a position in the country.²⁴² [²⁴² *The Natal Witness* 28 August]

In March the executive director of the Steel and Engineering Industries Federation of South Africa (SEIFSA), Mr Sam van Coller, said that the organisation had appointed a high-level committee to investigate the question of employees' benefits with a view to 'preparing ourselves for talks with the unions'. The existing National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry, which covered 340 000 workers, administered pension funds worth R2,6bn in assets.²⁴³ [²⁴³ *Business Day* 9 March]

In May the Frame Textile Group announced that it had accepted proposals of the National Union of Textile Workers (NUTW) and was converting its pension fund into a provident fund. This meant that employees would be entitled to a lump sum on leaving the company rather than a pension on reaching retirement age. About 15 000 weekly paid employees would be affected by the outcome. The fund was estimated to be worth between R20m and R30m.²⁴⁴ [²⁴⁴ *Ibid* 12 May]

Employee share-ownership schemes

During the period under review publicity was given to initiatives by various companies to sell shares to workers. Employee share-ownership schemes were not new—at least 24 were already in existence in South Africa, most in the retail sector.²⁴⁵ [²⁴⁵ Matler J, 'Employee Share-ownership - South Africa's New Capitalists', *South African Labour Bulletin* vol 12 no 8, October] However, what characterised the 1987 initiatives was the number and size of the schemes, most being introduced by large corporations employing large numbers of workers.

Responses by trade union officials to share schemes were often unfavourable. However, in a number of cases large numbers of workers took up share offers despite the opposition of union officials.

In August the Food and Allied Workers' Union (FAWU)—an affiliate of the Congress of South African Trade Unions (COSATU)—rejected a proposal relating to shares worth R11m in **Amalgamated Beverage Industries** (ABI). The Food and Beverage Workers' Union, which is affiliated to the National Council of Trade Unions (NACTU), took a neutral line, and reportedly allowed its members to make

their own choice on whether to take up the offer or not.²⁴⁶ [²⁴⁶ *Race Relations News*, December] The company offered the shares to 7 000 independent dealers and 3 500 workers. Sold at R1 each, the shares were available in blocks of 100. In 1986 Coca-Cola had sold its 30% share in ABI to National Beverage Services, which in turn is owned by The South African Breweries (SAB), on condition that ABI's 3 500 employees would be able to receive shares in ABI. SAB and Cadbury Schweppes together own 89% of ABI's shares. The offer of 2m shares to staff represented 2% of the shares in the company.²⁴⁷ [²⁴⁷ *The Citizen* 16 November]

FAWU's Transvaal chairman, Mr George Nene, said that the union had rejected the offer because ABI was trying to 'advance the selfish interests of profit-making'. Workers had decided not to participate in the scheme, he said, and instead demanded higher wages, better working conditions, and housing and education schemes. He said that the offer was a 'big plot' by Coca-Cola to blunt the militancy of workers and to destroy the union.²⁴⁸ [²⁴⁸ *Sowetan* 28 August] It was reported in November that 2 300 of ABI's workers had taken up the share offer—58% of employees. This was only after management had decided to stop trying to work through the union and had approached workers on a one-to-one basis. This figure subsequently rose to 68%. A company official said that some workers who had not taken up the share offer had tried later to buy shares but that no more were available. Workers who owned shares had rejected approaches by other workers to buy their shares from them, he said.²⁴⁹ [²⁴⁹ Information supplied to South African Institute of Race Relations 1988] Some 62% of the dealers finally accepted the offer.

In October **Pick 'n Pay Retailers** announced that it was to offer its employees shares which over five years could give them a 50% stake in the company. Staff from director down currently held 16% of issued stock as a result of various option schemes. The company's chairman, Mr Raymond Ackerman, said that the decision had been motivated by experience in America, the aftermath of the strike which had hit the retailing group in 1986, and the results of attitudinal research among employees. The latter indicated a strong need among employees to have a stake in the group they worked for, he claimed.²⁵⁰ [²⁵⁰ *Business Day* 2 October]

The proposal was strongly criticised by the Commercial, Catering and Allied Workers' Union (CCAWUSA), whose national organiser, Mr Jeremy Daphne, rejected the scheme, alleging that management had failed to consult workers' representatives before implementation. He anticipated that most members would not be able to afford to buy shares and this would have to be done on their behalf by a trust. 'It is clear that as individual share holders, workers' participation in the decisions of the company is not extended in any meaningful way,' he claimed.²⁵¹ [²⁵¹ *Sowetan* 9 October]

In November agreement on the process of the disinvestment of Ford from South Africa was reached between the company, Anglo, the National Union of Metalworkers of South Africa (NUMSA) and the South African Motor Corporation (SAMCOR). Ford would give a 24% equity interest in SAMCOR to a trust for the benefit of all SAMCOR employees. The remaining 76% of SAMCOR's equity would be held between Anglo and the Anglo American Investment Corporation. A statement by Anglo said that the transfer, in effect, meant 'that SAMCOR will continue to operate unchanged, supplying Ford

products to the public division through its Ford division and Ford dealer network in South Africa’.

Dividends received by the employee trust would ‘be used for community welfare and development activities’. Workers would elect trustees to the trust, who would in turn nominate three of their number—two representing hourly paid employees and one representing salaried employees—to serve on SAMCOR’s board of directors. In addition Ford would ‘establish and fund two community trusts, one in the Pretoria area and one in the Port Elizabeth area, with an equal number of employee and community representatives as trustees’. Ford would contribute \$2m to each of the trusts.²⁵² [²⁵² *The Star* 25 November]

The head of NUMSA’s motor section, Mr Fred Sauls, expressed satisfaction with the agreement. He said that while it was only a small step—in that only a portion of Ford’s total interests had been given to the trust—it came the closest to complying with COSATU’s position on disinvestment, ie that the assets and wealth of the disinvesting company should be retained in South Africa and used in the interests of the people of the country. Mr Sauls said that a critical aspect of the agreement was that dividends accruing to the employee trust would not benefit workers personally. This was the only basis on which the union had been able to accept the offer, he added. There had been widespread resistance among members to having dividend income distributed among them personally. The setting up of a trust meant that there would be no contradiction between the normal collective bargaining process and the position of the workers as shareholders. Mr Sauls said that at this stage it was not envisaged that employee directors would directly participate in the running of the company. Rather they would aim to gain an understanding of how the company would be managed, and collect information which would be of use and interest to workers. Union attempts to negotiate an equity of more than 24% had been unsuccessful.²⁵³ [²⁵³ *Business Day* 25 November] This was said to be the only case where a disinvesting company had negotiated the terms of its withdrawal from South Africa with a trade union.²⁵⁴ [²⁵⁴ *The Weekly Mail* 27 November]

Also in November, **Anglo and De Beers** announced South Africa’s largest share-participation scheme. All employees who had served for two years in the companies would be offered five free shares. A similar offer would be made every year thereafter for another four years. The number of shares offered might change according to company results, because the company would pay for the shares from profits. After five years Anglo would review the scheme—if it had gone well the offer would continue. The shares taken up would vest in the Anglo American Group Employees’ Shareholder Trust for four years. Thereafter, employees would be entitled to keep them in the trust, sell them, or hold them personally. During the four years, employees would be able to vote and exercise their rights as shareholders by instructing the trust and would receive dividends. If employees retired or were retrenched, they would gain personal custody of the shares immediately; if they left or were dismissed, they would have to wait the balance of the four years before gaining custody. The shares would be regarded as income in the year they were received but Anglo would pay the tax due.

The scheme was brought into effect immediately at Anglo’s head office, where about 2 000 people out of a staff of 2 600 qualified. If the boards of associated companies approved the scheme, then another 250 000 qualifying employees would be offered shares. A similar offer was being made to 20 000 De

Beers employees in South Africa and Namibia. Research into the scheme prior to its introduction had indicated the likelihood of a positive response from employees although the attitudes of the unions might influence some workers, the companies stated.

Whether or not to consult trade unions had been one of the most deeply debated aspects of the scheme, according to Anglo. It had been decided not to consult unions because it had been felt that workers should decide on offers individually, and because of the multiplicity of unions involved. To have involved them would have effectively given them a veto and probably have prevented the emergence of the scheme, Anglo said.²⁵⁵ [²⁵⁵ *The Star* 27 November]

Announcing the scheme, the chairman of Anglo, Mr Gavin Relly, said that South Africa was moving towards a difficult era in management-employee relations. The situation warranted ‘imaginative and high-risk exercises’, he said.²⁵⁶ [²⁵⁶ *The New Nation* 3 December, *The Weekly Mail* 27 December] Mr Relly’s announcement came in the context of his remarks on the necessity of ensuring the survival of the free enterprise system in ‘the new South Africa in the making’ and on the deficiencies of a ‘Marxist state’. He linked share ownership and home ownership as ways of giving employees a stake in the free enterprise system.²⁵⁷ [²⁵⁷ *The Weekly Mail* 27 November]

Anglo had in issue about 229m shares, the share offer of 1,45m shares representing about 0,6% of the total ownership.²⁵⁸ [²⁵⁸ Anglo American Corporation of South Africa, annual report 1987]

The scheme was attacked by a number of COSATU unions. Mr Cyril Ramaphosa, general secretary of the NUM, described the share offer as ‘political and economic blackmail that the corporation is using to seduce workers away from socialism’. He viewed it as a Thatcherite attempt’ to make ‘every worker a capitalist’. He said that Anglo intended the shares to give workers the experience of wealth-creating investment in a private capitalist enterprise.²⁵⁹ [²⁵⁹ *The New Nation* 3 December, *The Weekly Mail* 27 December ;]

The Paper, Printing, Wood and Allied Workers’ Union (PPWAWU), representing Mondi Paper Company employees who were entitled to the offer, believed that it had led to a lower wage offer for 1988. Mondi’s offer was 14c an hour lower than the 1987 settlement figure, while the annual value of the share offer—R300—was the equivalent of 13c an hour, almost the same as the differential in the wage offer, said the union’s general secretary, Mr Jeremy Baskin. A spokesman for NUMSA, Dr Bernie Fanaroff, claimed that the scheme was a disguised form of production bonus and that the corporation was using the opportunity ‘to inject a hefty dose of ideology’. He said that workers would not be fooled by the offer. As well as being paltry, it was a deferred payment, while workers ‘wanted a living wage now’. He predicted that the offer would backfire as workers would see that the company had funds available and this would prompt more determined wage demands.²⁶⁰ [²⁶⁰ *Business Day* 1 December]

Anglo announced in June 1988 that 168 194 employees had been offered shares and that 108 335 (64,4%) had accepted them. Another 26 000 employees were still to be offered shares.²⁶¹ [²⁶¹ *Ibid* 8 June 1988]

It was announced in November that **Sea Plant Products** (Durban) would make available 5% of its total share capital at a purchase price of 60c a share to employees of the company. A spokesman said that management believed that those who contributed to the company's activities and profitability should share equitably in its ownership. The dividend for the current financial year would not be less than 8c a share, which represented a dividend yield of 13%. Employees would not be required to pay for their shares as the company was to make loans available through a trust. The spokesman said it was believed that the company was the first in the marine industry to make shares available to all races on its staff. He emphasised that management did not regard the right to participate in the shareholding as a substitute for appropriate salaries or wages. Formed as a public company in 1986, Sea Plant Products had 10m shares in issue.²⁶² [²⁶² *Sunday Tribune* 15 November.]

There were varying union responses to the concept of equity participation. The general secretary of COSATU, Mr Jay Naidoo, said, 'We are fundamentally opposed to the idea. Fundamental issues must be redressed first. We are struggling for a living wage, let alone considering buying shares, which we see as perpetuating inequality.' Dr Bernie Fanaroff, a national organiser of NUMSA, said, 'Workers would not be fooled by the offer [by Anglo]. As well as being paltry, it was a deferred payment, while workers want a living wage now.' The general secretary of NACTU, Mr Phiroshaw Camay, said, 'Equity participation is OK only if it is accompanied by a mechanism which allows participation in decision-making, planning, and policy formulation. If workers are offered share options, they must have representation at board level.'²⁶³ [²⁶³ *Race Relations News*, December]

Policy matters

Public sector employees

Public sector employees fall outside the ambit of the LRA, and it is generally accepted that collective bargaining procedures for such workers need to be overhauled. The public sector was excluded from the labour reforms introduced after the publication of the report of the commission of inquiry into labour legislation (the Wiehahn commission) in 1979.

The inadequacy of the collective bargaining system within the public service was highlighted in 1987 by the strike of 18 000 workers of the South African Transport Services (SATS) and a number of strikes by Post Office workers over, inter alia, the right of workers to be represented by the union of their choice (see *Strikes* below).

Within the public service the Commission for Administration deals with issues such as the annual wage estimates and the wage and grading structures, and thus bargaining around wages is severely restricted. Each sector, however, is also governed by its own legislation which, inter alia, deals with collective bargaining machinery. In SATS and the Post Office workers are allowed to form staff associations on racial lines which may then bargain further with their respective staff relations councils.

Recommendations on service conditions are forwarded to the relevant minister for approval.

In both SATS and the Post Office there exist staff associations for African workers. However, majority representation of these workers lies with two independent unions, respectively the South African Railways and Harbours Workers' Union (SARHWU)—a COSATU affiliate and the Post and Telecommunications Workers' Association (POTWA), which is not affiliated to any federation. Refusal by SATS to deal with SARHWU was an aggravating circumstance in the railways' strike. While the issue of the recognition of POTWA was an issue in the postal workers strike, the Post Office in the end showed a greater willingness to recognise the necessity of dealing with the union (see *Strikes* below).

Opposition to the recognition of SARHWU also came from other workers, and in November the Federation of SATS Trade Unions asked the minister of transport affairs, Mr Eli Louw, not to deal with the union and with the all-white Conservative Workers' Union.²⁶⁴ [²⁶⁴ *The Star* 17 November]

Apart from the dissatisfaction of African workers with the in-house staff associations, other public sector workers, in particular those within SATS, had expressed their dissatisfaction with constraints on the collective bargaining process, more specifically as regards bargaining over wages.

In May a report by Professor Nic Wiehahn, chairman of the 1979 Wiehahn commission and director of the Business School at the University of South Africa, on the establishment of a negotiating body—to be called a labour council—to deal with salaries and service conditions within the public service had been referred to unions in the railways' sector for their comments, according to Mr Louw. He said that he had received the comments of the unions and as soon as he had considered and evaluated all aspects of the report, he would submit it to the cabinet.²⁶⁵ [²⁶⁵ *The Citizen* 27 May] The report suggested that the proposed labour council's decisions on salary increases should be final and would not be able to be modified by the government.²⁶⁶ [²⁶⁶ *Business Day* 28 May]

In May the director general of manpower, Dr Piet van der Merwe, speaking against the background of the SATS and Post Office strikes, said that government sector conciliation machinery should be reviewed to determine whether it was adequate. He said that separate legislation used in the government sector had sparked off criticisms. To achieve meaningful collective bargaining in the public sector, acceptable machinery would have to be provided, he added.²⁶⁷ [²⁶⁷ *Ibid* 7 May]

In June Professor Wiehahn said that South Africans could not escape the tendency to extend trade union rights, including the right to strike, to the public sector. He said that the scene was set for the public sector to lift as many restrictions as possible on the exercise of fundamental labour rights of management and labour in that sector. 'The right to strike of such workers should obviously be contained and regulated for, after all, essential services to the community remain of prime importance and should not be unduly interrupted,' he said. Professor Wiehahn said that public sector employees in most western industrialised countries belonged to trade unions which negotiated on their behalf. 'Even the police and soldiers have these rights to a limited degree in these nail he said. The success which

trade unions in the private sector achieve through the process of collective bargaining on wages and conditions is unavoidably contagious,' Professor Wiehahn said. 'These successes lead the way forward for other workers in the economy and do stir up a degree of envy.'²⁶⁸ [²⁶⁸ Ibid 9 June]

Professor Wiehahn said that South Africa was rapidly moving away from paternalism in most relationships, particularly in those between the races and between employers and employees. People, including employees, wanted to participate in particularly those decisions that affected them in their daily lives—'away from the paternalistic past to the consensus future'. He said that job security and permanence of employment in the public sector were almost as vulnerable as in the private sector. In addition, the notion of 'honour' when one worked for the state and the community had made way for an indifferent attitude, Professor Wiehahn said. South Africans, particularly whites, had become more materialistic and hence less idealistic. Lastly, he said that the government on the national and lower levels had more recently shown an appreciation of the value of negotiations in industrial relations and thus a willingness to consider developments in that direction.²⁶⁹ [²⁶⁹ *Momentum* Autumn]

Speaking in the House of Assembly in June, Mr Rupert Lorimer MP (Progressive Federal Party) said that Professor Wiehahn had told the minister of transport affairs that SATS's industrial relations machinery was obsolete. He said that the R21m worth of damage to SATS's property and the R22m in lost earnings to strikers during the SATS strike had seriously affected the whole economy and, therefore, held wider implications than just another dispute between employer and employee. Experience by private enterprise employers had been that, lacking other means of political expression, blacks were increasingly realising their power as consumers and in labour. Their political frustrations were being directed at their employers and included in their demands, and employers were unable to do anything to redress their political grievances. 'Your government ... has got to do something about that sort of situation,' Mr Lorimer told Mr Louw.²⁷⁰ [²⁷⁰ *Hansard* (A) 3 col 914, 5 June]

Freezing of pensions

Unions were critical of the findings of a joint committee on pension benefits appointed in 1984 and chaired by Mr Kobus Meiring, who was later made deputy minister of foreign affairs. The findings on the preservation of pensions evoked particular criticism. The committee's report, tabled in Parliament in 1987, encouraged a system of voluntary or negotiated preservation of pensions so as to prepare the way for compulsory preservation. Mr Meiring said in an article in a Sanlam publication that the committee had in principle decided to halt the repayment of pension contributions to employees who changed jobs. This would not apply to people who had reached the normal retirement age, died or became disabled before the pension came into operation, or emigrated. He said that 'a real problem that the committee has encountered is that it has not yet established sufficient contact with certain trade unions'. In 1981 the draft Preservation of Pensions Bill, aimed at freezing pension fund payouts until retirement, had sparked off widespread strikes and unrest (see 1981 *Survey* p210). The bill was then dropped.²⁷¹ [²⁷¹ *Business Day* 9 March; *The Star* 9 March; Information provided by the Progressive Federal Party (PFP)]

A national organiser for the National Union of Metalworkers of South Africa (NUMSA), Dr Bernie Fanaroff, said that any move to freeze pension repayments would cause ‘tremendous problems’. The union, he said, was in the process of negotiating with a number of companies about moving workers’ contributions from pension funds to provident funds. Provident funds, he said, unlike pension funds, enabled workers to claim back their own contributions, a proportion of the company’s contributions, and interest.²⁷² [272 *Business Day* 9 March; *The Star* 9 March, 18 March; Information provided by the PFP’s research department]

The managing director of pensions at Old Mutual, Mr Gerhard van Niekerk, warned that freezing pension payouts would be ‘political madness’ in the present economic and political climate.²⁷³ [273 *The Star* 9 March]

Unions and politics

A report on a strategy for employment creation and labour intensive development by the economic affairs committee of the President’s Council (PC) recommended ‘that an investigation be launched into the activities of trade unions on employment creation and specifically into the activities of the unregistered trade unions, general trade unions, and trade union federations’. The committee found that some activities of these unions had had a negative influence on job creation.

At a press conference, the chairman of the committee, Dr F P Jacobz, said that there were several over-politicised trade unions, particularly the unregistered trade unions. Naming COSATU, he claimed that there was no control of funding or accountability of whether the funds had been used in the interests of members or for other purposes. In the report the committee referred to evidence which stated that stayaways and excessive wage demands without corresponding increases in productivity were contributing to unemployment because industrialists were turning to greater mechanisation.²⁷⁴ [274 *Report on a Strategy for Employment Creation and Labour Intensive Development*, Committee for Economic Affairs of the President’s Council PCI/1987 p61]

During a debate in the PC on the report in mid-May, Mr Pieter Schoeman (Progressive Federal Party) said that it was clear that the committee was concerned by the ‘over-politicisation’ of some unions, and he disassociated himself from the recommendation for an investigation. He said that as long as Africans were denied full political rights, unions would be used as political platforms and would remain a breeding ground for ‘black activism’.²⁷⁵ [275 *Ibid* pl67]

In May the PFP’s labour spokesman, Mr Peter Gastrow, warned the government against proceeding with what he said appeared to be a campaign to ‘curtail legitimate trade union activities’ and to ‘bash’ COSATU. The PFP’s concern was based on repeated threats by NP spokesmen during the election campaign against what was perceived as the overtly extra-parliamentary political role of some unions, and the PC committee’s report

The minister of law and order, Mr Adriaan Vlok, denied that there was a campaign against the unions. The South African Police (SAP) did not interfere in bona fide union activities, he argued. Mr Vlok claimed that COSATU was responsible for ‘thousands’ of Africans losing their jobs and that people were angry with it. ‘The SAP and the government are responsible for the safety of all people in South Africa. We will not allow anyone to hide behind the cloak of a labour movement,’ he said.²⁷⁶ [²⁷⁶ *Financial Mail* 29 May]

Mr Issy Pinshaw, an NP member of the PC, said that the ‘politicisation process’ was a ‘monster’ that was destroying the traditional functions of the trade union movement ‘Certain unregistered unions and federations are deliberately and intentionally embarking on a confrontation course with management and with the authorities and are hell-bent on destabilising the economy and destroying social order,’ he alleged.²⁷⁷ [²⁷⁷ *Ibid* 29 May]

In a memorandum sent to the minister of manpower, Mr Pietie du Plessis, on 15 May, the South African Federated Chamber of Industries (FCI) said that any ‘crackdown’ on the black labour movement would be wrong, and that unions’ political activities would not normalise until their members were given an effective say in the running of the country. It criticised the approach of the security establishment that unionists would not be harassed and/or detained ‘as long as they are involved in bona fide trade union activities’. Such a view, it said, was out of touch with reality in that ‘it gives rise to a dangerous mode of thinking which suggests that the political dimensions of industrial relations issues can be resolved by using physical force against a few communist agitators and revolutionaries’. Such an approach would not work. The FCI added that it was the experience of many employers that the leaders of organisations such as COSATU and NACTU were not communists threatening the free enterprise system. Rather, it said, they were the legitimate representatives of the views of organised employees. There was an urgent need, said the FCI, for serious and open discussion to clarify the roles of the Department of Manpower, the security establishment, and employers in industrial relations. The memorandum said that industry had accepted that it would become involved in the larger black struggle for political rights and greater economic welfare.²⁷⁸ [²⁷⁸ *Eastern Province Herald* 3 July]

Speaking in London at the same time, Mr Naidoo ruled out the possibility of working with business against apartheid. He said that even under the state of emergency there was no indication that business was prepared to go further than the verbal condemnation of apartheid.²⁷⁹ [²⁷⁹ *Ibid*]

The secretary general of the PFP, Mr Robin Carlisle, said at a meeting in June that South Africa and labour unions would soon feel ‘more massive repression than ever before’. South Africans should join together to make sure that this did not happen, he said, adding that the the government might be aiming its action mainly at COSATU. ‘If big business does not come out strongly against government’s trade union bashing, the process of collective bargaining will disappear,’ he said.²⁸⁰ [²⁸⁰ *Business Day* 4 June]

In July the minister of manpower, Mr Pietie du Plessis, warned that the government would not hesitate to take counter-measures against politicised trade unions. He said that certain trade unions regarded the

labour field as a battleground where political aspirations could be realised. He claimed that it appeared that certain of them had degenerated into pressure groups with aims which had little to do with the welfare of their members. A revolutionary climate had developed which was exploited to attain ends which threatened the orderly existence of the population at all levels. Although the government and the department followed an ‘impartial’ approach, the position would be carefully monitored and ‘we will not hesitate to restore an imbalance in the negotiation process’, he said.²⁸¹ [²⁸¹ Ibid 10 July]

Responding to these allegations, COSATU’s press officer, Mr Frank Meintjies, said, ‘Our membership bears the brunt of apartheid and are using the organisation they have built to speak out on problems such as housing, transport, urban rights, and even the vote. This is legitimate particularly because government repression drastically limits avenues for political representation. Hundreds of thousands of workers are being politicised daily through the high-handed government intervention—on the side of management—during workplace disputes.’ Mr Meintjies claimed that the police and emergency regulations were used to break up legitimate strikes. ‘The attacks on COSATU in recent months have gone a long way to making our members more politically conscious.’²⁸² [²⁸² *Sunday Times* 12 July]

On 4 November the commissioner of police, General Hennie de Witt, told the Motor Industry Employers’ Federation that COSATU was involved in a ‘practice run’ which could lead it to paralyse the economy. Politically motivated strikes, which were part of its ‘living wage campaign’, and its attempts to form one trade union in each industry were part of the practice run, he claimed. He alleged that COSATU and the South African Communist Party (SACP) had a common objective—to turn the country into a socialist state.²⁸³ [²⁸³ *The Citizen* 6 November]

COSATU rejected these claims. Defending the federation’s ‘living wage campaign’, Mr Meintjies said that it was indisputable that the country’s economy was built on cheap labour. Most of the working people in South Africa did not earn enough to buy basic commodities for a decent life. Companies continued to make record profits, he said. The working class in South Africa has every right to call for a greater share in the wealth produced.²⁸⁴ [²⁸⁴ *The Star* 10 November]

The government acted against COSATU on 24 February 1988 at the same time as it effectively banned 17 other bodies. In terms of a notice in the *Government Gazette* the federation was prohibited from undertaking a wide range of actions (see chapter on *Security*).

Strikes

Statistics

Nineteen eighty-seven saw, for the first time, more than 1 000 strikes in South Africa and, also for the first time, more than half a million workers involved in them. At the same time there were unprecedented levels of violence during strikes.²⁸⁵ [²⁸⁵ *Financial Mail* 8 January 1988] Strikes occurred far less

frequently in the first half of 1988, however

The table below gives details of the number of strikes (including work stoppages but excluding political stayaways), workers involved in them, and mandays and wages lost over a ten-year period:

Strikes 1978–1987

Year

No of strikes

Total workers involved

Total mandays lost

Total wages lost (R)

1978

106

14 160

10 558

44 354

1979

101

22 803

67 099

20 250

1980

207

61 785

174 614

1 401 516

1981

342

92 842

226 554

2 263 705

1982

394

141 571

365 337

4 544 362

1983

336

64 469

124 596

1 697 610

1984

469

181 942

379 712

5 174 798

1985

389

239 816

678 273

8 184 985

1986

793

424 340

1 308 958

23 166 278

1987*

1 148

591 421

5 825 231

14 058 102

It was reported in July 1988 that strike action during the first six months of the year was 89% down on the same period the previous year, and at its lowest level since 1983. A survey by Andrew Levy and Associates indicated that 120 035 mandays had been lost between 1 January and 30 June 1988. against 1,1m in the first six months o

Strikes 1978–1987: racial breakdown ²⁸⁷

Workers involved

Year

African

Asian

Coloured

White

1978

13 578

111

406

65

1979

15 494

268

1 425

5 616

1980

56 286

224

5 265

—

1981

84 706

1 865

6 271

—

1982

122 481

1 170

17 920

—

1983

61 331

1 712

1 415

11

1984

174 897

1 725

5 304

16

1985

225 045

1 879

12 883

9

1986

400 775

1 366

13 944

255

1987*

572 706

2 266

16 359

90

*

Preliminary estimates

287 [287 *Hansard* (A) 4 q cols 201-202, 2 March]

Details of strike by sector, are, and reasons for strikes in 1986, and for 1987, where available, are given below:

Strikes by sector: 1986 ²⁸⁸

Sector

Number

Workers involved

Mandays lost

Mandays lost per worker

Construction

30

5 581

13 709

2,46

Electricity

4

73

78

1,07

Finance and insurance

5

571

2 787

4,88

Government and services

19

4 177

62 406

14,94

Manufacturing

433

130 340

611 826

4,69

Mining

96

254 083

495 002

1,95

Trade and accommodation services

171

20 585

113 235

5,50

Transport and communication

35

8 980

9 915

1,10

Total

793

424 390

1 308 958

3,08

288 [288 *South African Labour Statistics* 1987]

Strikes by sector: 1987 ²⁸⁹

Sector

Number

Workers involved

Mandays lost

Mandays lost per worker

Construction

84

12 340

58 489

4,7

Electricity

6

3 264

3 737

1,1

Finance and insurance

16

2 140

12 263

5,7

Government and services

54

15 270

38 216

2,5

Manufacturing

580

184 071

918 153

5,0

Mining

141

347 183

4 266 947

12,3

Trade and accommodation services

220

20 483

486 253

23,7

Transport and communication

47

6 670

41 176

6,2

Total

1

Reasons for strikes: 1986 ²⁹⁰

Reason

Number

Wages

206

Wages and other reasons

42

Union matters

27

Working circumstances

130

Disciplinary matters

102

Other or unknown

286

Total

793

290 [²⁹⁰ *South African Labour Statistics* 1987]

Strikes by area: 1986 ²⁹¹

Area

Number

Workers involved

Mandays lost

Mandays lost per worker

Bloemfontein

15

17 956

19 442

1,08

Cape Peninsula

32

4 761

7 588

1,59

Durban

57

10 543

40 061

3,80

East London

33

13 150

53 908

4,10

Kimberley

8

6 835

16 773

2,45

OFS Goldfieds

15

19 117

43 623

2,28

Pietermaritzburg

5

618

845

1,37

Port Elizabeth

37

7 481

43 848

5,86

Pretoria

86

14 574

51 649

3,54

Vaal Triangle

49

7 620

75 621

9,92

Western Transvaal

9

66 365

101 763

1,53

Witwatersrand

294

169 217

651 706

3,85

Rest of SA

153

86 153

202 131

2,35

Total

793

424 390

1 308 958

3,08

291 [²⁹¹ Ibid]

It was reported in July 1988 that 30 companies had sprung up in recent months in the Pretoria/Witwatersrand/Vereeniging (PWV) area to supply non-union strike-breaking labour.²⁹² [²⁹² *Business Day* 4 July 1988]

The report of the National Manpower Commission (NMC) tabled in Parliament in May 1988 said that the sharp rise in strikes in 1987 was mainly due to extensive strikes in the mining industry, particularly in the third quarter of the year. At least 800 000 mandays were lost owing to strikes in this sector. The average duration of strikes increased from 3,1 days in 1986 to 9,9 days in 1987. Wages and wage-related problems were the cause of 40,8% of all strikes. Most—51%—were in the PWV area. In comparison with other countries. South Africa now had a high strike intensi

Speaking in Parliament after the release of the report, the minister of manpower, Mr Pietie du Plessis, said that there would have been more strikes had it not been for the government's arbitration machinery. He said that the 'total onslaught' had been extended to the labour terrain, but the arbitration machinery had 'withstood this without a need for violence'. Intimidation had brought about an increase in the number of strikes and mandays lost, the minister said. The government was looking to see how the law could be improved. One of the main problems was garnering sufficient evidence against intimidators.²⁹⁴ [294 Ibid 5 May 1988]

According to the minister of law and order, Mr Adriaan Vlok, 977 African workers were arrested for striking illegally in 1986 and 999 in 1987.²⁹⁵ [295 *Hansard* (A) 4 q col 369, 23 February, *Hansard* (A) 8 q col 837, 30 March 1988]

The minister of justice, Mr Kobie Coetsee, said that from 1 July 1983 to 30 June 1984, 351 people were charged with striking illegally, and 238 were convicted. The figures for 1 July 1984 to 30 June 1985 were 85 and 65 respectively, and for 1 July 1985 to 30 June 1986 seven and seven respectively. Between 1 July 1986 and 30 June 1987, 127 workers were charged and 20 convicted.²⁹⁶ [296 *Hansard* (A) 4 q col 419, 23 February, *Hansard* (A) 5 q col 383, 9 March 1988] The minister of law and order said that during 1986 the police were called to the scene of a labour dispute 64 times, a work stoppage 26 times and a strike 286 times; and 148, 142 and 353 times in 1987.²⁹⁷ [297 *Hansard* (A) 4 q col 419; *Hansard* (A) 9 q col 841, 30 March 1988]

The 999 Africans arrested for striking illegally in 1987 constituted 0,17% of the number who went on strike.

Particular strikes

Strikes in 1987 revealed two trends: increasing dissatisfaction of public sector workers with the negotiation channels open to them (see also *Noteworthy Labour Practices* above) as shown by two major strikes by railway and Post Office workers; and growing militancy and unionisation of mineworkers, which led to the largest and longest mining strike in South Africa's history. These three strikes are discussed below.

South African Transport Services strike

One of the major strikes to affect South Africa during 1987 was that of about 18 000 workers of the state-owned South African Transport Services (SATS), which started on 13 March and ended on 5 June.

Eleven people died during the strike, the largest in the history of SATS.²⁹⁸ [298 *The Weekly Mail* 24 February 1988] Initially over the dismissal of a worker, one of the major issues of the strike became the refusal by SATS management to recognise the South African Railways and Harbours Workers' Union

(SARHWU), an affiliate of the Congress of South African Trade Unions (COSATU), to which many of the workers belonged. The transport service is not subject to the Labour Relations Act of 1956, which sets up bargaining structures for the private sector. Instead it is covered by the Conditions of Employment (SATS) Act of 1983, which allows for a limited kind of unionism only.

In terms of this act the minister of transport affairs has the power to decide which unions should be recognised. Of the 11 recognised unions within SATS, there is one for African workers, the Black Trade Union (BLATU). Public sector workers may not strike. The question of bargaining rights for public sector workers had already come under scrutiny prior to the strike. Professor Nic Wiehahn, chairman of the commission of inquiry into labour legislation which reported in 1979, and head of the School for Business Leadership at the University of South Africa, had examined the bargaining structures at SATS, and had recommended an overhaul of these structures (see *Noteworthy Labour Practices* above).

The strike began on 13 March when about 500 workers downed tools at the City Deep depot (Johannesburg) demanding the reinstatement of a colleague, Mr Andrew Nendzamba, who had been dismissed for handing in late an amount of R40 collected during a delivery. The strike quickly spread to depots throughout the Witwatersrand and to Vereeniging, and by mid-April an estimated 18 000 workers at 80 depots were on strike. Workers promised to resume work if SATS:

- unconditionally reinstated the dismissed worker;
- made a statement of intent to eliminate racism and set up grievance-settling machinery to deal with related complaints;
- took no disciplinary action against workers as a result of the strike; and
- paid workers for the time that they stayed away from work.²⁹⁹ [²⁹⁹ *The Star* 26 March, *The Sunday Star* 19 April]

From the start of the strike, management refused to meet SARHWU representatives because the union was not recognised by SATS even though the union claimed to represent most of the strikers.³⁰⁰ [³⁰⁰ *Business Day* 25 March] SATS instead agreed to talks with a committee made up of three workers elected by strikers and six representatives of BLATU.³⁰¹ [³⁰¹ *The Citizen* 25 March] Various meetings between SATS and worker representatives ended in deadlock or failed to materialise because SATS continued to refuse to deal with SARHWU.

Support for the striking workers was pledged by COSATU, whose general secretary, Mr Jay Naidoo, said that the right of workers to join trade unions of their choice was the key issue at stake in the strike. SATS was violating the principle of freedom of association enshrined in South African labour legislation by refusing to negotiate with the union of the strikers' choice, and by recognising only the in-house union.³⁰² [³⁰² *Business Day* 3 April] Mr Naidoo said that affiliate unions had decided to take solidarity

action in support of SARHWU.³⁰³ [³⁰³ *The Citizen* 3 April]

Violence broke out in the second week of April. Some 136 railway carriages were attacked, 30 being damaged beyond repair. The estimated cost of the latter was R7.6m. Security forces were brought in to guard the carriages.³⁰⁴ [³⁰⁴ *Hansard* (A) 12 q col 710, 31 August]

Railway carriages were set alight not only in Soweto but at stations in Johannesburg itself, as well as in a number of other towns. At one stage rail traffic on the Witwatersrand was reported to be in chaos at peak hour.³⁰⁵ [³⁰⁵ *Business Day* 16 April] A SATS spokesman said that there was a possibility that ‘arson on trains’ formed part of the union’s campaign of ‘intimidation’ against SATS, but the union said it was taking legal opinion on how to react to statements linking it to clearly illegal acts.³⁰⁶ [³⁰⁶ *The Star* 14 April]

In a broadcast on Radio Freedom from Addis Ababa the ANC said of the burnings of railway coaches in Johannesburg that for the first time fires had spread from the townships into a white area.³⁰⁷ [³⁰⁷ BBC Monitoring Service 20 April] In a later broadcast the ANC said that the actions of railway workers who burnt a number of coaches during the strike should serve as an example of what should be done throughout the country.³⁰⁸ [³⁰⁸ *Ibid* 3 June]

SATS threatened to fire workers a number of times unless they returned to work by a certain deadline, this eventually being extended to 22 April.³⁰⁹ [³⁰⁹ *The Star* 21 April] About 1 000 of the 18 000 workers met the deadline, the rest being dismissed. SATS said that these workers would be given the opportunity to renew their contracts. SATS’s general manager, Dr Bart Grove, said that those who had been guilty of acts of intimidation would not be considered for re-employment. Nor would strikers be paid for the duration of the strike. Trade union membership would not play a role in reinstatement.³¹⁰ [³¹⁰ *Ibid* 23 April] SARHWU responded by again demanding the unconditional reinstatement of all workers and the beginning of bona fide negotiations between SATS and elected worker representatives.³¹¹ [³¹¹ *Ibid*] Dr Grové said that he would be approaching the minister of transport affairs to amend legislation retroactively as soon as possible to provide for the continuation of reinstated workers’ terms of employment, including pensions and long-service bonuses.³¹² [³¹² *Ibid*]

On 22 April further violence broke out, when, according to a lawyer for COSATU, police opened fire without warning on a meeting which was discussing the SATS ultimatum at the SARHWU premises in Germiston (east Rand)—a hall in a shopping centre. Three unionists were killed and four policemen were injured. Police alleged that a meeting failed to disperse after warnings and that they were forced to shoot when the crowd became aggressive. At about 1pm a further three unionists were killed and five injured when police opened fire on a group of strikers who were marching to the Doornfontein Station (Johannesburg) to catch a train to Germiston to investigate events there. Police then raided COSATU House—COSATU’s Johannesburg headquarters—keeping people captive there for about four hours and detaining about 400 unionists.³¹³ [³¹³ *Business Day* 23 April] Scores of doors in COSATU House were smashed open, cupboards ransacked, telephone wires cut in some offices, documents strewn around

offices and thrown out of windows, and briefcases ripped open.³¹⁴ [³¹⁴ Ibid] COSATU said that it would sue the police for the damage, which was estimated at R53 000. The United States (US) government demanded an independent investigation into the shootings of the six railway workers.³¹⁵ [³¹⁵ *The Star* 24 April]

COSATU condemned the violence 'as an assault on the entire labour movement' and promised solidarity with the strikers in the next few days. Mr Naidoo said that the shootings were 'a concerted attempt to break the strike'.³¹⁶ [³¹⁶ Ibid 23 April]

On 23 and 28 April COSATU lodged urgent applications against the minister of law and order and, respectively, the east Rand commissioner of police and the Witwatersrand divisional commissioner of police in the Witwatersrand Local Division of the Supreme Court (Rand Supreme Court) to restrain members of the South African Police (SAP) from disrupting COSATU members' lawful activities at its Germiston and Johannesburg headquarters.³¹⁷ [³¹⁷ *The Citizen* 24 April] Without making any admissions, the east Rand police undertook not to act unlawfully. After their undertaking the case was not pursued.³¹⁸ [³¹⁸ *The Sunday Star* 26 April] While denying allegations against the police, the Witwatersrand divisional commissioner of police undertook that the police would continue to act lawfully and that he would instruct policemen on guard at COSATU House not to assault or intimidate COSATU members. The police agreed to return a number of items seized on 22 April (see *Action Involving Trade Unions* above).³¹⁹ [³¹⁹ *Sowetan* 29 April]

Answering a question in Parliament in October, the minister of law and order said that on 22 April COSATU House had been cordoned off. Thirteen people had been arrested on charges of public violence, three for attempted murder, one for robbery, and one for being a prohibited immigrant. The police had been assisted by the South African Defence Force (SADF) in accordance with the provisions of the emergency regulations promulgated in terms of the Public Safety Act of 1953. The minister said that a charge of theft and malicious damage to property had been laid against the security forces on 11 May.³²⁰ [³²⁰ *Hansard* (A) 16 q cols 1118-1119, 6 October]

The bodies of four SATS workers who had been 'necklaced' to death were found near Kaserne (Johannesburg) on 27 April, and on 28 April police arrested 11 people at COSATU House, allegedly in connection with the killings. A fifth body was later found in Tembisa (east Rand). A COSATU statement said, 'We are holding a meeting with SARHWU to determine the true facts of what has happened. If those workers died at the hands of other railway workers, we say that should not have happened.'³²¹ [³²¹ *The Star* 1 May]

On 30 April COSATU and SARHWU undertook in the Rand Supreme Court to prevent unlawful acts against railway workers after SATS had alleged that SARHWU members had murdered the five 'necklaced' workers. Both COSATU and SARHWU placed on record that they were opposed to violence.³²² [³²² Ibid] They said that they were not in a position to confirm or deny the allegations against

them.

On 7 May COSATU House was severely damaged by two bomb blasts. COSATU said that the blasts ‘show that those who are eager to accuse us—wrongly so—of using violence, in reality condemn violence only selectively’ (see *Action Involving Trade Unions* above).³²³ [³²³ *The Sunday Star* 10 May] A police spokesman said the devices used were the biggest yet used on the Witwatersrand.³²⁴ [³²⁴ *The Star* 9 May]

COSATU said that SATS, by way of its statements on the strike, had attempted to discredit it in alleging that it was acting as a surrogate of the banned African National Congress (ANC) and the South African Communist Party (SACP).³²⁵ [³²⁵ *Business Day* 14 May] The federation also claimed that the police and SATS were colluding in a smear campaign to pave the way for state action against it.³²⁶ [³²⁶ *The Star* 14 May]

At the end of April SARHWU said that it would take a test case to the Supreme Court as soon as possible in an attempt to reinstate the dismissed workers. It claimed that the dismissals were illegal in that they went ‘far beyond the powers legitimately possessed by the general manager, Bart Grove’. SARHWU would argue its case on the grounds that the statutory procedure had not been followed.³²⁷ [³²⁷ *Ibid* 29 April]

The strike eventually ended on 6 June. Mr Naidoo said that SATS had agreed:

- to re-employ on or before 15 June all workers dismissed as a result of the strike. This offer would include Mr Nenzamba, but would not apply to workers arrested during the strike and found guilty on charges of intimidation. Likewise, it excluded all workers detained under the emergency and convicted;
- that returning workers would not lose their pension, travel, medical and length-of-service benefits;
- that all workers in detention would get their jobs back on release;
- that SATS facilities at the Delmore and Kaseme hostels (which had led to food boycotts just before the strike) would be upgraded, at a cost of about R10m;
- that African workers would in future be able to qualify for permanent status after two years’ service, as their white counterparts did; and
- workers would have the right to elect their own representatives.

The workers, however, would not be paid for the time on strike.³²⁸ [³²⁸ *Finance Week* 7 June, *The Weekly Mail* 12 June]

Both COSATU and SATS claimed the settlement as a major victory for railway workers. Mr Naidoo said that during the strike SATS had refused to concede that its 'labour malpractices were the cause of the dispute. This settlement demonstrates the legitimacy of the workers' demands'. As a result of the settlement the test case to challenge the dismissals was called off. A SARHWU spokesman maintained that several factors must have influenced the decision. These included that SATS was concerned about losing the court case; that the dismissed workforce contained many skilled workers who were not easy to replace; that SATS 'must have been getting desperate' because only 300 workers had responded to its offer of re-employment; that there was pressure on SATS owing to ongoing attacks on its property; and that SATS had to do something before the 17 June deadline for strikers to vacate hostel accommodation.³²⁹ [³²⁹ Ibid]

SATS, however, said that the decision to re-employ had not represented a change of heart. From the outset, it had wanted workers to return, and the only question had been the conditions upon which they would do so. 'When our conditions were met, we were satisfied,' said Mr Tienie van den Berg, SATS's deputy director of public relations. He also noted that weeks before the end of the strike, the minister of transport affairs had said in Parliament that African workers would be accorded permanent status on the railways.³³⁰ [³³⁰ Ibid]

SARHWU said that it had achieved an important breakthrough in that its and SATS's lawyers had held talks to reach settlement. Mr Van Den Berg said, however, that SATS would not talk to SARHWU. He dismissed suggestions that the talks between the lawyers represented an abrogation of that principle.³³¹ [³³¹ Ibid]

The minister of transport affairs, Mr Eli Louw, said that the strike had been an exercise in futility and that workers had lost R40m in wages. According to SATS's public relations officer, Mr Jannie van Zyl, 1 200 temporary workers had been employed during the strike.³³² [³³² *The Citizen* 28 April, *The Weekly Mail* 12 June] The union claimed that it had increased its membership as a result of the strike. At the time of COSATU's congress in July, the union had about 34 500 members.³³³ [³³³ COSATU, *Second Annual Congress Report*, 1987]

In August the deputy minister of transport affairs, Mr Myburgh Streicher, said that 16 095 strikers had been re-employed. Those not re-employed had not applied. No re-employed worker had had disciplinary action taken against him, nor had any been prosecuted because the majority had been intimidated into striking, Mr Streicher said.³³⁴ [³³⁴ *The Citizen* 19 August]

Mr Streicher claimed that the strike had to be seen against the ANC's vow to use the labour movement to encourage civil unrest and Mr Joe Slovo's appointment to take charge of the labour movement.³³⁵ [³³⁵ Ibid 6 June]

SATS claimed as the strike entered its sixth week that a backlog had quickly occurred in goods

deliveries during the early stages but that this had lasted only for a couple of days until contingency plans, previously drawn up to cope with a mass stayaway of black workers, took effect. SATS claimed that with only the occasional hiccup, things were running as smoothly as before. A spokesman said that because most of the striking workers were unskilled they could be quickly replaced. SATS would recruit from homelands, he said, and did not foresee any difficulty recruiting another 10 000 or so workers.

When the strike ended, many casual labourers, including whites, who had been taken on by SATS as casual labourers, were dismissed.³³⁶ [³³⁶ *The Star* 25 June]

A number of strikers were detained during the strike, some eventually appearing in court. For further details see *Action Involving Trade Unions* above. See also the *Political Developments* chapter for details of murder charges against SARHWU members arising from the 'necklacings' during the strike,

Post Office strikes

Several strikes were staged by African postal workers. One grievance was dissatisfaction with the lack of parity in their pay and conditions of work compared to those of white postal workers. Non-recognition of the workers' union by the Post Office was another.

On 3 April about 3 000 workers from 32 postal depots and nine post offices on the Witwatersrand went on strike. The workers' union, the Post and Telecommunications Workers' Association (POTWA), said that the strike had started because attempts to discuss workers' grievances with the regional director had proved fruitless.³³⁷ [³³⁷ *Sowetan* 7 April] The president of POTWA, Mr Vusi Khumalo, drew up a list of demands which included:

- an end to arrogance by management during meetings with union representatives;
- provision of transport for Africans sent to work outside Johannesburg on the same basis as provided for other race groups;
- reinstatement of all workers dismissed by the Post Office since November 1986;
- the scrapping of apartheid which denied African workers the right to use lavatories, telephones and canteens designated for whites;
- the scrapping of the quota employment system whereby management hired on racial lines and promoted other racial groups to supervise African workers;
- an end to deductions when workers failed to report for work because of illness;

- an off-day accumulated from the five-and-a-half-day week (half was worked on Saturdays);
- relief for elderly people who had worked for years in the Post Office; and
- facilities for pension payments in Soweto and other areas.³³⁸ [³³⁸ Ibid 10 April]

Later demands were for higher wages. Protests against the dismissal of two workers and the detention of two others were registered.³³⁹ [³³⁹ *The Star* 25 April] The strike was also held in sympathy with striking railway workers (see above).

On 15 April the Department of Posts and Telecommunications announced a policy of non-payment of strikers. Workers could forfeit all or part of their pay during a strike, including allowances. This would apply to any worker who reported late for work without valid reason, missed work without consent and refused or failed to carry out duties.³⁴⁰ [³⁴⁰ Ibid 16 April]

Eventually it was estimated that about 5 000 workers were out on strike.

The strike ended on 3 May. Workers' demands for increased wages were not met. Management agreed to pay the workers for 18 days of the strike; the remaining 10 were taken off annual leave. Management was reported as saying that it was 'wise to recognise POTWA as a fully-fledged staff association, to identify leaders and to enter into negotiations'.³⁴¹ [³⁴¹ Ibid 4 May]

Mr Khumalo said that management had also agreed to provide covered transport for POTWA members and that segregated canteens and lavatory facilities had been scrapped. He said that he intended asking the Post Office to enter into recognition talks with him.³⁴² [³⁴² *The Citizen* 4 May] The union claimed that the strike boosted its membership considerably and that it had signed up almost 90% of its potential membership on the Witwatersrand by the end of the strike.³⁴³ [³⁴³ *The New Nation* 7 May]

On 29 June about 660 postal workers in East London and Port Elizabeth (eastern Cape) downed mailbags over the alleged unfair dismissal of two of their colleagues. They said that they would return to work only once the two had been reinstated.³⁴⁴ [³⁴⁴ *Eastern Province Herald* 30 June] Within ten days about 1 300 postal workers were on strike in the eastern Cape. The refusal of management in some areas to recognise POTWA was cited among the causes. Other demands included the removal of apartheid structures within Post Office buildings, a change in the racialistic attitude of some white superiors and salary parity.³⁴⁵ [³⁴⁵ *Cape Times* 3 July]

On 29 and 30 July between 16 000 and 20 000 Post Office workers countrywide staged a two-day stoppage in support of parity in wages and their striking eastern Cape colleagues. Statements by management that there was parity in wages were questioned by the union, which said that wage

increases on 1 July had still not led to parity in unskilled workers' wages.³⁴⁶ [³⁴⁶ *Business Day* 1 July] All these strikers (ie those outside the eastern Cape) went back to work after two days. Management rejected union demands that workers be paid for the time that they were out on strike and that 60 colleagues dismissed since 1985 be reinstated.³⁴⁷ [³⁴⁷ *Eastern Province Herald* 31 July]

On 3 August more than 1 000 workers on the Witwatersrand downed mailbags in support of the eastern Cape workers and in protest against a court interdict (see below).³⁴⁸ [³⁴⁸ *Ibid* 4 August] At least 18 striking workers in the northern and eastern Transvaal were detained during the strike.³⁴⁹ [³⁴⁹ *Sowetan* 6 August]

On 12 August POTWA said that postal services throughout the country could be brought to a standstill unless the issue of parity in the Post Office was resolved soon. It said that the dispute could be resolved quickly if:

- management stated that it recognised that parity and an end to discrimination were legitimate demands;
- management gave a statement of intent on when and how moves would be made to treat all workers equally; and
- police and security interfered in the strike stopped.

POTWA also deplored the sacking of 100 workers of the 1 700 on strike.³⁵⁰ [³⁵⁰ *The Star* 13 August]

On 29 July the Post Office applied for an urgent Supreme Court interdict to restrain POTWA from promoting any further strike action.³⁵¹ [³⁵¹ *The Citizen* 30 July] On 6 August the Post Office's interdict was dismissed with costs in the Transvaal Provincial Division of the Supreme Court. Mr Justice D le Roux said that the applicant had not named or identified the workers against whom the interdict was sought. It was also not made clear what these employees had done wrong. Judge Le Roux said that every fact on which the applicant relied had been based on hearsay, and counsel for the applicant had not established a case for a permanent interdict.³⁵² [³⁵² *Ibid* 7 August]

On 14 August the minister of home affairs and of communications, Mr Stoffel Botha, made proposals. These were: to provide for a mechanism negotiated by management and POTWA to deal with future grievances; to reinstate the strikers dismissed in the eastern Cape if they applied by 17 August; and to investigate cases where it was alleged that workers had previously been wrongly dismissed in the eastern Cape and to make redress if necessary. In turn all workers were expected to return to work by 17 August. Workers would not be paid for the time on strike.³⁵³ [³⁵³ *Eastern Province Herald* 15 August]

The union said that by 17 August about 20 000 workers were on strike countrywide. The Post Office put the figure at 13 000. It began dismissing workers who failed to meet the deadline.³⁵⁴ [³⁵⁴ *The Star* 21 August,

Business Day 18 August]

The strike eventually ended on 3 September. Mr Khumalo said that management had agreed to increase the minimum monthly wage for unskilled workers by 20% from 1 October, bringing it to just under R375. It was believed that the increase would apply to about 10 000 workers.³⁵⁵ [³⁵⁵ *Business Day* 4 September] Workers lost about R7m in wages while they were on strike. Management also agreed that dismissed workers could reapply for their jobs. If already replaced, applicants would be put on a priority list for re-employment. About 2 300 new workers had been employed.³⁵⁶ [³⁵⁶ *The Star* 3 September] Workers dismissed prior to the strike would be re-employed provided POTWA substantiated allegations that they had been wrongfully dismissed. Workers detained while on strike would be entitled to resume work on their release unless convicted of an offence. Workers unable to start work on or before 7 September were to be given a week's grace provided they could explain why. Anybody participating in the work stoppage after 14 September would be liable for dismissal. The department undertook to achieve salary parity. Mr Khumalo claimed that pressure by management had had to be exerted on Mr Botha to agree to the settlement.³⁵⁷ [³⁵⁷ *Eastern Province Herald* 4 September]

Mining strike

Nineteen eighty-seven saw the longest and biggest mineworkers' strike in South Africa's history. An estimated 220 000 to 330 000 black miners went on strike over wage and other demands from 9 August to 30 August on 33 of the 99 gold and coal mines belonging to the Chamber of Mines of South Africa. About 41 000 workers were fired when they failed to meet deadlines to return to work in the week preceding the settlement.³⁵⁸ [³⁵⁸ *Cape Times* 31 August, Chamber of Mines Newsletter Aug/Oct] By the end of the strike 50 000 employees had been dismissed from the mining industry.³⁵⁹ [³⁵⁹ Anglo American Corporation (AAC) Annual Report 1988]

According to some claims, during the strike 16 workers were killed in clashes between miners and police and mine security, and more than 500 were injured. The industrial relations adviser to the chamber, Mr Johann Liebenberg, claimed, however, that three of 18 people killed in August were killed in clashes involving mine security. Fifteen of the 18 fatalities had occurred in clashes between strikers and non-strikers: 12 of these were evidently 'employees not wishing to participate in the strike', he claimed. The manner in which non-striking employees were attacked included 'necklacing', poisoning, strangling and stabbing. Strikers had been stabbed or shot.³⁶⁰ [³⁶⁰ Chamber of Mines Newsletter Nov/Dec] The Anglo American Corporation (Anglo) said that 'strike violence led to the death of 29 employees' on its mines.³⁶¹ [³⁶¹ AAC Annual Report 1988]

Deadlock in negotiations between the National Union of Mineworkers (NUM) and the chamber came after the chamber offered a final increase of 17% for highest category workers represented by the NUM to 23% for all surface and underground workers in the lowest categories. Increases offered for colliery workers ranged from 15% to 23,4%. The offer was rejected by the NUM, which demanded a 30% across-

the-board increase. The other issues on which the parties failed to reach agreement were:

- holiday leave;
- the NUM's demand that workers receive danger pay;
- its demand that the beneficiaries of deceased miners should receive payment equal to five times the workers' annual earnings under the death benefit scheme; and
- its demand for a paid holiday on 16 June.³⁶² [³⁶² *Finance Week* 2-8 July]

Management introduced the increases on 1 July. They brought the minimum cash wages for the members of the chamber as a whole to R263 a month for underground workers and R239 for surface workers on the gold mines; and R239 for underground workers on the coal mines, and R223 for surface workers.³⁶³ [³⁶³ Letter from the Chamber of Mines of South Africa, 28 March] According to the Anglo American Corporation of South Africa (Anglo), after the increases the minimum wages on its gold mines were R330 for underground workers and R289 for surface workers. Minima at other mining houses would generally be below this.³⁶⁴ [³⁶⁴ *Business Day* 14 August]

Before the increases workers on the gold mines were receiving a minimum of R238 a month and on the coal mines R225, while the average black wage for an underground worker was R431 and for surface workers R413 a month.³⁶⁵ [³⁶⁵ *The Star* 12 August, *Business Day* 13 August]

The chamber rejected the union's proposal that the matter be sent to arbitration or mediation, and union members then voted to go on strike.³⁶⁶ [³⁶⁶ *The Citizen* 4 August]

The NUM, in leaflets which listed strike rules, said that there should be no intimidation and that workers who wished to work should be allowed to do so. The union argued that coercion was antithetical and detrimental to its practice as a democratic organisation, in which people were expected to participate through conviction rather than fear. It added that its members were entitled to defend themselves—physically if necessary—against excesses by mine security personnel and the police.³⁶⁷ [³⁶⁷ *Business Day* 4 November]

There were widespread accusations of violence from both sides. The NUM accused mine managements of using mine security to crush the strike while management accused workers of intimidating other workers into striking.³⁶⁸ [³⁶⁸ *The Star* 11 August]

The chairman of the gold and uranium division of the Johannesburg Consolidated Investment Company (JCI), Mr Kenneth Maxwell, claimed in September that at least 33 men who had refused to strike had been murdered on 13 gold and coal mines and that mineowners suspected that they had been killed by

strikers because they had ignored the strike call. The assistant general secretary of the NUM, Mr Marcel Golding, challenged the company to prove its allegations and give details.³⁶⁹ [³⁶⁹ *Sowetan* 28 September] The head of the public relations directorate of the South African Police, Colonel Vic Haynes, said that he was not aware of any orchestrated attempt to murder miners who had not participated in the strike.³⁷⁰ [³⁷⁰ *The Star* 24 September] A JCI spokesman subsequently said that this allegation had been made in the ‘heat of events’. The number of deaths was lower than 33, and most had definitely nothing to do with the strike. There was no proof that the remainder had anything to do with it either, he said.³⁷¹ [³⁷¹ Information provided by JCI]

In his chairman’s review of the Anglo-managed Free State Consolidated Gold Mines (Freegold) in December, Mr Peter Gush claimed that the 18 months preceding the strike had seen an escalation in ‘acts of violence and brutality by certain union members and leaders towards fellow workers, including not only murder, but also public executions’. He also claimed that there had been incidents of violence in the period following the strike.³⁷² [³⁷² *The Citizen* 22 December]

During the strike Anglo’s Vaal Reefs gold mine obtained a court interdict restraining strikers and shaft stewards from intimidating other employees and threatening their safety. The company claimed that ‘kangaroo courts’ and threats of ‘necklacing’ had prompted its application.³⁷³ [³⁷³ *The Star* 16 August]

Talks held between Anglo and the NUM on 17 and 18 August to end the violence broke down. Anglo had suggested that the normal functioning of all hostels be under the control of management, as was normally the case; that there should be normal access to hostels by workers, management and union officials; that there should be normal access to shafts and plants, with areas designated for peaceful picketing should the NUM request this; and that force or the threat of force should not be used by management, the union, or union members to prevent workers from striking peacefully or working normally. In the event of a breach of these conditions each side should notify the other, but management remained responsible for maintaining peaceful conditions on its property and would continue to ensure protection of life and property.³⁷⁴ [³⁷⁴ *Business Day* 19 August]

The NUM felt that these proposals were not sufficient, and it asked that management demobilise mine security; that mine security forces be removed from hostels; that they should not patrol the mines and should not be visible; that Anglo should not call the South African Police (SAP) on to mine property under any circumstances; that charges against workers arrested during the strike should be withdrawn by Anglo; that if agreement was reached a monitoring system with an independent arbitrator be set up; and that all workers injured in violence on the mines should be compensated and a fund set up for this purpose.³⁷⁵ [³⁷⁵ *The Citizen* 18 August] The NUM’s general secretary, Mr Cyril Ramaphosa, claimed that Anglo had agreed to only one of the NUM’s proposals—to demobilise mine security. He also said that Anglo’s proposals were ‘not sufficient to restore mines to a non-violent situation’.³⁷⁶ [³⁷⁶ *Business Day* 19 August] The NUM leadership walked out of the talks on 18 August after hearing of attacks on miners by police at Anglo’s President Steyn gold mine in Welkom (Orange Free State).

The question of mine violence was also discussed at a meeting between the NUM and the chamber on 8 October, without a final outcome.³⁷⁷ [³⁷⁷ *The Citizen* 16 October] On 6 November the chamber and the NUM met again to discuss ways of ending violence on the mines.³⁷⁸ [³⁷⁸ *Ibid* 7 November] No agreement was reached and the talks were to continue at a later date, not agreed upon.

In December Mr Gush said that the NUM had yet to respond positively to a proposal by Anglo for a joint code of conduct to help eliminate mine violence.³⁷⁹ [³⁷⁹ *Ibid* 22 December]

On 22 December the NUM said that it had forwarded a detailed memorandum to the chamber giving its position and perspectives on mine violence, in response to a letter by the chamber asking it to clarify its position. The chamber had not yet responded.³⁸⁰ [³⁸⁰ *Business Day* 23 December] Striking miners were arrested on various occasions during the strike. On 13 August 78 miners were detained by police at the NUM office in Klerksdorp (west Rand) on charges of conspiracy and subversion.³⁸¹ [³⁸¹ *The Star* 13 August] Charges against 68 were dropped at the end of August and during September. Two were still to face charges.³⁸² [³⁸² *City Press* 30 August] Two NUM members were arrested in southern Lesotho at Mohale's Hoek for allegedly distributing leaflets appealing to the Basotho to support the strike.³⁸³ [³⁸³ *The Star* 28 August] In September, 29 miners, many of them shaft stewards, from mines in the Witbank (eastern Transvaal) area, appeared in court on charges of intimidation. They were released on bail of R800 each.³⁸⁴ [³⁸⁴ *Ibid* 3 September]

In November the minister of finance, Mr Barend du Plessis, denied reports that the South African Reserve Bank had been instructed to withhold overseas funds destined for the NUM in view of the mineworkers' strike. He said, 'The Treasury, as the body ultimately responsible for currency control, acknowledges that an instruction was issued to the Reserve Bank to monitor amounts received from overseas for the NUM. In carrying out this instruction, there was at most in a few cases a slight delay in the paying out of the funds. All the funds which have been received from overseas in the meantime have already been paid out.'³⁸⁵ [³⁸⁵ *The Citizen* 1 September]

Various foreign unions expressed support for the striking workers. Britain's NUM launched an international appeal for funds to support the striking miners after its president, Mr Arthur Scargill, had spoken to Mr Ramaphosa.³⁸⁶ [³⁸⁶ *Business Day* 12 August] Mozambique's trade union movement, the Organisation of Mozambican Workers (OTM), decided to ask the ministry of labour to ensure that Mozambican workers were not used to break the strike. OTM felt that the recruitment of Mozambicans for the mines should be suspended until the end of the strike.³⁸⁷ [³⁸⁷ *The Star* 28 August]

At the settlement of the strike on 30 August the chamber agreed only to an increase in the holiday leave allowance and an improvement the death benefit scheme. The NUM reduced its wage demand to 27%, but this was not met.³⁸⁸ [³⁸⁸ *Financial Mail* 4 September]

Anglo laid out the following guidelines for its rehiring of workers fired during the strike:

- it would re-employ dismissed workers together with new recruits subject to the availability of jobs and acceptable work records;
- those who reported to work within seven days would enjoy previous conditions of service;
- where previous jobs were no longer available but jobs at a lower grade were, these would be offered to them; and
- it would discuss the special circumstances of those dismissed at the two shafts (Vaal Reefs 6 and Western Holdings 1) which had been closed

At a press conference announcing the end of the strike, Mr Ramaphosa said that the strike was neither a defeat for the union nor a victory for the chamber. He described it as a 'dress rehearsal' for 1988.³⁸⁹ [³⁸⁹ *The Star* 31 August]

Commenting on the NUM's decision to settle, its publicity officer, Mr Marcel Golding, claimed, 'It became evident that Anglo had taken a conscious decision to flush out every single member to break the union. A strategic decision had to be taken on whether we would permit the entire membership to be fired or act to preserve the union's Structures, The balance of forces was such that the union was not only faced by the mining industry but by the state.' Mr Golding said that by the time the strike began management had painted itself into a corner by declaring that it would not reopen talks on wages.³⁹⁰ [³⁹⁰ *Ibid* 4 September]

Mr Bobby Godsell, Anglo's group consultant of industrial relations and public affairs, rejected allegations that the company had wanted to 'smash' the union. According to him, the almost sudden movement towards settlement was the result of talks between Anglo and JCI on the one hand and the NUM on the other on the re-employment of dismissed strikers. 'The possibility of re-employment ... was part of NUM's calculations as to whether to continue the strike or bring it to an end,' he said. Mr Godsell added: 'The important moment of truth for us was in the second week when the strike rendered two of our shafts permanently unviable. As we moved into the third week we began to see both the economic and safety consequences ... particularly where conditions continued to deteriorate and to make it impossible to mine stopes.'³⁹¹ [³⁹¹ *Ibid*]

Commenting on the strike, the minister of manpower, Mr Pietie du Plessis, said that it had proved that there were no winners. 'Economic forces brought the end of the strike. The labour legislative reforms have proved their worth leaving negotiations in the strike to the employers and employees with no government interference. Both parties accepted the legislation in attempting to resolve the dispute.'³⁹² [³⁹² *Ibid* 1 September]

The strike was estimated to have cost mining houses R20m and the strikers R115m in pay.³⁹³ [³⁹³ Ibid 31 August] The gold quarterlies for September showed that Anglo's mines had been the worst affected during the strike, Western Deep Levels (Carletonville, Transvaal) suffering the most. When work stopped on its longwall stopes, these quickly suffered pressure damage which would only be rectified in the following quarter.³⁹⁴ [³⁹⁴ *Finance Week* 29 October]

After private adjudication over the reinstatement of workers during the first two weeks in March 1988, agreement on the exact terms of reinstatement was finally reached between Anglo and the NUM on 17 March. The agreement entailed the reinstatement of 9 500 of the workers dismissed during the strike and not subsequently rehired. They would receive at least ten weeks' backpay. Non-transferable job offers would be made to gold miners in three 3 000-strong groups during the following three three-month periods. The job offers would preserve the ratio of NUM to non-NUM membership existing at the time of the strike. Anglo American Coal Corporation (AMCOAL) would rehire 500 of 1 600 dismissed coal miners within the following three months. About 6 000 workers not re-employed owing to the restructuring of mining operations would receive at least 18 weeks' pay. Anglo estimated the monetary cost of the package at about R35m, while the NUM put it at R60m. These differing amounts reflected a difference in interpretation of the settlement conditions, which led to further argument between the two parties. The NUM claimed that the dismissal settlement included basic pay and other earnings, Anglo insisting that it included basic pay only.³⁹⁵ [³⁹⁵ *Business Day* 23 March 1988, *Financial Mail* 30 March 1988] The two parties agreed to refer this matter to private adjudication.

Anglo's senior divisional public affairs manager, Mr Michael Spicer, said that workers had paid a high price for the strike. He said that 9 000 had lost their jobs and the payment to be made by Anglo would not fully compensate either the re-employed or the retrenched for lost wages. The two parties agreed to negotiate a code of conduct which would address the problems of workplace violence, coercion and union accountability.³⁹⁶ [³⁹⁶ *Business Day* 18 March]

During the strike the National Unemployed Workers' Co-ordinating Committee appealed to jobless people not to 'scab for the bosses', as *The New Nation* put it.³⁹⁷ [³⁹⁷ *The New Nation* 28 August to 2 September]

In July 1988 an arbitrator, Mr Jules Browde, found that Anglo had acted legitimately in dismissing 2 000 miners who had staged an underground sit-in at Western Deep Levels during the strike. Another 400 miners had been unfairly dismissed and were entitled to compensation. Mr Browde also ruled that although there might have been some instances of aggressive behaviour by security personnel, NUM allegations that 6 000 workers had been forced underground were untrue.³⁹⁸ [³⁹⁸ *The Weekly Mail* 22-28 July 1988]

The African National Congress (ANC), broadcasting at the beginning of the strike on Radio Freedom from Addis Ababa, urged unemployed workers not to stab strikers in the back.³⁹⁹ [³⁹⁹ BBC Monitoring Service 11 August] Towards the end of the strike, another Radio Freedom broadcast called for the formation

of mobile units to guard against 'scab labourers'.⁴⁰⁰ [400 Ibid 27 August]

In its earlier broadcasts the ANC urged strikers to avoid any provocation to violence by the police and troops. It also suggested setting up a fund to help striking workers and provide them with assistance for food. In addition it suggested school and university stayaways. It added that if the mine owners and the state continued to show intransigence, steps should be taken for a nationwide general strike.⁴⁰¹ [401 Ibid 11 August]

A few days later, however, Radio Freedom suggested that 'taking action' against railway carriages, as had been done during the recent SATS strike, was another example of the kind of supporting action for a strike that could be taken, inter alia, by Umkhonto we Sizwe, communities, and youth.⁴⁰² [402 Ibid 13 August] Two weeks later, Radio Freedom said that the shafts of mine owners needed to be bombed and production brought to an abrupt halt.⁴⁰³ [403 Ibid 27 August]

During the first few days of the strike it was reported that unemployed whites were being flown to Johannesburg to help keep the gold and coal mines going.⁴⁰⁴ [404 *Daily Telegraph*, London, 10 August] The (white) Mineworkers' Union said that although production had stopped altogether at some mines, thousands of white workers were attempting to keep operations going at other strike-bound mines. A union official said that if the mines closed the unions feared that white workers would lose not only their jobs but also their houses. The white union had apparently advised its members not to do the work of striking blacks during a legal strike, but many white workers were doing blacks' work.⁴⁰⁵ [405 *The Sunday Star* 16 August] It was reported towards the end of the strike that white miners had apparently kept production at tolerable levels for nearly three weeks.⁴⁰⁶ [406 *Business Day* 28 August]

Mr Golding said in June 1988 that the NUM was experiencing problems 'rebuilding organisation' as a result of the strike. Many workers had been frustrated in their attempts to get back to the mines and 'have been discriminated against because of their role in the strike', he claimed. Mr Golding said NUM had suffered an overall drop in membership from about 270 000 to 210 000, but had expanded to previously unorganised mines and signed up 15 000 new members.⁴⁰⁷ [407 *The Weekly Mail* 3-9 June 1988]

In early July 1988 the NUM and the chamber reached a settlement on wages and working conditions without the NUM's resorting to strike action. The NUM initially tabled a demand for a wage increase of 40%, the chamber offering 10,5%. Settlement was reached at 13%–16,5%. Part of the settlement was the introduction of guaranteed retirement benefits for black miners.⁴⁰⁸ [408 *Finance Week* 7-13 July 1988]

Stayaways

A number of stayaways supported by unions and their members were held during 1987 and 1988. In terms of the emergency regulations it is illegal to call for a stayaway. In the light of this no overt calls

for stayaways were made by unions themselves.

Court ruling on stayaways

In a ruling in June 1987, the Industrial Court found that workers taking part in stayaways were not acting illegally as long as they did not make political or industrial demands. The ruling followed an application by Clover NCD for an interdict to stop the Food and Allied Workers' Union (FAWU) from calling on members working for the dairy company to observe the first anniversary of the declaration of the state of emergency on 12 June and the 16 June stayaway. Professor Adolph Landman of the University of South Africa ruled that work stoppages not coupled with political or industrial demands did not contravene the Labour Relations Act of 1956. The stayaways on the two days had not been linked to specific demands, he said.⁴⁰⁹ [⁴⁰⁹ *The Natal Witness* 17 June]

May Day 1987

Over the years the union movement has called for stayaways on 1 May, to celebrate Labour Day. Increasingly, employers had come to regard this as a paid public holiday. The Association of Chambers of Commerce of South Africa (ASSOCOM), the South African Federated Chamber of Industries (FCI), the Afrikaanse Handelsinstituut, and the Steel and Engineering Industries Federation of South Africa (SEIFSA) had recommended in 1986 that the government launch an official investigation into public holidays. In March the state president, Mr P W Botha, declared that the first Friday in May would in future be a paid public holiday called Workers' Day. In 1987 this coincided with 1 May. By that day the declaration applied legally only to those workers covered by the Basic Conditions of Employment Act (BCEA) of 1983 and the public sector, as the state president's decision could only be made legally binding on the manufacturing and mining sectors by the passage of legislation through Parliament, which was due to reconvene only on 16 May.⁴¹⁰ [⁴¹⁰ *Business Day* 26 March] To overcome the problem, the government requested employers to be 'accommodating towards workers' for whom this was not yet a paid holiday.⁴¹¹ [⁴¹¹ *Cape Times* 30 April]

The state president's announcement was unfavourably received by the major black union federations. The National Council of Trade Unions (NACTU) said that it was not considering any alternative to 1 May. Any other day meant nothing and would be ignored by workers. The information officer of the Congress of South African Trade Unions (COSATU), Mr Frank Meintjies, said that 1 May had become an international symbol and workers would not negotiate on the issue.⁴¹² [⁴¹² *Financial Mail* 27 March]

The Labour Forum, investigating workers' attitudes to the issue, received responses from a total of 56 unions representing over 400 000 workers. Of these, 47 supported 1 May and no other day being declared Labour Day.⁴¹³ [⁴¹³ *Garment Worker* 19 June]

Controversy between the National Union of Mineworkers (NUM) and the Chamber of Mines of South

Africa over the conditions applying to the granting of 1 May as a holiday to mine workers continued during 1987 (see 1986 *Survey* part 1 p285). Talks between the parties on the issue collapsed in April. The chamber wanted those taking the day off to notify management. However, the NUM insisted that only those wishing to work should do so. The NUM's general secretary, Mr Cyril Ramaphosa, said that the chamber's suggestion would leave those taking the day off open to intimidation and victimisation by superiors worried about production bonuses. Mr Ramaphosa said. 'In the past when we called stayaways we saw members being intimidated to work by supervisors who stood to earn production bonuses and we are not prepared to expose our members to this. The chamber is under an illusion that if it does not reach agreement with us there will be a stayaway on 1 May without pay to workers. Our point is that they will have a legal strike which could last for more than one day.'

Mr Johann Liebenberg, industrial relations adviser to the chamber, said that the union was being unreasonable. 'We are prepared to make a major concession, giving employees a paid holiday. We believe that there are lots of people who wish to work on 1 May and there are those who do not want to. Industrial action on this is unnecessary. We would be able to reach agreement on this at conciliation board level.' The chamber said that workers absent on 1 May without leave would lose a day's pay.⁴¹⁴ [414 *The Star* 9 April]

Outdoor rallies planned by COSATU to celebrate May Day were banned throughout the country with the exception of one held in Athlone (Cape Town). This rally was permitted with severe restrictions which included a ban on mentioning COSATU's 'living wage campaign' and a requirement that only speakers named on the application to hold the meeting be allowed to address it. COSATU's general secretary, Mr Jay Naidoo, said that the banning of the rallies made a 'mockery' of Mr Botha's Workers' Day announcement. COSATU would continue to demand 1 May as May Day, he said.⁴¹⁵ [415 *Cape Times* 2 May]

May Day was widely observed as a public holiday throughout the country.

5 and 6 May 1987

Support was given by COSATU and NACTU for a national protest on 5 and 6 May against, among other things, the election for the whites-only House of Assembly on 6 May. Other demands by COSATU included the unconditional reinstatement of dismissed workers of the South African Transport Services (SATS) (see above) and negotiations with their representatives; an end to alleged killings, harassment and intimidation of unionists, and the recognition of the right to hold meetings and express views; the release of all detainees; and 'an end to repression and the creation of a climate favourable to democratic activity'. A COSATU statement said. 'It goes without saying that the protest is necessarily also a response to the whites-only election, which capitalises on and deepens racism, fear and ignorance among the white electorate, and which aims to entrench power more firmly in the hands of a minority. The white elections have not remotely touched on the real issues dominating the lives of millions of the oppressed and exploited.'⁴¹⁶ [416 *Business Day* 30 April]

The FCI and ASSOCOM said that they expected employers to adopt a policy of no-work no-pay towards workers participating in the stayaway.⁴¹⁷ [⁴¹⁷ Ibid 5 May] The Labour Monitoring Group (LMG), which is composed of academics, claimed that an estimated 520 000 workers participated in the stayaway on the first day, the number rising to 630 000 on the second day. Most of the approximately 20 000 miners who stayed away were from mines of the Anglo American Corporation of South Africa and General Mining Union Corporation (Gencor), those most heavily organised by the NUM. The level of absenteeism in the Pretoria/Witwatersrand/Vereeniging (PWV) area was about 67% on 6 May. On this second day the LMG's figure for Africans in Durban (Natal) was 70%. The figure was 42% in Cape Town (western Cape). The only area to show a decrease from the first to the second day was Port Elizabeth (eastern Cape), which was down from 99% on the first day to 96%. The LMG estimated that a further 420 000 workers stayed away in sectors that it had not surveyed, such as transport and the civil service. COSATU claimed that 1,5m workers and one million students stayed away. The LMG said that it was the most extensive two-day stayaway in South African history.⁴¹⁸ [⁴¹⁸ Ibid 7 May]

The police listed various incidents of fire bombings and other violence during this stayaway. A man in Soweto was 'necklaced', and a second body was found in Mitchell's Plain (western Cape), although it was not clear whether his death was unrest-related.⁴¹⁹ [⁴¹⁹ Ibid]

16 June 1987

As has become the practice in the black community in particular, a stayaway was again held on 16 June in commemoration of the 16 June 1976 Soweto revolt. COSATU and NACTU officials said that no calls for a stayaway had been issued. COSATU said that its members would observe 16 June as a national holiday. Agreements which COSATU had concluded with many companies already made provision for this. NACTU said that it had declared the day a time of mourning and protest. It called on employers to recognise the day as a paid public holiday and urged workers, students and political activists to honour the day with calmness and dignity.⁴²⁰ [⁴²⁰ *Finance Week* 11 June]

Commenting on the stayaway, ASSOCOM said that it had become so widely accepted that it made little sense to monitor its extent.⁴²¹ [⁴²¹ Ibid]

The LMG reported a 75% stayaway in the PWV area, 93% among Africans in the eastern Cape and 35% among coloured workers. It said that 70% of Africans and 30% of coloured people stayed away in Cape Town. Natal was less affected, with absenteeism below 50%.⁴²² [⁴²² *Business Day* 17 June, *Finance Week* 11 June]

The police said there had been virtually no unrest during this stayaway.⁴²³ [⁴²³ *Business Day* 17 June]

21 March 1988

A large-scale stayaway took place to commemorate the Sharpeville shootings on 21 March 1960. This was the first stayaway since the imposition of restrictions on various organisations the previous month.⁴²⁴ [⁴²⁴ *International Herald Tribune* 22 March 1988]

6, 7 and 8 June 1988

An extensive stayaway occurred over three days in June 1988 in protest against proposed changes to labour legislation (see above).⁴²⁵ [⁴²⁵ *The Star* 8 June 1988] A few violent incidents and fatalities occurred

16 June 1988

Large numbers of workers stayed at home on the 12th anniversary of the start of the Soweto upheavals in 1976.⁴²⁶ [⁴²⁶ *Business Day* 1 June 1988]

POLITICAL ORGANISATIONS

African National Congress (ANC)

The African National Congress (ANC) was banned in 1960. The organisation operates in exile through its diplomatic and information offices and wages an insurgency campaign against the South African government through its military wing, Umkhonto we Sizwe (Spear of the Nation). The ANC organises inside South Africa by means of a clandestine cell structure, which has both political and military branches. Membership of the ANC is impossible to ascertain as it is illegal to be a member of the organisation inside South Africa.

At its 75th anniversary celebrations in Lusaka (Zambia) on 8 January, the ANC declared 1987 the 'Year of Advance to People's Power'. In a message from the national executive committee, the organisation undertook to increase the number of casualties among the 'enemy's armed forces, to disperse and reduce these forces, make it increasingly impossible for them to defend themselves and undermine the material-economic base which enables the apartheid regime to maintain itself in power'. 'We must attack the forces of apartheid in the areas where their power is concentrated, striking powerful blows at the enemy's military, economic and administrative structures and resources,' the ANC said.¹ [¹ British Broadcasting Corporation (BBC) Monitoring Service 11 January]

The organisation added that it would pay 'the greatest possible attention to the role of whites in the democratic revolution' and it said that whites must learn that it was not democracy which threatened their survival but 'racist tyranny'. The organisation called on blacks and whites to 'come together in a

massive democratic coalition to oppose the racists and struggle side by side, as equals, for the birth of a new South Africa'. The ANC rejected any ethnic distinctions between South Africans as a basis for government and supported the guaranteeing of the freedom of speech, assembly, association, language, religion, the press, and freedom from arbitrary arrest and detention without trial.² [² Ibid]

The ANC praised the youth 'who had paid such a high price to bring us to where we are today'. The organisation said that the 'youth should act as a disciplined revolutionary force' and had to be committed to 'the strategic and tactical perspective of united mass action, as distinct from militant but unco-ordinated actions by different groups at different times and places'.³ [³ *Business Day* 9 January, BBC Monitoring Service 11 January]

In an interview in Lusaka in March with researchers of the South African Institute of Race Relations, the ANC claimed it was committed to multiparty parliamentary democracy. The organisation supported 'individual rights' and rejected 'minority rights' if these were based on race, but said that proposals for 'minority rights' on other bases would be considered.

The ANC intended to protect 'the right to the use of languages and cultures' and it added that the 'official language problem' would be handled on a regional basis. In all regions English would be an official language, supplemented by another language which had been in general use in that region. According to the Institute's researchers, the ANC regarded the Freedom Charter as the 'current popular mandate' which formed the basis of its policy. The ANC added that if there was a need to go beyond the Freedom Charter the organisation would have to seek a new mandate from the South African people. This could be done only when the ANC was free to operate politically within South Africa, however.

The ANC said the aim of economic nationalisation, as contained within the Freedom Charter, remained although it would take a long time to realise. The ANC also said that it would not jeopardise South Africa's economic performance to achieve economic aims quickly. The ANC was in favour of 'worker participation' in industry, but was not committed to 'worker control'. The ANC recognised that the land question would require urgent attention in a post-apartheid South Africa and added that income distribution would have to be equalised, as far as possible, without jeopardising the supply of skilled manpower or foreign technology.⁴ [⁴ Interviews conducted by the South African Institute of Race Relations (SAIRR), Lusaka, March]

On the eve of the anniversary celebrations in the United Democratic Front (UDF), the National Education Crisis Committee (NECC) and the South African Council of Churches (SACC) published an advertisement which called for the lifting of the ban on the ANC. Following the appearance of the advertisement in 16 newspapers, the commissioner of police, General Johan Coetzee, issued regulations in terms of the Public Safety Act of 1953 which prohibited the publication of advertisements or reports calculated to improve or promote the public image or esteem of banned organisations. The Argus Printing and Publishing Company and South African Associated Newspapers challenged the regulations in the Witwatersrand Local Division of the Supreme Court and, at the end of January, Mr Justice H Daniels declared the regulations invalid on the grounds that the commissioner of police had exceeded his

authority (see chapter on *The Media*).⁵ [⁵ *The Star* 8, 9 January, *Sowetan* 30 January]

The Progressive Federal Party (PFP) deputy spokesman on law and order, Mr Tiaan van der Merwe, said that his organisation supported the UDF's call for the lifting of the ban on the ANC and would continue to raise the issue in Parliament and during the election campaign (see *Progressive Federal Party* below).⁶ [⁶ *Cape Times* 9 January]

In February the state president, Mr P W Botha, claimed in Parliament that the ANC was attempting to manipulate white organisations, among them the PFP, the Black Sash, the End Conscription Campaign (ECC) and the Johannesburg Democratic Action Committee (JODAC). Quoting from a document allegedly written by a political activist on trial for treason, Mr Ismail Ebrahim, whom he alleged was a high-ranking ANC intelligence operator and a senior South African Communist Party (SACP) member, the state president claimed that the ANC intended to set up a white coalition inside the country. According to Mr Botha, Mr Ebrahim had written that 'such a front by its very composition would only be a limited front with limited short-term objectives. Whites must be organised for the ending of the emergency, the release of all detainees and for the unbanning of all banned political organisations'.

Mr Botha also said the document claimed that Mr Geoff Budlender, a civil rights lawyer, and Mr Zwelakhe Sisulu, a newspaper editor, had initiated a white coalition grouping which would consist of the PFP, the Black Sash, the ECC and JODAC.⁷ [⁷ *Hansard* (A) 1 cols 244-256, 4 February] Mr Ebrahim was allegedly abducted from Swaziland in December 1986, brought back to South Africa, detained and placed on trial. In May 1987 he was charged with high treason. According to the security police, Mr Ebrahim left South Africa illegally during 1980 and became one of the leading organisers of Umkhonto. In evidence presented against Mr Ebrahim, the state claimed that he was the chairman of the ANC's Swaziland regional political and military committee which controlled Umkhonto's Natal and Transvaal 'implementation machineries' (see chapter on *Security*).⁸ [⁸ *The Citizen* 6 February, *City Press* 17 May, *Work In Progress* no 52 March 1988]

In June the ANC denied a South African Broadcasting Corporation (SABC) report which claimed that it had 'officially acknowledged' on its radio service, Radio Freedom, that it was responsible for the formation of the UDF and the South African Youth Congress (SAYCO). A member of the ANC's national executive committee and research department claimed that the SABC had taken the Radio Freedom broadcast 'out of context' and explained that although the radio had said 'we formed SAYCO and the UDF', the word 'we' referred to the 'people of South Africa and not the ANC'. A national co-president of the UDF, Mr Archie Gumede, said that the claim was an attempt by the government to 'smear' the UDF and mislead people into believing that the UDF was the internal wing of the ANC. Mr Gumede added that the government was desperate to find an excuse to ban the UDF (see *United Democratic Front* below).⁹ [⁹ *Sowetan* 22 June, *Sunday Tribune* 21 June] In February 1988 the government banned the UDF and various other organisations (see chapter on *Security*).

In October 1987 the government refused to grant the *Sunday Tribune* permission to quote the president

of the ANC, Mr Oliver Tambo, after he had opposed ‘necklacing’ (see 1986 *Survey* Part 2 pp515–516). The PFP spokeswoman on law and order, Mrs Helen Suzman, said that the government was displaying ‘the most shameless use of selective prohibition’. Mrs Suzman added that ‘the government has released many statements by Mr Tambo which depict the ANC in the worst possible light’. ‘Here we have a statement where “necklacing”, one of the most outrageous acts attributed to the ANC, is strongly discouraged, yet the government does not allow this to be published,’ she said.¹⁰ [¹⁰ *Sunday Tribune* 11 October] Delegates at an international conference on the plight of children under apartheid, held in Zimbabwe at the end of September, said that Mr Tambo had ‘made it clear’ that he was against ‘necklacing’.¹¹ [¹¹ *Sowetan* 28 September] Also in September, an ANC official said that Mrs Winnie Mandela, the wife of one of the jailed ANC leaders, Mr Nelson Mandela, had made ‘unfortunate remarks about “necklacing” which the ANC opposes’ (see 1986 *Survey* Part 2 p515).¹² [¹² *The Daily News* 30 September]

ANC-related issues and the question of security dominated electioneering in the build-up to the white elections for the House of Assembly on 6 May (see chapters on *Government and Constitution* and *Political Developments*).

In January the leader of the Afrikaner Weerstandsbeweging (AWB), Mr Eugene TerreBlanche, said that after the election there would only be one of two choices—the ANC on the left or the AWB on the right. ‘There will be a problem because the ANC wants South Africa and the AWB wants to retain it. But make no mistake, we can and will retain South Africa with violence if lawlessness prevails’ (see *Afrikaner Weerstandsbeweging* below).¹³ [¹³ *The Star* 8 January] The leader of the Conservative Party (CP), Dr Andries Treurnicht, said that there should be no accommodation of the demands of the ANC and that the idea of negotiation with them should be dropped (see *Conservative Party* below).¹⁴ [¹⁴ *The Natal Witness* 3 February] In February the leader of the PFP, Mr Colin Eglin, said that the ANC was a political reality that could not be wished away. By keeping Mr Mandela in jail and ‘by keeping the ANC banned, the government has not only succeeded in internationalising our internal policies but it is pushing millions of ordinary South Africans into the arms of the hardliners and communists,’ Mr Eglin said.¹⁵ [¹⁵ *Ibid*]

At an election meeting in April the minister of foreign affairs, Mr Roelof Botha, claimed that ANC guerrillas were on their way to disrupt the election and he warned neighbouring states that the South African government would take whatever action was necessary to stop them.¹⁶ [¹⁶ *The Citizen* 9 April] Mr Botha summoned diplomats from nearly every country represented in South Africa to two meetings at which he warned them of an ‘ANC plan to disrupt the elections’.¹⁷ [¹⁷ *The Star* 10 April] The ANC called Mr Botha’s statement ‘insane’.¹⁸ [¹⁸ *Cape Times* 13 April] The Zambian government also denied that ANC cadres were gathering in Lusaka for an offensive against South Africa (see chapter on *Security*).¹⁹ [¹⁹ *The Star* 10 April] The ANC called on white South Africans not to vote in the election. It said that anyone who voted would be participating in a ‘sinful act and would be perpetrating an injustice against the oppressed’.

After the election the ANC said that the ‘swing to the right’ confirmed that whites were not prepared to change. The election and its result were ‘irrelevant’, the ANC said, adding that all whites who had participated were just as guilty as the government of perpetuating injustice.²⁰ [²⁰ Ibid 8 May]

The acting director of the Centre for Intergroup Studies at the University of Cape Town, Professor Heribert Adam, claimed that there were several reasons for supporting the PFP’s claim that the ANC had benefited from the elections. Firstly, the ANC had been elevated in the course of the government’s election campaign as the major alternatives to the National Party (NP). Secondly, the ‘swing to the right’ and the toppling of the PFP as the official opposition had made it clear that the only meaningful opposition to apartheid was extra-parliamentary. Thirdly, the world would react to the right-wing swing in South Africa by further isolating the country and imposing more sanctions. But Professor Adam added that the prospect of any future negotiations with the ANC had been made more difficult because the election campaign had raised the level of hostility against the organisation among whites in South Africa.²¹ [²¹ *The Sunday Star* 17 May]

In July the ANC denied reports that it was ‘considering setting up a government outside the country. Our sights are set on governing from within the country. We have no mandate to do otherwise,’ an ANC spokesman said. Nevertheless, the ANC argued that as its own credibility and legitimacy within the world community grew, so the legitimacy and credibility of the South African government waned.²² [²² Sowetan 16 July]

The previous month the ANC responded to the South African government’s reimposition of the state of emergency by saying that it would increase its political-military offensive for the destruction of apartheid. An ANC representative said that the South African government ‘could no longer govern our country except by the imposition of martial law’ and that it had given a clear indication that it intended to continue ‘along the path of internal repression and external aggression’.²³ [²³ *The Weekly Mail* 12 June]

During the period under review Umkhonto continued to attack targets inside South Africa (see chapter on *Political Developments*). The South African government repeatedly warned neighbouring states that it would take action against them if they continued to ‘harbour’ ANC guerrillas. In 1987 there were numerous attacks on ANC personnel living outside South Africa (see chapters on *Political Developments* and *Security*).

On the eve of the ANC’s anniversary celebrations in January, a former police spy, Mr Craig Williamson, challenged the view that Umkhonto was a failure. He maintained that ‘the correct way to judge Umkhonto and its success or failure has nothing to do with the numbers of cadres trained, armed, captured or killed ... or with the numbers of bombs exploded and deaths or injuries caused ... If one defines Umkhonto as an organisation of “political fighters”, which aims to increase the degree of popular participation in the “struggle” to the level which ANC revolutionary aims become general aims, then Umkhonto has not yet failed’.²⁴ [²⁴ Ibid 8 January]

In January the ANC's representative in Mozambique, Mr Jacob Zuma, and five of his officials left the country after South Africa had demanded their expulsion. Mr Zuma stressed that a replacement for himself had already been appointed.²⁵ [²⁵ *The Citizen* 13 January] Mr Indres Naidoo, one of the six ANC members leaving Maputo, said that they were being 'transferred' and that the ANC would not close down its offices in the city.²⁶ [²⁶ *The Sunday Star* 11 January] In March, according to ANC sources, the Lesotho government had detained five ANC members and was preparing to deport them to Zambia. Since the military coup in Lesotho during January 1986, more than 300 ANC members had been deported from that country (see 1986 *Survey* Part 1 p136).²⁷ [²⁷ *The Citizen* 20 March]

In April the newly-appointed general secretary of the SACP, Mr Joe Slovo, resigned his post as chief of staff of Umkhonto. The ANC said that the initiative for Mr Slovo's resignation had come from the SACP, which had anticipated that his new position in the party would require all his time and had asked that he be allowed to leave Umkhonto (see *South African Communist Party* below).²⁸ [²⁸ *Sowetan* 23 April] In October the political commissar and deputy commander of Umkhonto, Mr Chris Hard, replaced Mr Slovo as chief of staff and second in command of the armed wing. Mr Hani retained the position of deputy commander. Mr Steve Tshwete, a former UDF leader in the Border region, became the political commissar of Umkhonto, and third in the military hierarchy. Mr Joe Modise continued as the army's commander, while Mr Oliver Tambo, the ANC's president, retained his position as overall commander-in-chief of Umkhonto.²⁹ [²⁹ *The Star* 29 October]

The deputy representative of the ANC in Zimbabwe, Mr Kingsley Xuma, said in March that the ANC would not stop using violence until the South African government was removed from power. He said that despite the signing of the Nkomati accord with Mozambique and another treaty signed between South Africa and Swaziland, Umkhonto had escalated the armed struggle inside South Africa (see 1984 *Survey* pp831–840).³⁰ [³⁰ *Ibid* 23 March]

In November the ANC said that several Umkhonto commanders had infiltrated South Africa in the last few months to reorganise the army and to start a sustained military offensive. It said that Umkhonto would be concentrating on engagements with security forces more than urban bombings, and added that the organisation was going to do something 'sensational which will rock Botha and make the world sit up and take note'.³¹ [³¹ *Ibid* 26 November]

In the same month the ANC and the Botswana government denied a South African government allegation that an agreement had been concluded which would allow the ANC to use Botswana to infiltrate South Africa.³² [³² *City Press* 29 November] In December traffic between Botswana and South Africa almost came to a halt as the South African Police (SAP) searched every train and road vehicle that passed through all border posts (see chapter on *Security*).³³ [³³ *The Star* 3 December]

At Umkhonto's 26th anniversary celebrations on 16 December, the ANC's national executive committee ordered Umkhonto to 'train, arm and lead our people into battle; defend our people in town and

countryside; sever the enemy's lines of communication and power; disperse and immobilise the enemy forces; destroy the enemy's economic resources and attack it on all fronts'.³⁴ [³⁴ BBC Monitoring Service 24 December]

According to an observer of the ANC, Dr Tom Lodge of the Department of Political Studies at the University of the Witwatersrand, the ANC had between 300 and 500 guerrillas as well as numerous non-militants in South Africa at any one time. Dr Lodge also said that the ANC had about 13 000 personnel in camps in Angola as well as administrative, diplomatic and financial offices in Lusaka and education facilities in Tanzania. The ANC had diplomatic offices in 25 countries from western and eastern Europe to Australia, North America, African and Asia.³⁵ [³⁵ *The Star* 16 July]

In May it was reported that the ANC had modified its three-decade-old commitment to a total boycott of all cultural and academic links with South Africa. According to Mr Tambo, the boycotts would continue but the ANC would become more selective in the choice of its targets.³⁶ [³⁶ *The Weekly Mail* 5 June]

In August an ANC spokesman stated that five 'minimal conditions' had to be secured before talks between the ANC and the South African government could begin. He said that in order to create the necessary atmosphere for negotiations, the government had to do the following:

- release all political prisoners, detainees, captured 'freedom fighters' and prisoners of war;
- lift the state of emergency and withdraw all South African Defence Force (SADF) personnel and police from the townships and other African residential areas;
- repeal all 'politically repressive laws, which included laws that empowered the regime to proscribe persons, political organisations and institutions and/or restrict freedom of assembly, the press and of speech';
- end 'the bantustan system' and the reintegrate the 'independent homelands' into South Africa; and
- allow the unconditional return of all exiles and political refugees to South Africa.

The spokesman added that even if these conditions were met the ANC would not immediately begin negotiations, but first would have to enter into serious and in-depth consultation about negotiations with 'the democratic forces in South Africa'.³⁷ [³⁷ *The Star* 7 August]

In September an official at the Department of Constitutional Development and Planning, Mr Kobus Jordaan, denied reports that he had tried to contact ANC officials when he visited Zambia in August. ANC sources in London claimed that Mr Jordaan had met the president of Zambia, Dr Kenneth Kaunda, and had tried to make contact with the ANC through him. A leading ANC official argued that 'these

attempts at contact' were designed to sow confusion between the ANC and internal organisations. The official said that the South African government believed that it could drive a wedge between not just the 'communist' and 'pure nationalist' ANC members, but also between those members in exile and those in prison.³⁸ [³⁸ *Cape Times* 23 September]

In November Mr P W Botha ruled out negotiations with the ANC as 'a far-fetched idea'. Mr Botha said that organisations such as the ANC entered negotiations only to force others into capitulation.³⁹ [³⁹ *Sunday Times* 15 November]

In November the South African government released the former national chairman of the ANC, Mr Govan Mbeki, who had spent 23 years in prison serving a life sentence after being convicted of sabotage in 1964. He was released along with two other ANC members, two members of the Pan-Africanist Congress (PAC) and two former members of the AWB (see *Afrikaner Weerstandsbeweging* and *Pan-Africanist Congress* below and chapter on *Security*).

Mr Mbeki, who remained a 'listed person' and therefore could not normally be quoted, was given permission to be quoted at a press conference immediately after his release. He said that he was still a member of the ANC and the SACP and would continue 'to support Umkhonto as long as the ANC deems it necessary'. Mr Mbeki added that he still embraced Marxist views and believed that violence was determined by conditions and circumstances. Mr Mbeki said that solutions without the ANC were not possible, but added that he did not think his release was a step towards negotiations with Africans as such solutions were not founded on one man. He urged the youth in the townships 'to continue with the struggle'.⁴⁰ [⁴⁰ *The Natal Witness* 6 November]

Mr Mbeki was given what some newspapers described as a 'hero's welcome' in the Port Elizabeth townships.⁴¹ [⁴¹ *The Star* 9 November] At the press conference Mr Mbeki had said that he believed that his release would soon be followed by the release of Mr Mandela, who had also been sentenced to life imprisonment in 1964.⁴² [⁴² *The Citizen* 9 November] Speculation that the government would allow Mr Mbeki to pursue his political activities ended when his first rally was banned under the emergency regulations.⁴³ [⁴³ *Ibid* 28 November]

In December the minister of law and order, Mr Adriaan Vlok, said that the government had hoped that Mr Mbeki would 'quietly retire'. 'But this has not happened. He is being misused by people around him for political purposes,' Mr Vlok said.⁴⁴ [⁴⁴ *The Weekly Mail* 4 December] In the same month the newly-appointed commissioner of police, General Hennie de Witt, placed an order on Mr Mbeki which prohibited him from taking part in any interview with the media and confined him to the Port Elizabeth magisterial district. Mr Mbeki was also prohibited from contributing to or assisting in the preparation of any material for any publication.⁴⁵ [⁴⁵ *The Citizen* 12 December] All Mr Mbeki's planned public speaking engagements were banned as well as the rallies called to protest against his restriction order.

The ANC and various foreign representatives condemned the restrictions. An ANC official said that they showed ‘that the government is not prepared to allow the chosen and accepted leaders of our people to address and speak to them freely without any hindrance or harassment from racist authorities, thus giving the lie to government claims that it is prepared for dialogue or any kind of negotiation’.⁴⁶ [⁴⁶ *The Natal Witness* 14 December]

In January the United States (US) released an intelligence report on ‘Communist Influence in South Africa’. The (American) Comprehensive Anti-Apartheid Act, which imposed selective economic sanctions against South Africa in October 1986, had provided for an investigation into communist influence in the ANC (see 1986 *Survey* Part 1 pp 137–138). The report maintained that the interests of the SACP were being served by the South African government’s inflexible attitude towards negotiations with the ANC. The report said that negotiations could ‘shatter the SACP’ because of its policy differences with the ANC. According to the report, half of the ANC’s 30-member national executive were ‘known or suspected communists’ and the ANC was beholden to the SACP, the Union of Soviet Socialist Republics (USSR) and Angola for its arms and military training (see *South African Communist Party* below).⁴⁷ [⁴⁷ *Sowetan* 9 January]

During 1987 Mr Tambo met various western officials, including heads of government, and continued the ANC’s drive to increase its credibility among the international community. Throughout the year the ANC reiterated its call for international economic sanctions against South Africa.

At the end of January Mr Tambo met the US secretary of state, Mr George Schultz. An ANC spokesman had said earlier in the month that there was some bitterness in the organisation that Mr Tambo would not be received by the US president, Mr Ronald Reagan, who had met Chief Mangosuthu Buthelezi in 1986.⁴⁸ [⁴⁸ *City Press* 18 January] However, it was the highest level meeting which Mr Tambo had had with a US official and drew severe criticism from the South African government.

A US State Department spokesman, Mr Charles Redman, said that Mr Schultz had spelt out Mr Reagan’s continued opposition to sanctions and had warned Mr Tambo that violence would lead to a ‘catastrophe in South Africa’. Mr Schultz encouraged the ANC to outline its vision for the future with more specificity and expressed the US’s opposition to ‘the replacement of the apartheid system by another form of unrepresentative government’.⁴⁹ [⁴⁹ *The Star* 29 January] Mr Redman said that Mr Schultz had voiced his government’s concern about the degree of Soviet influence in the ANC.⁵⁰ [⁵⁰ *The Citizen* 30 January]

Mr Roelof Botha said that Mr Tambo’s presence in the US would make Americans more aware of ‘the ANC’s programme of terrorism in South Africa’. In reference to anti-ANC advertisements and mock ‘necklace’ demonstrations organised by two organisations, the Coalition Against ANC Terrorism and the International Freedom Foundation (IFF), Mr Botha said that it would have cost the South African government ‘millions in propaganda to show how the ANC is committed to violence and terrorism and has direct links with Moscow’.⁵¹ [⁵¹ *Ibid* 30 January]

Mr Tambo said that Mr Botha was ‘whistling in the dark’ and called his remarks ‘sour grapes’. Mr Tambo said that his meeting with Mr Schultz had been a ‘very useful exchange’ and that there had been agreement between Mr Schultz and himself on the ‘objectives of our struggle and what we want to put in the place of apartheid’.⁵² [⁵² *The Washington Post* 8 February]

At the end of March, Mr Tambo arrived in Australia for a two-week visit as the guest of the government. Mr Tambo was repeatedly asked to explain the ANC’s view on the practice of ‘necklacing’. The IFF, which ‘had its headquarters in Washington DC, supplied Australian newspaper editors and media organisations with anti-ANC literature which included clippings from two South African publications, *The Citizen* newspaper and *The Aida Parker Newsletter*. Mr Tambo’s visit was marked by the presence of small groups of demonstrators at most of his public engagements and the appearance of anti-ANC advertisements in some Australian newspapers.⁵³ [⁵³ *Business Day* 7 April] The Australian prime minister, Mr Bob Hawke, said that his government understood that South Africa’s ‘persistent refusal to dismantle apartheid has led to a situation in which black frustration is increasingly expressed in violent ways. But we do not endorse or condone it’.⁵⁴ [⁵⁴ *Ibid* 3 April]

In April Mr Tambo visited New Zealand, whose government declined to support tougher sanctions. The prime minister, Mr David Lange, said that he did not intend to depart from the Commonwealth line of 20% sanctions on imports from South Africa.⁵⁵ [⁵⁵ *The Star* 20 April]

In the same month Mr Tambo visited Japan. The Japanese government agreed to the ANC’s request to open an office in Tokyo, but rejected Mr Tambo’s call for comprehensive economic sanctions against South Africa. Mr Tambo met the prime minister of Japan, Mr Yasuhiro Nakasone, who told him that while Japan was opposed to apartheid, it was also opposed to the ANC’s strategy of armed struggle and did not favour comprehensive economic sanctions because of the adverse effect they would have on the majority of South Africans.⁵⁶ [⁵⁶ *Business Day* 21 April, *The Star* 23 April]

In August Mr Tambo visited Canada and met the country’s prime minister, Mr Brian Mulroney. The South African embassy in Ottawa placed a full-page anti-ANC advertisement in the country’s largest newspaper, *The Globe and Mail* of Toronto, which carried numerous ANC quotations about revolution, civilian casualties and communist connections.⁵⁷ [⁵⁷ *The Star* 28 August]

In January the Swedish government proposed raising its ‘humanitarian support’ for the ANC by 32% to R18,7m. The Swedish minister of foreign aid, Mrs Lena Hjelm-Wallen, said that Sweden wanted to demonstrate the importance of the struggle against apartheid and the increased support for the ANC was part of a new package of increased help for southern Africa.⁵⁸ [⁵⁸ *The Citizen* 6 January] In the same month the ANC opened a permanent office in the USSR

In June the Amsterdam municipality agreed to the ANC’s request to set up an information office in the

city.⁵⁹ [⁵⁹ *The Star* 13 June] Also in June the Dutch Anti-Apartheid movement announced that it had raised R1m for the ANC.⁶⁰ [⁶⁰ *The Citizen* 30 June]

In October the prime minister of Britain, Mrs Margaret Thatcher, said that the ANC was 'a typical terrorist organisation' which people should fight and not embrace. Speaking at the close of the Commonwealth summit in Vancouver (Canada), and responding to newspaper reports which quoted an ANC official as threatening to attack British companies in South Africa, Mrs Thatcher said that she would have nothing to do with any organisation that practised violence. An ANC spokesman claimed that Mrs Thatcher had distorted his comments regarding the possible attack on British firms in South Africa. 'What I said was that her continued opposition to sanctions encouraged more violence, and that it would add to the voices who are saying that the strategy of limited violence has run its course. And, if that happened, the British firms she is seeking to protect could come under attack,' the spokesman said.⁶¹ [⁶¹ *Business Day* 19 October]

In the same month the Lambeth Magistrate's Court (London) dropped charges against three men accused of plotting to kidnap and assassinate senior members of the ANC. The men's defence lawyer, Mr Benjamin Conlon, had threatened to reveal details of an alleged conspiracy involving senior members of the British government and the British and American intelligence services. It was also claimed that the three men had contacts with South African intelligence. The defence lawyers claimed that if information in possession of the three men was leaked it would 'cause a great deal of embarrassment to the British government'. An ANC spokesman said that the decision to free the men (on the grounds of insufficient evidence) 'came as a complete surprise, particularly in view of the fact that the ANC had been more than once informed by the police that they were treating the case with the utmost seriousness' (see *United Democratic Front* below and chapter on *Security*).⁶² [⁶² *The Weekly Mail* 23 October]

In November the ANC's representative in London, Mr Solly Smith, met a British foreign office official to discuss the alleged plot to kidnap ANC members.⁶³ [⁶³ *The Star* 14 November]

During 1987 the ANC continued meeting South African and foreign businessmen, clergymen, academics and other interested parties.

In February the ANC held discussions with representatives of Barclays Bank (UK) on the nature of the bank's continued financial holdings in South Africa. It was the first official meeting between the ANC and Barclays since the bank had sold its 40,2% shareholding in Barclays National Bank of South Africa in November 1986 (see 1986 *Survey* Part 1 p70). According to the ANC, it was not fully satisfied with the bank's move as it still held substantial amounts of money in South Africa.⁶⁴ [⁶⁴ *The Citizen* 17 February]

In March it was reported that the ANC had, for the first time, held discussions with a group of West German businessmen. The meeting, which took place in Wuppertal (West Germany), was organised by Protestant and Catholic churches. It was not revealed which businessmen attended the meeting.⁶⁵ [⁶⁵

Business Day 14 April]

In May Mr Tambo addressed a conference of businessmen in London and attacked companies that supplemented the pay of national servicemen while they served in the South African Defence Force.⁶⁶ [⁶⁶ *Sowetan* 13 April, *Business Day* 29 May, *The Star* 1 June]

In March the archbishop of Cape Town, the Most Rev Desmond Tutu, said after a meeting with ANC leaders in Lusaka that there would have to be dramatic developments for the ANC to be able to reconsider its position on violence. Archbishop Tutu claimed that the ANC's commitment to armed struggle was not a matter of principle but one of strategy or tactics.⁶⁷ [⁶⁷ *Sowetan* 24 March] Mr Tambo had suggested to Archbishop Tutu that he should invite UDF and Inkatha leaders to a peace meeting, not as representatives of their organisations but as Christians.⁶⁸ [⁶⁸ *The Weekly Mail* 27 March]

In July a delegation of 62, mainly Afrikaans-speaking, South African academics, clergymen, businessmen, politicians and journalists met representatives of the ANC in Dakar (Senegal) for discussions on a wide range of issues concerning the South African political conflict. The talks were organised by the ANC and the former leader of the PFP, Dr Frederik Van Zyl Slabbert, through the Institute for a Democratic Alternative for South Africa (IDASA), of which he was a director. Dr Slabbert said that the talks were designed to focus on four major topics, namely, the structure of a government for a 'liberated' South Africa, the structure of the economy in a 'liberated' South Africa, problems of and strategies for transition, and the problem of national unity.⁶⁹ [⁶⁹ *The Star* 6, 7 July] The 18-member ANC delegation was led by the organisation's publicity secretary, Mr Thabo Mbeki. Mr Mbeki saw the talks as an opportunity for the ANC to communicate its expectations to the Afrikaners. In a radio interview a few weeks after the conference, Mr Mbeki said that 'the Afrikaners who went to Dakar wanted to understand what the ANC would expect of them in terms of action to oppose the system of apartheid'.⁷⁰ [⁷⁰ *Business Day* 7 July, Radio Mozambique 29 July]

After the talks the two delegations issued a joint communique which supported a negotiated settlement for South Africa and included a call for the release of all political prisoners and the lifting of the ban on the ANC. The communique stated that the group accepted the historical reality of the armed struggle and although not all could support it, everyone was deeply concerned over the proliferation of uncontrolled violence. However, all participants recognised that 'the source of violence in South Africa derives from the fact that the use of violence is fundamental to the existence and practice of racial domination'.⁷¹ [⁷¹ *The Citizen* 33 July]

Speaking in Accra (Ghana), Dr Slabbert said that he regarded the ANC as the biggest political group in South Africa today and dismissed the notion that the ANC was 'a terrorist organisation and a small group of Moscow-dominated communists'.

On his return from west Africa. Dr Slabbert claimed that there had never before been as extensive an

exchange of views between South Africans and the ANC. He said that one area of controversy in Dakar had been the question of violence. Dr Slabbert said that the ANC had drawn a clear distinction between its commitment to armed struggle and the use of uncontrolled violence.⁷² [⁷² *Sowetan* 13, 20 July; *The Weekly Mail* 10 July, *Cape Times* 1 August; *The Star* 7 August]

Upon their return to South Africa, the delegates were greeted by a crowd which contained a significant representation of members of the Afrikaner Weerstandsbeweging (AWB) (see *Afrikaner Weerstandsbeweging* below). Many delegates reported receiving threatening telephone calls upon their return, and were accused of being traitors to Afrikanerdom. Various civic organisations, including the Johannesburg City Council, vowed to boycott any meetings at which a Dakar delegate was speaker.⁷³ [⁷³ *The Star* 24, 31 July]

Speaking in Parliament in August, the state president accused the delegates of having allowed themselves to be manipulated by the ANC. 'The ANC is laughing up their sleeves at the naivety of "useful idiots" who, as Lenin puts it, can be used to further the aims of the first phase of the revolution. These people did not go to Dakar to hold penetrating discussions with the ANC. On the contrary, they went to co-ordinate strategies and to find out what the ANC expects of "democratic patriots". For the ANC/SACP (South African Communist Party) alliance talks are only a means to an end, namely, the revolutionary takeover of power,' Mr Botha said. He said that the government had been telling people what the ANC represented for many years, and that if they did not believe the government, they should 'learn the lessons themselves'.⁷⁴ [⁷⁴ *Hansard* (A) 9 cols 3752-3755, 13 August]

One of the delegates to Dakar, Professor Andre du Toit of the University of Cape Town, said that the ANC's explanation that insurgency was directed not against civilians but against functionaries of the apartheid regime 'had been very impressive', but that the ANC had failed to give satisfactory answers to demands that it should publicly condemn necklacing and 'take a clearer stand on repudiating and denouncing incidents where civilians become the victims'.⁷⁵ [⁷⁵ *The Times* (London) 13 July]

It was reported after the meeting that Mr Mbeki had stated the official position of the ANC on necklacing in these terms: 'We do not approve of necklacing and we do not encourage it, but we are not prepared to condemn publicly those who carry it out.'⁷⁶ [⁷⁶ *Ibid* 11 July]

In a paper prepared for the conference Professor Du Toit said that the task of forging national unity 'could not at this stage be furthered by any particular organisation or movement attempting to claim a monopoly of popular legitimacy, or to enforce the hegemony of its ideological line'.⁷⁷ [⁷⁷ *Financial Times* (London) 11 July] One of the delegates, Dr Alex Boraine of IDASA, said that the ANC had been strongly challenged during the talks on its claim to be the only representative in the freedom struggle. The ANC had replied that it was prepared to talk to the Pan-Africanist Congress if it had more evidence of this organisation's existence.⁷⁸ [⁷⁸ *The Citizen* 22 July] It was also reported that some delegates had criticised what they saw as the ANC's domineering attitude towards other opponents of apartheid, and its growing

tendency to attack civilians.⁷⁹ [79 *Financial Times* (London) 13 July]

In December the ANC held an international conference in Arusha (Tanzania), which was attended by over 500 delegates and solidarity groups from more than 50 countries. The theme of the conference was 'The World United Against Apartheid' and, according to an ANC official, it was aimed at giving 'a further boost to the international solidarity movement'. At the conference, the ANC released the 'Arusha Declaration' which said that the organisation would intensify the armed struggle against South Africa until the government was prepared to negotiate over the abolition of apartheid and the transfer of political power to a democratic and nonracial government.⁸⁰ [80 *The Weekly Mail* 11 December]

Various press reports said that one of the purposes of the conference was further to isolate the South African government and obtain for the ANC status as 'the sole and authentic representative of the people of South Africa'.⁸¹ [81 *Washington Post* 8 December, *Beeld* 11 December, *Rapport* 13 December] It was also reported that the ANC was very keen to obtain white support for its objectives.⁸² [82 *Beeld* 6 December]

According to further reports, the ANC was keen on obtaining some level of diplomatic recognition by a number of countries, as well as a seat in the United Nations. Referring to a statement by the Canadian prime minister that his government was considering withdrawing diplomatic recognition from South Africa, ANC officials said they would seek Canadian recognition of the ANC in South Africa's place.⁸³ [83 *Washington Post* 8 December]

In February the government prohibited the ANC's information officer, Mr Tom Sebina, from being quoted in South Africa.⁸⁴ [84 *Sowetan* 24 February]

Afrikaner Broederbond

The Afrikaner Broederbond, which was formed in 1918 to 'defend and promote the Afrikaner', was criticised in February by the Herstigte Nasionale Party's only MP, Mr Louis Stofberg, for supporting the incorporation of Africans in a future constitutional dispensation. Mr Stofberg was reacting to a secret document produced and circulated by the Broederbond in 1986 which supported the abolition of statutory discrimination (see 1986 *Survey* Part 1 p138) and maintained that the exclusion of Africans from political power was a threat to the survival of whites. According to Mr Stofberg, the majority of the members of the cabinet were members of the Broederbond, and the document, entitled 'Basic Constitutional Preconditions for the Survival of the Afrikaner', had not yet been rejected.⁸⁵ [85 *The Natal Mercury* 4 February]

The chairman of the Broederbond, Professor Pieter de Lange, said that the organisation was not the mouthpiece of the National Party (NP). Nor was the NP the AB's mouthpiece. Professor De Lange said that the document was not 'a constitutional plan' but a 'working document'.⁸⁶ [86 *Business Day* 5 February]

The leader of the Herstigte Nasionale Party (HNP), Mr Jaap Marais, claimed that the Broederbond had provided the blueprint for the eventual handing over of power to the black man. 'Since 80% of the NP caucus belongs to the Broederbond there is no way the NP will not go along with this plan,' he said.⁸⁷ [⁸⁷ *The Citizen* 13 February]

In March the student newspaper at the University of Pretoria, *Die Perdeby*, accused the Broederbond and its youth wing, Die Ruiterswag, of 'plotting and planning in dark corners'. An article in the newspaper called on the Broederbond and the Ruiterswag to keep their promise of being less secretive.⁸⁸ [⁸⁸ *Sunday Tribune* 29 March]

Answering a question by Mr Clive Derby-Lewis MP (Conservative Party) in the House of Assembly in October, the minister of defence, Mr Magnus Malan, said that South African Defence Force (SADF) members could belong to the Broederbond because it was a 'non-violent cultural movement of which the aims and ideals are not in conflict with any laws of the country'. He referred Mr Derby-Lewis to the 'Report of the Commission of Inquiry into Secret Organisations' of 1964 which had been chaired by Mr Justice D H Botha. The commission had been instructed to find out whether the Broederbond was 'guilty of nepotism or interference with appointments or promotions in the public service, the defence force or the police service so that persons are appointed or promoted for reasons other than merit'. The commission absolved the Broederbond of any of the charges laid against it.⁸⁹ [⁸⁹ *Hansard* (A) 16 q cols 1302-1303, 7 October]

Afrikaner Weerstandsbeweging (AWB)

The Afrikaner Weerstandsbeweging (AWB) was founded in 1974 (see 1979 *Survey* p16). In April the leader of the AWB, Mr Eugene TerreBlanche, addressing 'a cultural rally for conservative Afrikaners' in Parow (Cape), reiterated his call for a separate Boer state as the 'the only solution for the Afrikaner nation'. According to Mr TerreBlanche, the Boer state would include those portions of the Orange Free State and the Transvaal left after 'the donation of black homelands' to Africans, northern Natal including Richards Bay, and those portions of the Cape province 'which the Afrikaner can fight for'. He claimed that the AWB had grown into the most important political power in the country 'because we want a Boer homeland and because we want to reclaim the Afrikaners' land rights to their own country'.⁹⁰ [⁹⁰ *Sowetan* 24 April]

In October the AWB published for the first time the names of 20 of its executive members as well as the organisation's constitution and programme of principles. The organisation's ultimate aim was the establishment of a separate Boer Republic where elections would be held every five years. The AWB also revealed the existence of a youth wing of the movement.⁹¹ [⁹¹ *The Citizen* 9 October]

In January Mr TerreBlanche said that the overall Afrikaner cause could be done incalculable harm if the Herstigte Nasionale Party (HNP) and the Conservative Party (CP) did not stand together in the general election on 6 May for the House of Assembly. He called on the two parties to sign a pact and commit

themselves to forming a powerful new Afrikaner right-wing party which could ‘give the government the most difficult election of its existence’. Mr TerreBlanche said the AWB would ‘throw its weight’ behind an election alliance between the CP and the HNP provided the two parties agreed to sit at the conference table and establish a new, united party within six months of the election. He claimed that more than 200 000 people had attended AWB meetings during 1986.⁹² [⁹² Ibid 10 January]

In the same month, Mr TerreBlanche said that he did not want to activate the AWB’s political wing, the Blanke Volkstaat Party, because he did not want to be part of ‘small, losing right-wing parties, but rather of one large right-wing party’. He argued that after the elections the people of South Africa would be faced with one of two choices—the ANC on the left or the AWB on the right.⁹³ [⁹³ Ibid 21 January] In February, when negotiations between the HNP and the CP were still deadlocked, Mr TerreBlanche suggested using the Blanke Volkstaat Party as a means to unite right-wing Afrikaners.⁹⁴ [⁹⁴ Ibid 11 February]

In March Mr TerreBlanche said that he was ‘shocked and heartsore’ at the final breakdown in negotiations between the HNP and CP (see *Conservative Party* and *Herstigte Nasionale Party* below). He said that he would tell AWB supporters to vote for the right-wing candidate of their choice and added that the AWB would not become part of the political struggle between the two parties.⁹⁵ [⁹⁵ Ibid 23 March] Also in March, Mr TerreBlanche warned the National Party (NP) that if ‘the Botha government was going to capitulate, the AWB will take over power by force’. Mr TerreBlanche called the state president, Mr P W Botha, ‘a deaf dog’ who did not deserve one seat in the general election. He said that there was no difference between ‘black nationalists’ and ‘black terrorists’ as ‘they both want to steal our land and we will blast them off the face of the earth’.⁹⁶ [⁹⁶ *Business Day* 3 March, *The Star* 4 March]

An election pamphlet compiled by the NP, focusing on three AWB documents, claimed that the AWB rejected freedom of speech and freedom of the press and that ‘traces of Nazism’ were clear throughout its documents. ‘On the one hand the “Herrenvolk” idea appears on 12 different occasions in the three documents, whilst on the other hand there are also seven anti-semitic statements,’ the NP pamphlet claimed.⁹⁷ [⁹⁷ *The Citizen* 12 March]

In May Mr Moolman Mentz MP (CP), an AWB member, was appointed the CP’s shadow minister of law and order.⁹⁸ [⁹⁸ *The Daily News* 20 May] According to Mr TerreBlanche, the AWB had managed to establish four representatives under the CP in Parliament. ‘These candidates are sitting in Parliament as members of the CP and it is not up to me to dictate to them. But the CP will have problems in finding the answers relating to the security of the whites. To find the answer the CP will at least have no other alternative but to fall in with the Boerestaal idea,’ he said.⁹⁹ [⁹⁹ *The Star* 23 May] The leader of the CP, Dr Andries Treurnicht, said that he was quite satisfied with the accommodation of the AWB. He said that they shared the same concept of a future white state, that the AWB would not practise as a political party, and that its ‘Brandwag’ would not act as a military or paramilitary organ in the field of the police (see *Conservative Party* below).¹⁰⁰ [¹⁰⁰ *The Natal Witness* 23 May]

Addressing AWB supporters in October at the site of the Battle of Blood River, where Afrikaner trekkers had defeated a numerically superior Zulu army in 1838, Mr TerreBlanche denounced all forms of power sharing and said that while the government was not an ANC government, 'it is dangerously close'. 'We are not racists and we do not hate blacks. But we want to tell them to keep their feet off our land. We do not know the word surrender, we will fight and we will struggle. If we do not fight we will end up as the slaves of other people,' he said. He also warned the chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, to 'keep your paws off Natal'. Mr TerreBlanche said that 'the volk should arm itself in the name of God because the war has begun'.¹⁰¹ [¹⁰¹ *The Sunday Star* 11 October, *Business Day* 12 October, *Eastern Province Herald* 12 October]

In February Mr TerreBlanche said that a decision by a northeastern Transvaal congregation of the Nederduitse Gereformeerde Kerk (NGK) to censure or even suspend AWB members could start a major split in the church. He was reacting to reports that the Lydenburg congregation of the church had decided that AWB membership was 'a heresy'.¹⁰² [¹⁰² *The Citizen* 19 February] The AWB leader said that the organisation would take the NGK to the Supreme Court if it disciplined any church member for belonging to the AWB. Speaking in his home town of Ventersdorp (western Transvaal) in February, Mr TerreBlanche claimed that for the past year (1986) the AWB had been feeding 14 000 poverty-stricken white children in Pretoria and Johannesburg while 'the state does nothing'.¹⁰³ [¹⁰³ *The Star* 20 February]

In April, addressing a public meeting in Johannesburg for the first time, Mr TerreBlanche said that the city would once again become an 'Afrikaner city' and would one day be part of the 'Boerestaat' in which no Jews, Africans, coloured people or Indians would be allowed. He criticised the South African Broadcasting Corporation (SABC) for its 'constant propoganda' in favour of the NP.¹⁰⁴ [¹⁰⁴ *The Citizen* 29 April, *The Star* 29 April]

In July Mr TerreBlanche said that those Afrikaners who had held talks with the ANC in Dakar (Senegal) were guilty of treason. 'The AWB will never again recognise them as members of the people—we regard them in the same light as the ANC and will deal with them accordingly.'¹⁰⁵ [¹⁰⁵ *The Citizen* 9 July] After Mr TerreBlanche had threatened to 'get' the Dakar delegation when it arrived back in South Africa, there were violent clashes at Jan Smuts Airport (near Johannesburg) between AWB members and students who had gathered to welcome the delegation. The Dakar delegation was diverted to another exit and avoided a confrontation with about 400 chanting AWB members (see *African National Congress* above).¹⁰⁶ [¹⁰⁶ *The Star* 21 July]

In August a spokesman for the AWB, Mr P W Bingle, confirmed that his organisation had had an official presence at a memorial service held in Pretoria for the former Nazi leader, Mr Rudolph Hess. Mr Bingle said that 'one nation can have appreciation for the leader of another nation'.¹⁰⁷ [¹⁰⁷ *Ibid* 21 August] The memorial service was widely condemned by political organisations. The South African branch of the New York-based Jewish Defence Organisation (JDO) said that 'the Nazi AWB must realise that they are no longer dealing with the Jews of the period before the Second World War'. The JDO said that the

AWB should be prepared to face the consequences 'if they continue to give the Hitler salute to the swastika flag and incite racial hatred in South Africa'.¹⁰⁸ [¹⁰⁸ *The Citizen* 24 August] The state president, Mr P W Botha, said that the government would take action against any organisation which wanted to start an anti-Jewish campaign.¹⁰⁹ [¹⁰⁹ *Ibid* 26 August] Mr TerreBlanche said that he was disappointed by Mr Botha's attitude and claimed that the only group which had fanned racial hatred following the memorial ceremony was the Zionists.¹¹⁰ [¹¹⁰ *Cape Times* 1 September]

In September the minister of law and order, Mr Adriaan Vlok, said that it was not easy to 'sniff out' members of the South African Police (SAP) who belonged to the AWB.¹¹¹ [¹¹¹ *Ibid* 5 September]

In October it was reported that members of the AWB's military wing, Brandwag, were receiving extensive combat training which included hand-to-hand combat, baton defence, defensive knife fighting, home and vehicle defence and perimeter protection, anti-ambush and defensive driving techniques, firing from a moving vehicle, night combat shooting, and armed guard procedures for the AWB's leaders. A British-born karate expert and the western Cape leader of Brandwag, named only as 'Keith C', said that all Brandwag members received legal instruction 'so that they know under what conditions a person is allowed to use force, and when not'.¹¹² [¹¹² *The Star* 7 October]

In the same month Mr TerreBlanche confirmed that he was instructing AWB members, who were not allowed to join the SAP, to become more active in neighbourhood watches.¹¹³ [¹¹³ *The Citizen* 20 October] The president of Neighbourhood Watch, Mrs Gaye Neille, warned that her organisation would not allow the AWB to hijack the scheme 'for its own devious, violent ends'. 'Our movement is non-violent, nonracial and non-political. We encourage people to be good neighbours and are totally opposed to any form of vigilantism,' she said.¹¹⁴ [¹¹⁴ *Diamond Fields Advertiser* 21 October]

In November Mr TerreBlanche welcomed the release of two former AWB activists, Messrs Jacob Viljoen and Hendrik Jacobs, who had been sentenced to 15 years' imprisonment after being found guilty of terrorism in 1983. The two men had resigned from the AWB before sentence was passed. They were released along with the former chairman of the ANC, Mr Govan Mbeki, two other ANC members and two members of the Pan-Africanist Congress (PAC) (see *African National Congress* above and *Pan-Africanist Congress* below)

Mr TerreBlanche said that the early release of the two men proved that they had been given harsh sentences. 'Mr Viljoen and Mr Jacobs collected explosives because they feared an ANC takeover and wanted to defend themselves in case the government capitulated. They were against multiracial brothels and wanted to do something about it.' he said (see 1983 *Survey* pp28–29). He said that it was 'unbelievable' that the ANC and PAC prisoners had been released since they had been found guilty of wanting to 'overthrow the government in favour of a communist government'. The two former AWB members had been convicted under the Internal Security Act of 1982 and their parole conditions prohibited them from being quoted or from speaking to the press.¹¹⁵ [¹¹⁵ *Sunday Times* 8 November]

Azanian People's Organisation (AZAPO)

The Azanian People's Organisation (AZAPO) was formed in 1978 after 17 black consciousness organisations had been banned in October 1977. In February 1988 the government banned AZAPO and 16 other organisations, including AZAPO's youth wing, the Azanian Youth Organisation (AZYO). AZAPO was prohibited from engaging in 'any acts or activities'. At the time of writing, the government had detained or restricted several black consciousness activists, including the president of AZAPO, Mr Nkosi Molala (see chapter on *Security*).

In its New Year message for 1987, AZAPO said that it had extended its hand to rival political groups, but this had been spurned in favour of violence. 'This year we extend that hand again, not because we are afraid of defending the socialist ideology in the face of aggression, but because the unity of the oppressed is imperative if we are to realise liberation.'¹¹⁶ [¹¹⁶ *The Star* 2 January]

Mr Molala declined to quantify AZAPO's membership although his predecessor, Mr Saths Cooper, had spoken of 110 000 signed-up members. Mr Molala said that AZAPO had 86 branches throughout South Africa, with a minimum of 20 members in each branch. 'We do not measure strength in terms of branches as we believe we have supporters who may not be members,' he said.

According to Mr Molala, the emphasis of black consciousness had shifted on to the economic structure of the country. 'The objective is to consolidate and understand what socialism is all about, to expose the iniquities of capitalism and to bring socialism into sharp focus as the only relevant solution,' he said. Mr Molala argued that race determined class in South Africa and maintained that white workers and the black middle class were anomalies, while 'the black bourgeoisie was an oscillating class'. Although he was a non-worker at the head of a self-defined workers' organisation, Mr Molala contended that 'the vanguard of every revolutionary movement consists of professional activists or revolutionaries'. He stressed that AZAPO did not espouse violence in pursuit of its revolutionary aims and it was 'an overt, legal organisation'.¹¹⁷ [¹¹⁷ *The Weekly Mail* 20 February]

In an interview with researchers of the South African Institute of Race Relations (SAIRR) in March, AZAPO said that it regarded the claim by the South African Communist Party (SACP) (see below) that it was a worker's party with scepticism since the SACP had firmly aligned itself to the African National Congress (ANC), which was a multi-class party. AZAPO claimed that the SACP would be bound to the class compromises that the ANC would have to make and that there was no guarantee that the ANC would proceed to the construction of a socialist society.

According to the Institute's researchers, AZAPO recognised that there was a possibility in a post-apartheid South Africa that there might have to be a 'transitional national democratic phase' en route to a socialist society. The organisation said that the constitutional form of a post-apartheid society would depend on the state of working class consciousness and organisation at the time when apartheid could no

longer sustain itself. AZAPO believed that if there had to be a 'transitional phase', it would take the political form of a parliamentary multiparty democracy, while in the final socialist phase, there would be a single party and 'the dictatorship of the proletariat'. AZAPO added that, in the final socialist phase, non-socialists would be regarded as counter-revolutionaries and would be denied access to power. In a socialist society, AZAPO claimed, the democratic process would be guaranteed by a system of representation which would require representatives to obtain mandates for their actions and under which there would be the possibility of 'immediate recall'.

AZAPO believed that a programme of economic nationalisation was neither a necessary nor a sufficient condition for socialism. Nationalisation could, on the one hand 'inaugurate a system of state capitalism', while on the other hand, economic assets could be placed directly in the hands of the working class without having passed (except temporarily) through the hands of the state. AZAPO claimed that worker control of economic assets would necessitate a process of decentralisation which could be a further guarantee of democracy. AZAPO would eliminate monopolies but would allow a degree of competition. The organisation said that a programme of economic redistribution would not end at the 'means of production' but could even include the redistribution of housing.¹¹⁸ [¹¹⁸ SAIRR interviews March]

In May AZAPO's publicity secretary, Mr Muntu Myeza, said that black people must mark 6 May, the day of the white general election, as the day when black people were re-educated on the absolute necessity of black solidarity and black dignity. He said that although protest action against the white election would not in itself cause the voters to change their votes or alter the results of the election, 'the contemplated action (of a two-day stayaway) must be viewed as an introspection, an assessment and a rededication by black people to continue the quest for a true humanity in our beloved land'. Mr Myeza called on employers to view absenteeism on the two days as 'the best way in which black people in their employ could hold communion with themselves' under the circumstances.¹¹⁹ [¹¹⁹ *Sowetan* 4 May]

In March AZAPO's central Transvaal branch condemned an American opera singer, Ms Joy Simpson, for her 'sanctions-busting tour of the country'.¹²⁰ [¹²⁰ *Ibid* 13 March]

In April AZAPO gave its support to South African artists taking part in a world tour with an American singer, Mr Paul Simon. Mr Myeza said that in 1979, when AZAPO started the campaign to isolate South Africa culturally, it had said that foreign artists should not perform in South Africa. However, Mr Myeza added, this did not stop local artists from projecting the South African experience abroad (see chapter on *The Media*).¹²¹ [¹²¹ *The Star* 16 April]

In January Mr Myeza claimed that a film made by a British director, Sir Richard Attenborough, on the black consciousness leader. Mr Steve Biko, distorted Mr Biko's life. According to an AZAPO executive member, Mr Peter Jones, who was one of the last people to see Mr Biko alive, the film 'Cry Freedom' portrayed the former *Daily Dispatch* editor, Mr Donald Woods, as the hero of the story. Mr Myeza added that the Azanian Students' Movement (AZASM), the student wing of AZAPO, had taken a decision in November 1986 that if the film distorted Mr Biko's life it would take the distributors to court. 'We are making our sentiments known because this film does not have the blessing of the black

consciousness movement or Mr Biko's friends,' Mr Myeza said (see chapter on *The Media*).¹²² [¹²² Ibid 16 January]

Sir Richard revealed in October that he had removed two lines from the film under pressure from AZAPO. He said that AZAPO had threatened to 'wipe the film off the screens of the world' if 'Cry Freedom' was not to its liking. 'They were debatable lines in any event and we told AZAPO that we were happy to remove them, which we did,' he said. Sir Richard said that he did not consider the incident to be an attempt by AZAPO to censor the film.¹²³ [¹²³ Ibid 29 October]

In January an organisation of black South African students was formed in the United States and was marked by the inclusion of members of the ANC, the Pan-Africanist Congress (PAC) and exponents of black consciousness. The organisation was named the South African/Azanian Students' Movement (SAASM) and elected a former president of AZAPO, Mr Saths Cooper, as its first president.¹²⁴ [¹²⁴ *Sowetan* 1 January]

Violent political conflict between AZAPO and other groups continued during the period under review, although there was a marked decrease in the number of violent incidents between members of AZAPO and members of the United Democratic Front (UDF) (see chapter on *Political Developments*).

In January a meeting was held in Port Elizabeth townships between the Congress of South African Trade Unions (COSATU), the UDF and AZAPO to discuss the violence in the area (see 1986 *Survey* Part 1 Pp142–143). Mr Molala said that his organisation welcomed the fact that this kind of meeting had eventually materialised. He said that it should set a precedent for similar meetings in all other areas where conflict between the UDF and AZAPO existed. 'We are happy that everybody at the meeting was satisfied that AZAPO had not been involved in the recent violence in the area, and that it was a certain group masquerading as AZAPO and led by an expelled former member,' he said.¹²⁵ [¹²⁵ Ibid 22 January]

In the same month a UDF affiliate, the Soweto Students' Congress (SOSCO), denied allegations that it was responsible for the killing of Mr Linda Wauchope, an uncle of AZAPO's general secretary, Mr George Wauchope. SOSCO's publicity secretary, Mr Johnny Masele, said that SOSCO and the UDF could not be held responsible for 'the community's anger against AZAPO'. AZAPO alleged that SOSCO members named in an interdict, which had ordered them not to attack the Wauchope family, had been seen at the scene of the killing (see 1986 *Survey* Part 1 p142 and *Political Developments*).¹²⁶ [¹²⁶ *The Star* 20 January]

In June Mr Molala; the organisation's Pretoria regional chairman, Mr Thabo Sehume; its Atteridgeville branch secretary, Mr Philly Mosupye; its AZAYO's national organiser, Mr Brutus Manana, and two other black consciousness activists were detained under the emergency regulations. The men were freed a day before AZAPO's lawyers were to apply to the Transvaal Provincial Division of the Supreme Court to have their detentions declared null and void.¹²⁷ [¹²⁷ Ibid 24 June, *City Press* 28 June]

In July Mr Myeza said that the delegation of predominately Afrikaans-speaking whites which met the ANC in Dakar (Senegal) consisted largely of ‘political has-beens who have no mandate or sanction from any source but themselves and western money’. He added that the ANC was only one of the exiled organisations and that talking to them alone created ‘the wrong impression that they are the only organisation worth talking to’ (see *African National Congress* above).¹²⁸ [¹²⁸ *The Citizen* 10 July]

In August Mr Myeza argued that the resignation of the leader of the Labour Party, the Rev Allan Hendrickse, from the cabinet did not fool anybody. ‘Mr Hendrickse still retained all his functions as one of the chief collaborators with the system,’ he claimed. The secretary of AZAPO’s southern Transvaal region, Mr Thabo Ndabeni, reiterated his organisation’s call that ‘the houses of Delegates and Representatives gracefully refrain from participating and let the white Parliament fumble alone’ (see *Labour Party* below and chapter on *Government and Constitution*).¹²⁹ [¹²⁹ *Sowetan* 26 August]

In September AZAPO held rallies, seminars and cultural activities throughout the country as part of its ‘Black Consciousness Week’, organised to commemorate the 10th anniversary of Mr Steve Biko’s death in detention. Nine commemorative services were held nationwide. The launching of the Biko Foundation by Mr Biko’s widow, Mrs Nontsikelelo Biko, had to be postponed when Mr Myeza and three other members of the black consciousness movement were detained by the Ciskei Security Police outside King William’s Town (eastern Cape). At the end of the month a spokesman for AZAPO said that the four men had been released.

At a commemorative rally in Soweto, Mr Molala said that both the Freedom Charter and the Azanian People’s Manifesto needed to be revised in order to meet the aspirations of a broad section of the population. AZAPO supported the Azanian People’s Manifesto adopted in 1983 by organisations affiliated to the National Forum Committee, while organisations affiliated mainly to the UDF had adopted the Freedom Charter, which had been drawn up by the ANC and the congress movement in 1955 (see *United Democratic Front* below). Mr Molala called for an end to the internecine warfare between rival organisations and condemned violence used by black? against their own people. He said that although Mr Biko had foreseen a nonracial South Africa in the future, it was not in terms of trends currently taking place.¹³⁰ [¹³⁰ *Ibid* 11, 14 September; *Business Day* 14 September; *The Star* 14 September]

In September Mr Molala said that AZAPO viewed the government’s National Council Bill as ‘a contraption that is intended ultimately to dupe the oppressed masses and is aimed at deflecting the people’s focus away from legitimate causes for change in the country’ (see chapter on *Government and Constitution*).¹³¹ [¹³¹ *Sowetan* 15 September]

In October a member of AZAPO’s central committee, Mr Haroon Patel, left South Africa for an 11-nation tour to promote closer ties with socialist groupings. Mr Patel said that he would address meetings in Austria, Belgium, Denmark, France, Greece, the Netherlands, Portugal, Spain and West Germany. He said that his speeches would focus on two main points, namely that ‘the struggle in South Africa must be directed concurrently against the system of racism and capitalism and not just apartheid’ and, secondly,

that ‘the plurality of organisations involved in the liberation movement is a reality that must not ignored’. ‘There is one liberation movement, but it is made up of various tendencies and organisations,’ he said.¹³² [¹³² *The Star* 13 October]

In the same month the government banned the Azanian People’s Manifesto. Mr Myeza said that the ban was a divisive attempt by the government to stifle the cause of black liberation. The outlawing of the manifesto coincided with the 10th anniversary of the banning of 17 black consciousness organisations and two newspapers on 19 October 1977.¹³³ [¹³³ *Sowetan* 20 October] In December the head of AZAPO’s legal secretariat, Mr Imran Moosa, said that the organisation would continue to publish the manifesto. It seems a pamphlet called the “Azanian People’s Manifesto” was banned and the author of that pamphlet is listed as unknown. There is no basis for anybody to say that the manifesto itself is banned,’ he said.¹³⁴ [¹³⁴ *The Star* 11 December]

In December AZAPO held its 10th annual congress in Soweto with the theme ‘10 Years of Resistance—Consolidate for a Socialist Azania’. It was attended by more than 1 000 delegates representing a claimed membership of ‘25 000 at the very least’. Mr Molala, who was elected president for a third term, told the congress that to achieve a society ‘free of exploitation of any kind, we will have to engage this regime at the level at which it engages us ... The time has come for us to be on the offensive. We have to change qualitatively our approach to our struggle. All that has been happening should be no more than curtain-raisers in the preparation for the real struggle,’ he said.¹³⁵ [¹³⁵ *Ibid* 21 December; *The Weekly Mail* 24 December] Delegates from Pietermaritzburg claimed that press reports ignored the fact that AZAPO members were also dying in the conflict which involved the UDF, COSATU and Inkatha. A delegate said that there was a concerted campaign by other organisations against black consciousness activists and that more than six AZAPO members had died (see chapter on *Political Developments*).¹³⁶ [¹³⁶ *Sowetan* 22 December]

Speaking after the congress, Mr Myeza, who was re-elected publicity secretary, said that the most significant outcome of 1987 was that the organisation had ‘proved it could survive and consolidate’ under the conditions of a state of emergency. ‘But the system has seen that instead of going downhill, AZAPO is in the ascendancy. This will lead to a greater concentration on us,’ he said. AZAPO’s congress had identified rent boycotts and the violence in Natal as two major issues to be addressed in 1988. Mr Myeza said that the congress had urged that ‘all organisations outside of government platforms should involve themselves in investigating the feasibility of continuing rent boycotts ... We have to assess cases where the system seems to be gaining ascendancy and the tactic is becoming counter-productive,’ he said. Mr Myeza added that the peace talks in Natal ‘cannot succeed unless black consciousness organisations are involved’.¹³⁷ [¹³⁷ *The Weekly Mail* 24 December]

Blanke Bevrydingsbeweging (BBB)

The Blanke Bevrydingsbeweging (BBB) was formed in 1987, after ‘operating underground for more

than two years', according to its leader, Professor Johan Schabort, a retired professor of biochemistry at the Rand Afrikaans University (Johannesburg).¹³⁸ [¹³⁸ *Business Day* 3 August] Professor Schabort said that the organisation stood for 'the white man first under all circumstances' and 'the removal of all non-whites from white South Africa and a halt to the guardianship over non-white races'.¹³⁹ [¹³⁹ *The Star* 11 June] He claimed that the BBB had 'absolutely enormous support' from the police, particularly the security police. A police spokesman said that it 'would be foolish to say no one in the police force supports them, but members of the force are forbidden to become members of organisations such as the Afrikaner Weerstandsbeweging (AWB)'.¹⁴⁰ [¹⁴⁰ *Ibid* 3 August]

It was reported in July that the leader of the AWB, Mr Eugene TerreBlanche (see *Afrikaner Weerstandsbeweging* above), had described the BBB as 'a bunch of sick people' and would not allow BBB members to become members of the AWB. The AWB described the BBB as 'racist'. Professor Schabort was reported to have told journalists that his organisation 'is racist, our policies are racist and we are the only movement in the country to acknowledge that'.¹⁴¹ [¹⁴¹ *Ibid* 13 June]

In October the police teargassed a gathering led by BBB members in the suburb of Mayfair (Johannesburg). Before the gathering, which was organised to protest against blacks moving into the suburb, two white men assaulted an African man and chased away other blacks in Grosvenor Park (Mayfair). After the crowd had been dispersed by police, Professor Schabort addressed the white protestors in a nearby school hall and said that the BBB supported the residents' struggle to remove Indian people from Mayfair. 'The Transvaal, Orange Free State, Cape province, South West Africa and northern Natal belong to the whites. A country belongs not to those who live there longest but to those who cultivate it,' he said. Professor Schabort added: 'The whites must stop feeding the blacks and let them take care of themselves in their own territories.'¹⁴² [¹⁴² *Ibid* 16 October, *The Citizen* 16 October]

In the same month Professor Schabort outlined the BBB's affiliations and strategies. He said that the main policy of the BBB was to unite all whites, not only in South Africa, but all over the world. 'We work in close contact with organisations such as the National Alliance and White Power Movement of the United States, the National Front of France, the National Front and the British Movement of Britain and the Voorpost of Belgium,' he said. The BBB had also contacted other right-wing organisations in Australia, West Germany and in many Scandinavian countries. Professor Schabort claimed that the BBB had many 'sister organisations' in South Africa 'such as the Stallard Foundation, the Patriotic Forum in Durban, the National Forum in Johannesburg and the Federation of the Covenant People'. The BBB differed from the AWB on the question of 'the autonomy of the black nations' and on the question of 'a Boerestaat'. 'We believe that the whole of South Africa and South West Africa belongs to the whites,' said Professor Schabort. He said that the BBB would take over power within the next seven years, not through violence but through the unity of all whites under the BBB. According to Professor Schabort, the BBB had already divided South Africa 'into 19 commando regions, of which eight have fully fledged commandos and the remaining 11 regions will have active commandos before June 1988'.¹⁴³ [¹⁴³ *The Citizen* 17 October]

Speaking at the launch of the BBB in Boksburg (east Rand) during November, Professor Schabort said that the state president, Mr P W Botha, would have until 31 January 1988 to apply the Group Areas Act of 1966 or the BBB would take its own action. He said that the non-enforcement of the act 'creates conditions for bastardisation'. The BBB would start evicting the black residents of Mayfair if its ultimatum was ignored 'They won't know when we come. We will take them out one by one,' he said (see chapter on *The Group Areas Act*).¹⁴⁴ [¹⁴⁴ *Business Day* 19 November, *The Star* 19 November]

Cape Action League (CAL)

The Cape Action League (CAL) is based in the Western Cape and claims 40 affiliates

In an interview with researchers from the South African Institute of Race Relations in April the CAL said that although workers would not necessarily lead the black working class, the leadership should carry out policies in the objective interests of that class. The CAL stated that it had a consciously pursued goal to bring as many workers as possible into leadership positions at all levels.

The CAL reiterated its support for the Azanian People's Manifesto, but added that mass organisations should be 'multi-tendency' and avoid sectarian politics. The CAL believed that socialist democracy, which 'is not just around the corner in South Africa', would emerge only from 'united front politics'. The organisation said that there was no real tradition of socialism in South Africa and it would have to be built by a long process of education. The CAL believed that socialism did not imply the immediate abolition of private property. The organisation said that people would be able to pursue their own political interests in a socialist society, although anti-state activities would not be permitted.

The CAL viewed trade unions as important pressure groups on political movements, but stressed that they were not alternatives to political parties or movements. It said that trade union unity was important but felt that there was a tendency to exaggerate trade union strength 'at the moment'. The organisation emphasised the need for a clear strategy and stressed the consistency of its political position and the accuracy of its predictions.¹⁴⁵ [¹⁴⁵ SAIRR interviews April]

Conservative Party (CP)

The Conservative Party (CP) was formed in March 1982 after a number of MPs under the leadership of Dr Andries Treurnicht had broken away from the National Party (NP) (see 1985 *Survey* p15).

In the white general election on 6 May, the CP displaced the Progressive Federal Party (PFP) as the official opposition in the House of Assembly in spite of Dr Treurnicht's failure to agree to an election pact with the smaller Herstigte Nasionale Party (HNP). The CP increased its representation in Parliament from 18 to 23 seats (including one nominated MP) (see chapter on *Government and Constitution*).

In the months preceding the general election, repeated attempts were made to secure an election pact between the CP and the HNP. In January the CP held a 'unification conference' in Pretoria in an attempt to attract HNP supporters, but the leader of the HNP, Mr Jaap Marais, described it as 'a hostile act'.¹⁴⁶ [146 *The Citizen* 17 January] In his election pact offer Mr Marais had suggested that the two parties split the 60 seats considered as 'safe' on a '50-50' basis and offered 46 of the remaining seats considered worth fighting for to the CP. The CP, however, wanted to unite the right-wing parties in a new party before the election. Dr Treumicht claimed that the CP was 'the forerunner on the road to political unity' and was adamant that any merger or pact between the two parties become a lasting arrangement. He said that the HNP 'do not distinguish between co-operation between two parties for an election and real, lasting unity'.

Repeated attempts by the leader of the Afrikaner Weerstandsbeweging (AWB), Mr Eugene TerreBlanche, to mediate between the two parties failed and in March each organisation confirmed its separate lists of candidates and declared its intention to contest seats without a pact. The leaders of the HNP and the CP blamed each other for the failure to reach an election pact and an agreement on a unification pact. Dr Treumicht claimed that without the CP's support, the HNP would not win a seat in the elections. Mr Marais accused the CP leadership of deliberately sabotaging efforts to set up closer co-operation between the two parties. The AWB and other mediators blamed Mr Marais for repudiating an agreement already endorsed by the CP (see *Afrikaner Weerstandsbeweging* above and *Herstigte Nasionale Party* below).¹⁴⁷ [147 *The Citizen* 5, 9 February, 13, 24 March; *The Star* 18 February]

During its election campaign and in debates in the House of Assembly, the CP concentrated on the government's reform policy and on issues relating to security. In February, speaking in the no-confidence debate, Dr Treumicht said that instead of returning a vote of no confidence in the cabinet, the house should express a lack of confidence in the state president and the cabinet because they had failed to restore law and order and had failed to combat the spirit of revolution being 'stirred up against us from within and outside the country'. Dr Treumicht claimed that the NP was 'stubbornly continuing on their fatal course of power sharing, which destroys the right of self-determination of peoples in South Africa'. He added that the 'NP stands for no policy' for the black people in South Africa.¹⁴⁸ [148 *Hansard* (A) 1 cols 69-79, 2 February]

A CP candidate in the elections and a past divisional commissioner of police in Soweto, Brigadier Theuns Swanepoel, said in February that he believed 'in negotiation with the enemy only down the barrel of a gun'. He accused the government of being lax on security and suggested that it 'take the kid gloves off the security forces and law and order will be restored in six months'. Brigadier Swanepoel also claimed that there were communists 'sitting in the present government'.¹⁴⁹ [149 *The Star* 17 February]

In February the secretary of the CP's party council in Natal, Mr Flip Schutte, said that the party 'associates itself fully' with the decision of the Menlo Park High School (Transvaal) to allow only white pupils to take part in an athletics meeting at Menlo Park. The school council had barred an African

athlete from Kearsney College (Natal), Nkululeko Skweyiya, from participating at the athletics meeting. According to Mr Schutte, the school council's decision was 'fully in accordance with the CP's policy of separate schools together with separate school sport' (see chapters on *Sport and Education*).¹⁵⁰ [¹⁵⁰ *The Citizen* 16 February]

In March the CP's spokesman on manpower, Mr Frank le Roux, criticised an announcement by the state president, Mr P W Botha, that the first Friday in May would in the future be a public holiday for South Africa's workers. 'To connect this day with 1 May, an occasion associated with solidarity by leftists, socialists and communists, is once again proof of the NP's wishy-washy kow-towing to these elements,' he said.¹⁵¹ [¹⁵¹ *Ibid* 13 March]

In the same month Dr Treumicht accused the security police of intimidating supporters of the CP employed in the civil service and added that it was an 'ugly matter' which, if it was not stopped, would 'cause big trouble'. Referring to the *Afrikaner Broederbond*, Dr Treumicht said that it appeared to have decided a black government in South Africa was inevitable and that whites should accept it. He warned his audience in Middelburg (eastern Transvaal) that institutions which had previously stood for *Afrikaner* identity and culture could no longer be trusted (see *Afrikaner Broederbond* above).¹⁵² [¹⁵² *The Star* 23 March]

In April Dr Treurnicht called upon the government to withdraw the passport of the archbishop of Cape Town, the Most Rev Desmond Tutu, as he claimed he was guilty of agitating overseas for sanctions against South Africa, which constituted an offence against 'the laws of the Land'.¹⁵³ [¹⁵³ *Ibid* 16 April]

The CP repeatedly outlined its policy for the separation of the different race groups in South Africa. At the end of March, addressing a meeting in Verwoerdburg (Pretoria), the deputy leader of the CP, Dr Ferdie Hartzenberg, said that if the CP was given 15 years in power it would succeed in settling between 60% and 75% of the African population in the homelands. 'We have a strategy and we would use modern techniques. We would not allow a black man to live just anywhere in South Africa,' he said. He claimed that it would take a CP government two months to 'clean up the townships' and end the 'revolution' and added that the security forces would not be obliged to restrict themselves to rubber bullets.¹⁵⁴ [¹⁵⁴ *Ibid* 31 March]

In April Dr Treumicht said that the NP had rejected the only peaceful solution for South Africa, which was separate states for the different race groups. He also argued that the security forces should be separate, with whites acting only in white areas and blacks only in black areas.¹⁵⁵ [¹⁵⁵ *Ibid* 9 April] Addressing another election meeting in the same month, Dr Treurnicht said that apartheid had occurred under the 'supervision of God' and that it was not apartheid that had failed but the NP's failure to see it through to 'its practical and theological conclusion'. 'My bible tells me that God was responsible for the division of people. It is not a coincidence and not a sin,' he said.¹⁵⁶ [¹⁵⁶ *Business Day* 21 April]

According to the CP's election manifesto, published in March, the party regarded South Africa as a

subcontinent and not an indivisible, unitary state. It stated that each population group, including coloured people and Indians, would be given full independence within their own geographic area and that the Group Areas Act of 1966 would be strictly applied to ensure separate residential areas for the different groups in white South Africa. 'The internationally acknowledged system of visa control and work permits will protect citizens of all states from swamping in the employment field.' The CP believed in a free enterprise system and promised to 'combat all monopolistic tendencies in commerce and industry'. The manifesto stated that the CP would engage in a vigorous agricultural reconstruction programme which would ensure that this sector 'once again receives its fair share of the state budget'. The CP would give the South African Police (SAP) 'the necessary authority in order that they may effectively combat the internal unrest situation. Our security forces will have all the necessary means and the will to effectively combat anti-South African terrorism'.¹⁵⁷ [¹⁵⁷ *The Star* 31 March]

At his final election meeting in May, Dr Treumicht said that in order to maintain white identity, mixed marriages had to be prohibited, schools had to remain segregated and multiracial sport at schools 'was out of the question ... We must fight to keep our white nation, white', he said.¹⁵⁸ [¹⁵⁸ *The Citizen* 5 May]

After displacing the PFP as the official opposition in the election, Dr Treumicht said that his party would be in a better position to protect the rights of white South Africans. Dr Treumicht said that the HNP, which had failed to win a seat in the elections, had proved that it was no longer a factor in South African politics (see *Herstigte Nasionale Party* below) 'I believe that the CP now enjoys the recognition of right-wing voters and I do not believe negotiation with the HNP can proceed at this time,' he said. The leader of the PFP, Mr Colin Eglin, said that it was 'frightening' to think of a no-confidence debate where the leader of the opposition would be attacking the government for being too liberal (see *Progressive Federal Party* below).¹⁵⁹ [¹⁵⁹ *Ibid* 8 May, *Business Day* 8 May] All the CP's 22 seats in the House of Assembly (excluding a nominated MP) were won in the Transvaal and political analysts concurred that the CP would have won at least another eight seats if the right-wing vote had not been split between the CP and the HNP.¹⁶⁰ [¹⁶⁰ *The Citizen* 8 May, *Business Day* 8 May]

In his first speech as leader of the opposition in the House of Assembly, Dr Treumicht said that the Afrikaner and the broader white community refused to be treated as 'a minority group in their own fatherland ... The CP stands for what I believe to be a lofty ideal, a free white nation under its own government and in its own fatherland', Dr Treumicht said. He added that in the general election the NP had won 1 075 000 votes and 123 seats, while the CP had won 550 000 votes and only 22 seats. The seats his party held in Parliament, therefore, did not tell the full story of the CP's success but it had shown itself to be 'the party of the future' in white politics. Dr Treumicht criticised the NP's reform policy and said that the government's reform recipe of power-sharing incorporated the relinquishing of power, the loss of exclusive political power and the loss of one's own state and country. He said that there was 'no such thing as a nonracial society for the whole of South Africa', although his party could not deny economic interdependence of South Africa's various nations and peoples, or contact and mutual support between individuals and groups.¹⁶¹ [¹⁶¹ *Hansard* (A) 1 cols 36-53.2 February]

The minister of the budget and welfare in the House of Assembly, Dr Dawid de Villiers, said that if the CP had to implement its partition policy, it would have to move forcibly 10m to 15m African people over the next 15 years. According to Dr De Villiers, this massive forced removal, which would take more than the army to accomplish, would be economically destabilising, spark a tremendous protest among the international community and drive thousands of African people into the arms of the ANC. He said that the CP's proposals for geographical partition, which the NP had tested over the years and had shown to be unworkable, were a recipe for a revolution and a bloodbath.¹⁶² [¹⁶² Ibid cols 98-109]

In November the CP called on the state president, Mr P W Botha, to end his 'constitutional experimenting' with a multiracial joint executive authority (JEA) in which whites were in the minority. Dr Hartzenberg said that JEAs—the only one of which had been established in Natal and KwaZulu—'offer no solutions to South Africa's problems'. 'Mixed regional authorities are all steps in the direction of black domination over all South Africa,' he said (see chapter on *Government and Constitution*).¹⁶³ [¹⁶³ *The Star* 5 November]

In December the general secretary of the HNP and the party's only MP before the election, Mr Louis Stofberg, resigned from the HNP. He joined the CP in January 1988. The CP's chief information officer, Dr Connie Mulder, said that Mr Stofberg's resignation was a further blow to an already 'reeling' HNP. 'It once again underlines the fact that the CP is the only political instrument through which the self-determination of the Afrikaner nation and those English-speakers who associate themselves with our struggle can be achieved,' he said (see *Herstigte Nasionale Party* below).¹⁶⁴ [¹⁶⁴ *The Citizen* 11 December]

Five Freedoms Forum (FFF)

In March the Five Freedoms Forum (FFF), an alliance of white anti-apartheid organisations, was launched in Johannesburg. The organisations included the National Union of South African Students (NUSAS), the Roman Catholic Church's Commission for Justice and Peace, the Johannesburg Democratic Action Committee (JODAC), the National Education Union of South Africa (NEUSA), Young Christian Students (YCS), the Black Sash, Concerned Social Workers, the University of the Witwatersrand Academic Staff Association and Jews for Social Justice. Organisations with observer status included the End Conscription Campaign (ECC), the University of the Witwatersrand Postgraduate Association, the National Medical and Dental Association (NAMDA) and the Anti-Censorship Action Group (ACAG).

According to *Sash* magazine, the initial inspiration for the FFF came in September 1986 as a response to the national state of emergency declared on 12 June that year. The journal said that Mr Zwelakhe Sisulu, editor of *The New Nation*, Mr Geoff Budlender from the Legal Resources Centre and the outgoing general secretary of the South African Council of Churches (SACC), Dr Beyers Naude, had 'drafted a joint letter to a variety of organisations inviting them to consider ways in which they could work more effectively to prepare the white constituency for a democratic society'. This initiative was taken up, and

after a number of informal meetings, the FFF was officially constituted.¹⁶⁵ [¹⁶⁵ *Sash* vol 30 no 1 May]

The FFF urged South Africans ‘to join us in striving towards a society where the following freedoms shall prevail: freedom from want, freedom from fear, freedom of speech and association, freedom of conscience and freedom from discrimination’. ‘These freedoms cannot exist until all forms of racial discrimination are outlawed and all institutions of apartheid are dismantled,’ the FFF said.¹⁶⁶ [¹⁶⁶ *Sowetan* 20 March] A spokeswoman for the FFF, Mrs Sheena Duncan, said that the FFF would try to give disillusioned whites ‘a vision of a peaceful future, to persuade them that there is a place for them in South Africa without apartheid and that they don’t need to emigrate’. According to Mrs Duncan, the FFF rejected the idea of Gelding a candidate in the general election, ‘mainly because, under the emergency, it is impossible to debate the issue fully in the structures of the organisations within the FFF’.¹⁶⁷ [¹⁶⁷ *The Weekly Mail* 13 March]

In May the FFF denied that it had called for a boycott of the general election.¹⁶⁸ [¹⁶⁸ *The Citizen* 6 May] After the election, the FFF said: ‘Extra-parliamentary politics have been vindicated as the only way to negotiate a non-violent solution’ (see chapters on *Government and Constitution* and *Political Developments*).¹⁶⁹ [¹⁶⁹ *The Weekly Mail* 8 May]

Herstigte Nasionale Party (HNP)

The Herstigte Nasionale Party (HNP) was founded in October 1969, and two former National Party (NP) MPs, Dr Albert Hertzog and Mr Jaap Marais, were elected as leader and deputy leader. Mr Marais later succeeded Dr Hertzog as leader. In the general election in April 1970 the HNP lost all four of its seats in Parliament (see 1969 *Survey* p5, 1970 *Survey* p4), but it gained its first parliamentary seat in 16 years when its candidate and general secretary, Mr Louis Stofberg, won a byelection in Sasolburg (Orange Free State) in 1985 (see 1985 *Survey* p16). Mr Stofberg lost his and the HNP’s only seat in the general election in May 1987.

Between January and April 1987, the HNP and the CP were involved in protracted talks in an attempt to secure a pact for the general election. The meetings between the two parties, which repeatedly broke down, were eventually mediated by the leader of the Afrikaner Weerstandsbeweging (AWB), Mr Eugene TerreBlanche, and on a separate occasion by the head of the Afrikaner Volkswag (AV), Professor Carel Boshoff. The leader of the HNP, Mr Jaap Marais, wanted to negotiate an allocation of seats to be fought by the two parties and then, after the elections, have consultations on the unification of the CP and the HNP. The numerically stronger CP wanted to unify the two parties under its leadership before the elections, although when negotiations became deadlocked, the CP accepted an AWB-mediated plan which proposed a division of seats on conditions that the parties unite before the end of 1987. The plan would have guaranteed HNP representation in Parliament, but it was rejected Mr Marais, who, it was reported, wanted to stand, unopposed by the CP, in the Hercules (Pretoria) constituency. The attempts by both parties to secure right-wing unity eventually broke down at the end of March (see

Afrikaner Weerstandsbeweging and Conservative Party above)

In February an HNP candidate in the elections, Mr Attie Treurnicht, said that there was no order in the land although South Africa had a state of emergency. Mr Treurnicht, a brother of the leader of the CP, Dr Andries Treurnicht, said that 'we say if it is necessary to shoot one black, then shoot him. If it is necessary to shoot a million, then shoot a million'.¹⁷⁰ [¹⁷⁰ *The Star* 27 February]

In March Mr Stofberg said that the HNP would take up arms and fight if it was denied a democratic attempt to 'regain power' Mr Stofberg said that if his party came to power it would fight to win the protracted border war, reinstate strict influx control measures, make blacks pay for every service they got and implement the Verwoerdian concept of apartheid.¹⁷¹ [¹⁷¹ *Ibid* 13 March]

In April Mr Marais said that neighbouring states which were assisting 'terrorists' by allowing their territories to be used for incursions into South Africa were, in fact, at war with South Africa. He urged the minister of foreign affairs, Mr Roelof Botha, to abandon his 'hand of friendship policy' and rather 'hit hard at terrorist bases' inside these countries until the bases were destroyed.¹⁷² [¹⁷² *Ibid* 10 April] In the same month Mr Marais said that if the government did not realise that its reform policy was paving the way for revolution, it should be 'put against a wall and shot'.¹⁷³ [¹⁷³ *Ibid* 16 April] In May he accused the government of deliberately and calculatedly impoverishing the Afrikaans-speaking people in order to 'sell out' to the world's business leaders. Mr Marais said that Mr Roelof Botha was party to the whole process in order to satisfy 'his masters in Washington'.¹⁷⁴ [¹⁷⁴ *The Citizen* 3 May]

In April the HNP published a four-page policy document which outlined the party's plan for a future South Africa controlled solely by Afrikaans-speaking people and their 'fellow whites'. An HNP government would grant Africans their 'right' to their own full development as sovereign nations on land historically belonging to them. According to the document, coloured people were entitled to 'a part of South Africa' on the same basis and Indians would be allowed to achieve restricted self-government in their group areas. The HNP pledged itself to the strengthening or reinstating of separate amenities, job reservation, separate universities, and the prohibition of mixed marriages in the interests of 'protecting whites in their own country'.

The party was committed to the need for a higher white birth rate with tax concessions and financial support for young, white married couples, and increased white immigration from Europe. In an HNP-governed South Africa, agriculture would be 'the moral backbone' of the whites and the government would have to be responsible for farmers' debts. The document said that the HNP would pursue a tougher internal and external security policy and 'would use every available method' to win the 'war' against neighbouring states.¹⁷⁵ [¹⁷⁵ *Ibid* 14 April]

The HNP lost its only seat and gained no new seats in the general election. The HNP was beaten in every constituency in which it put up candidates and lost deposits which amounted to about R40 000. A senior member of the HNP in Natal, Mr Martin Louw, said that the CP must take the initiative to ensure

right-wing unity. 'Dr Andries Treurnicht must now show his true qualities as a leader by inviting Mr Marais to join the CP and offering him a seat,' Mr Louw said. Mr Marais denied that the HNP's outstanding debt of nearly R1m and the heavy defeats inflicted upon it by the other parties would cause the party to disband. 'We had problems in 1977 and were called dead. However, we stood up again in 1981. This proves that the HNP still has a lot of life in it,' Mr Marais said.¹⁷⁶ [¹⁷⁶ Ibid 8 May, *The Star* 14 May]

In July Mr Z B du Toit, the editor of the HNP's newspaper, *Die Afrikaner*, joined the CP and in August seven senior officials resigned from the party.¹⁷⁷ [¹⁷⁷ *The Citizen* 3 July, *The Star* 21 August]

At the HNP's national congress in September, Mr Marais said that he predicted a clash between the CP and the AWB and added that if the AWB withdrew its support from the CP the party would be in serious trouble. He alleged that the failure of the CP and the HNP to reach an election agreement had been because of 'a plot' between the CP and the AWB. Mr Marais said that he accepted the division between the HNP and the CP and it was on this basis that the HNP had to plan for the future.¹⁷⁸ [¹⁷⁸ *The Citizen* 15 September]

In December Mr Stofberg, the only party member ever to be elected to Parliament, resigned from the HNP. He joined the CP in January 1988. Mr Stofberg said that he had decided to leave the party after a 'hostile' personal attack on him by Mr Marais after Mr Stofberg had resigned as general secretary at the end of November. Mr Stofberg said that he had resigned his position in the party because of the HNP's hostile attitude to other right-wing parties. Mr Marais had said that Mr Stofberg had resigned because of his 'personal depression' about losing his seat in the general election. The HNP leader said that the party would be stronger after the resignation of Mr Stofberg 'as it removes from the party the negative attitude he has shown for a number of months'.¹⁷⁹ [¹⁷⁹ Ibid 12 December, 7 January 1988: *The Star* 14 December]

Inkatha Yenkululeko Yesizwe

Inkatha was formed in 1975 by the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, who is also the organisation's president. It is the majority party in the KwaZulu legislative assembly (see 1986 *Survey* Part 1 p148).

According to the secretary general of Inkatha and the minister of education and culture in the KwaZulu legislative assembly, Dr Oscar Dhlomo, Inkatha had 1 544 609 paid-up members of which the Inkatha Youth Brigade was the largest component, with a membership of 586 951. Addressing Inkatha's annual general conference in July, Dr Dhlomo said that Inkatha's Women's Brigade had a membership of 556 060, while ordinary membership stood at 401 598. He said that the rate of growth of the organisation's membership 'has been phenomenal and we are satisfied that the policies and strategies of our movement still appeal to the majority of people not only in this region but in the whole country'.¹⁸⁰ [¹⁸⁰ *The Citizen* 1 July]

In an interview with researchers of the South African Institute of Race Relations (SAIRR) in April, senior members of Inkatha clarified the organisation's stance on various political, economic and social issues. The Institute's researchers reported that Inkatha would adapt to growing urbanisation by allowing all new members to exert an influence over its policy. Although the organisation believed that in the KwaZulu/Natal region rural violence was worse than urban violence, it said that the destruction of black democratic organisations by the state and the removal of leaders had resulted in a chaotic situation in urban areas in which there was no debate and no rules of political competition. The Inkatha members said that the organisation was committed to legality but reiterated the proviso that it had the right to defend itself when attacked. They added that the organisation might take up arms in the future if peaceful mobilisation produced no results. The organisation was currently in a negotiation/confrontation phase in its relations with the government and its policy was moving towards withdrawal of co-operation. Inkatha defended its participation in the KwaZulu homeland structure by arguing that the 'boycott strategy' had failed to make positive gains.

According to the Institute's researchers, Inkatha adhered to the general principle of non-participation in 'non-legitimate institutions imposed from above without negotiation'. However, this principle had to be qualified by an 'effectiveness test'. According to Inkatha, the regional services council (RSC) system was 'imposed from above' and was 'ineffective', while the KwaZulu administration had proved to have more useful power. On the economic level, Inkatha believed in an active partnership between the state and the private sector in order to alleviate poverty. This partnership should minimise the exploitative nature of capitalism while retaining its potential for growth. The organisation believed that South Africa did not have the economic base to support socialism. Inkatha would continue to exert pressure for the lifting of the ban on the ANC and, when this happened, would challenge it for the mantle of the congress tradition. According to Inkatha, the leadership of the congress tradition should, in the end, fall to a single organisation.¹⁸¹ [¹⁸¹ SAIRR interviews]

In May the national chairman of the youth brigade, Mr Musa Zondi, said that the organisation pursued and cherished the hallowed traditions and ideals of the founding fathers of the African National Congress (ANC). Addressing a meeting organised by the Institute as part of a series in which youth leaders of various organisations were invited to put across their viewpoints, Mr Zondi outlined Inkatha's constitution in which the organisation declared itself 'a non-violent, national cultural liberation movement'. Mr Zondi said that the youth brigade did not exist independently of the mainstream of Inkatha, but was a product of an inevitable division of labour within the organisation. Mr Zondi added that the youth brigade was expected to play a vanguard role in Inkatha's efforts in the struggle for liberation.¹⁸² [¹⁸² Text of speech delivered by the national chairman of the Inkatha youth brigade. Mr Musa Zondi, to the SAIRR on 25 May]

In March Chief Buthelezi claimed that neither the ANC's 'armed struggle' nor the government's reform initiative could succeed without Inkatha. Chief Buthelezi said that it was Inkatha's 'opposition to the homeland policy' that had ended the government's dream of a constellation of southern African states. He added that no black leader could negotiate with white leaders on an equal footing while black democracy remained shackled and white democracy was made relatively unfree by the absence of

similar black rights.¹⁸³ [¹⁸³ *The Star* 24 March] In the same month Chief Buthelezi said that the growth of the ANC's internal support was being severely hampered by the increasing realisation by blacks that, 'short of bringing about change through a bloody and violent revolution', there would have to be negotiation with the government.¹⁸⁴ [¹⁸⁴ *The Citizen* 24 March]

In March Chief Buthelezi welcomed the resignations of Mr Wynand Malan and Dr Denis Worrall from the National Party (NP) (see *National Party* below). 'I see emerging in the NP rank and file hope that people are beginning to ignore party political dictation when it conflicts with their conscience,' he said.¹⁸⁵ [¹⁸⁵ *Ibid* 14 March] Reaction to the 'massive movement to the right' in the white general election. in May, Chief Buthelezi said that it was 'the devil's hour of glory' and added that whites had increased the anger of moderate, peace-loving blacks by rejecting an opportunity of breaking the upward spiral of violence. He said that South Africa could be heading towards 'a military junta' in which even the pretence of democracy was suspended. The Inkatha leader added that he was 'appalled' that the Conservative Party (CP) had become the official opposition in the House of Assembly (see *Conservative Party* above). Chief Buthelezi said that the results showed the total historical necessity for the KwaZulu Natal indaba as the 'politics of negotiation must ultimately triumph and it is time to commence on that triumphant journey by taking local and regional steps towards final national goals' (see chapter on *Government and Constitution*).¹⁸⁶ [¹⁸⁶ *The Weekly Mail* 8 May, *Sowetan* 11 May]

In April Chief Buthelezi said that he led a 'very angry people' and that they could go on a 'violent rampage' which could leave previous conflicts a pale reflection of what future violence could be like in South Africa. Addressing the Royal Commonwealth Society in London, the Inkatha leader said that he and his people were disgusted by the South African government's intransigence and were not going to wait for the state president, Mr P W Botha, to have a change of heart. He said that he still had hope for peace at South Africa's 11th hour' and outlined programmes by which negotiated settlements could be achieved. Chief Buthelezi said that negotiations at regional level, the introduction of 'shuttle diplomacy via a club of embassies' and the initiation of foreign participation in the negotiating process could achieve results 'at this late stage'.¹⁸⁷ [¹⁸⁷ *Sunday Tribune* 26 April]

In May the Inkatha leader said that he would negotiate with Mr P W Botha only if the topic of negotiation was clear and acceptable to black South Africa. Responding to an advertisement issued by Mr Botha which called on African leaders to negotiate with him. Chief Buthelezi said that 'if we have not yet reached the stage in which Mr Botha has the courage to tell the world what he is going to negotiate about, then there must be negotiations about negotiations before blacks can accept his invitation to negotiate with him'. Chief Buthelezi added that he would not 'blunder the politics of negotiation out of existence' and leave the violent overthrow of the government as the only alternative left to black South Africa.¹⁸⁸ [¹⁸⁸ *The Citizen* 25 May] In the same month the Inkatha leader said that he would have nothing to do with any future constitutional dispensation which did not include Africans in the House of Assembly.¹⁸⁹ [¹⁸⁹ *Business Day* 13 May]

In June Chief Buthelezi said that moves to put the government's planned 'city states' into operation

would be ‘totally disastrous’. He said that the state president could only bring them about with the aid of the Police and the army and added that no black group with any mass support would ‘lift a finger to help him’ (see chapter on *Government and Constitution*).¹⁹⁰ [¹⁹⁰ Ibid 25 June] In the same month the Inkatha leader said that the government’s reimposition of the state of emergency did not address the reason for the unrest in South Africa but merely reacted to some of the consequences of that violence. Chief Buthelezi added that the reimposition of the state of emergency was a clear indication that violence was still out of control and that there were still ‘circumstances which were antagonistic to meaningful negotiations’ (see chapter on *Political Developments*).¹⁹¹ [¹⁹¹ *The Citizen* 14 June]

Also in June Chief Buthelezi said that many whites had resisted entering into negotiations with him because they feared that he would lead them into a political ambush. Addressing the South African Federation of Civil Engineering Contractors, he asked ‘how long it would take South Africa to generate another black leader capable of establishing an Inkatha and controlling a KwaZulu legislative assembly to safeguard the ideals of the politics of negotiation’.¹⁹² [¹⁹² Ibid 13 June]

In June Chief Buthelezi warned Mr P W Botha not to turn the government’s proposed National Council (NC) into a ‘one-man circus’. ‘If the state president turns the NC into a castration chamber, only those who aspire to be political eunuchs would want to go there,’ he said (see 1986 *Survey* Part 1 pp92–94 and chapter on *Government and Constitution*). In September Chief Buthelezi told West Germany’s new ambassador to South Africa, Dr Immo Stabreit, that immense pressure needed to be put on the South African government to establish the NC as an instrument of real transition. Chief Buthelezi reiterated his condition that the jailed ANC leader, Mr Nelson Mandela, and other political prisoners would have to be released before he would consider participating in the NC. ‘Unless there is equal opportunity among the country’s black leaders to accept or reject the council, the council will fail. I certainly will not participate in that failure,’ he said.¹⁹³ [¹⁹³ Ibid 29 September]

In August Chief Buthelezi said that people who supported the RSCs were a ‘fifth column in the black body politic’ which all black organisations should combine to resist. He said that civic leaders who tried to sell the RSC concept for their own selfish reasons should not be tolerated. Chief Buthelezi said that the RSCs were ‘introduced into legislation by a white Parliament which totally excludes us’ and they were ‘being applied by the hideous politics of prescription’ (see chapter on *Government and Constitution*).¹⁹⁴ [¹⁹⁴ Ibid 3 August]

In October Chief Buthelezi told the annual convention of Jaycee South Africa that he had met Mr P W Botha for discussions only three times in the last nine years and added that they had little to say to each other because they did not want to talk about the same things. According to Chief Buthelezi, all Mr Botha had wanted to talk about was ‘so-called independence’ for KwaZulu and its involvement in a confederation of southern African states. Chief Buthelezi had rejected this because the Zulu were ‘sons and daughters of South Africa’ and refused to be anything else.¹⁹⁵ [¹⁹⁵ *Business Day* 9 October]

In December Chief Buthelezi outlined the criteria for negotiations from which he, Inkatha and the

KwaZulu legislative assembly would not deviate. Chief Buthelezi said that he was prepared to look at alternative solutions if it was recognised from the outset that there must be 'one South Africa in which there is a sovereign Parliament, a system of universal adult franchise, the rule of law, and equality before the constitution and the law'. 'We insist on these parameters of what can and cannot be done constitutionally because we believe that it is within these parameters that blacks, whites, Indians and coloureds can work together to normalise South Africa as a modern western-type democracy,' he said. Chief Buthelezi said that he recognised that 'the politics of negotiation must take cognisance of both black and white fears and distrust'. 'We are, therefore, prepared to look at alternative constitutional models in which it is possible to protect minority groups,' he said. Chief Buthelezi reiterated his call for the repeal of the Group Areas Act of 1966 and the Population Registration Act of 1950.¹⁹⁶ [¹⁹⁶ *The Star* 16 December]

In December Chief Buthelezi told Inkatha's central committee that it would be suicidal for the organisation to start negotiating with the government while it refused to deal with 'the reality of a black majority'. Chief Buthelezi said that the rejection of the KwaZulu Natal indaba proposals by the minister of constitutional development and planning, Mr Chris Heunis, and his insistence that South Africa was a country of minorities, might lead KwaZulu to reconsider its participation in the indaba and in the region's joint executive authority. Chief Buthelezi said that it was clear the the NP was not prepared to entertain the scrapping of the Group Areas and Population Registration Acts. He stated that he had been as conciliatory as he could humanly be and if he went any further he would erode Inkatha members' confidence in their leaders.¹⁹⁷ [¹⁹⁷ *Ibid* 7 December]

The violent political conflict in Pietermaritzburg's African townships between Inkatha and other organisations, particularly the United Democratic Front (UDF), the Congress of South African Trade Unions (COSATU) and the ANC. escalated drastically during 1987. Peace talks and negotiations between the rival groups repeatedly broke down, the various parties blaming one another for the violence. Although the leaders of all the organisations repeatedly called for an end to the violence, politically-linked incidents of murder, arson, rape and intimidation continued. The director of the Pietermaritzburg Agency for Christian Social Awareness, Mr Peter Kerchoff, claimed that at least 397 deaths occurred in political violence in the Natal Midlands during 1987 (see chapter on *Political Developments*).

Addressing Inkatha's annual general conference in July, Chief Buthelezi appealed for black organisations to recognise the need for unity within the framework of a multi-strategy approach to liberation. He revealed that the UDF and Inkatha had 'for some months' been engaged in the possibility of reducing violent conflict between the two organisations. 'Let us not tear each other apart like a pack of dogs over a meatless bone, fighting over who will take over Mr P W Botha's seat,' he said.¹⁹⁸ [¹⁹⁸ *Ibid* 6 July]

Also in July Chief Buthelezi said that Inkatha had tried to seek reconciliation with the ANC and it was imperative that the two groups reached agreement. 'While Inkatha and the external mission of the ANC differ in tactics and strategies, it is simply not true that I do not want to resolve our differences and I

have made this clear time and again,' he said.¹⁹⁹ [¹⁹⁹ *Business Day* 26 July] Chief Buthelezi added that he supported the aims and ideals of the ANC as founded in 1912 but the ANC currently pursued 'the so-called armed struggle while Inkatha's platform has, from the outset, been one of non-violence, peaceful change and negotiation'.²⁰⁰ [²⁰⁰ *The Citizen* 23 July]

In the same month a spokesman for the ANC said that the organisation would not speak to Chief Buthelezi because his hands are 'just as bloody as those of the South African government'. The spokesman said that Chief Buthelezi was 'part of the apartheid regime' and he had taken it upon himself to oppose all who had identified themselves with 'the ideals of the democratic movement'. According to the spokesman Chief Buthelezi had 'physically threatened people in the democratic movement through his vigilantes'.²⁰¹ [²⁰¹ *The Star* 31 July]

High-level talks between Inkatha and the ANC were held during the year, but subsequently broke down. Chief Buthelezi revealed that the secretary general of Inkatha, Dr Oscar Dhlomo, had held a three-hour meeting with the ANC's information secretary, Mr Thabo Mbeki, in New York during 1987.²⁰² [²⁰² *The Weekly Mail* 15 January 1988] A follow-up meeting between senior officials of both organisations had been planned for London in October. However, according to Chief Buthelezi, when Dr Dhlomo and senior colleagues had arrived in London for the arranged meeting with Mr Mbeki and other ANC officials, the ANC had tried to switch the venue to Lusaka at the last minute. (The talks did not then take place.) Chief Buthelezi said he was not prepared to reconsider the question of talks with the ANC unless the ANC produced convincing evidence that it was serious about the need to establish black unity in South Africa.²⁰³ [²⁰³ *Ibid*, *The Citizen* 25 March 1988, *The Times* (London) 25 March 1988]

In October an Inkatha official and community councillor in Mpumalanga (KwaZulu), Mr Zakhele Nkehli, said that 'vagabonds and rogues were responsible for raping women and burning 102-year-old grannies'. Mr Nkehli said that he had heard allegations that Inkatha Youth Brigade members were 'bashing' UDF supporters. 'I must admit that as an effective youth leader, youth brigade members would be very reluctant to tell me all the shameful things that they do. With all honesty I would not like to see any person being attacked. I don't deny that youth brigade members are attacking UDF supporters,' he said. Mr Nkehli denied that youth brigade members were receiving military training at Inkatha's Emandleni (KwaZulu) youth camp or at any other youth camp. 'The UDF has a very unique opportunity here in Mpumalanga to exist where Inkatha rules. In places where the UDF rules, Inkatha will not live,' he added.²⁰⁴ [²⁰⁴ *The Natal Witness* 1 October]

Also in October three members of the youth brigade were each sentenced to 12 years' imprisonment for murdering a COSATU supporter during December 1986 (see chapter on *Political Developments*).²⁰⁵ [²⁰⁵ *Ibid* 13 October]

On 6 October a truce, which called for members of the rival organisations to stop killing each other, was signed by the co-president of the UDF, Mr Archie Gumede, and the national chairman of the youth

brigade, Mr Musa Zondi. In a joint statement the two leaders acknowledged differences between their organisations but said that these differences ‘should not be allowed to escalate to black-on-black violence’. The statement said that both organisations believed that their common enemy was apartheid.²⁰⁶ [²⁰⁶ *The Weekly Mail* 9 October]

In September three members of the South African Police (SAP) were detained in connection with the murder of 12 youth brigade members in KwaShange, near Edendale (Natal). In October Dr Dhlomo claimed that the UDF had ‘enlisted the support of the SAP’ and that this development had become a ‘disturbing feature’ of the violence in the Pietermaritzburg townships’. An SAP spokesman denied the allegation.²⁰⁷ [²⁰⁷ *The Star* 27 October, *The Weekly Mail* 2 October]

In November Chief Buthelezi said that he was outraged by ‘false accusations’ that Inkatha was the perpetrator of violence in the Pietermaritzburg area. He added that just as Inkatha refused to be intimidated by apartheid, it would not be intimidated by any black organisation ‘which wants to destroy the things that the struggle for liberation has upheld for so long’.²⁰⁸ [²⁰⁸ *Sunday Times* 29 November] In the same month, addressing the *Financial Mail*’s conference on investment. Chief Buthelezi said that commerce and industry should not rely solely on ‘media presentations’ of the South African situation. Referring to the violence in Pietermaritzburg, Chief Buthelezi claimed that the ANC mission in exile was waging an armed struggle, and that the UDF and COSATU were working together to make the country ungovernable. He claimed that the ANC, which was determined to thwart any progress towards negotiation, had declared war on Inkatha and had repeatedly called for the murder of anyone it stigmatised as ‘a collaborator’.²⁰⁹ [²⁰⁹ *The Citizen* 14 November]

Earlier in November, Chief Buthelezi had expressed his reservations about any mediating role which could be played by the former chairman of the ANC, Mr Govan Mbeki, who had been released from prison after 23 years (see *African National Congress* above). ‘We are faced with the harsh reality that it is Mr Mbeki’s ANC and the ANC’s UDF and COSATU which have foresworn to make South Africa ungovernable,’ he said. Chief Buthelezi added that it would take Mr Mbeki some time ‘to acclimatise himself’ to the political scene in South Africa but he would welcome ‘a discussion with him in Ulundi to see what role he suggests that he plays in the Pietermaritzburg area’. Chief Buthelezi said that while he was committed to negotiation and non-violence, he was growing increasingly impatient with those ‘who want to sit around tables to fiddle while Rome burns’.²¹⁰ [²¹⁰ *Ibid* 10 November, *The Star* 10 November]

After the breakdown of peace talks in Pietermaritzburg with the UDF/COSATU delegation. Chief Buthelezi said in December that the UDF and COSATU were ‘not worthy’ of reconciliation. ‘I am now coming closer to believing that the only reconciliation there will ever be in this country is the reconciliation of the most powerful with those who pay homage to the powerful. We are talking about a life and death struggle. We are talking about all-or-nothing victories. We are talking about the final triumph of good over evil,’ he said. The talks, held under the auspices of the Pietermaritzburg Chamber of Commerce, broke down when the Inkatha delegation asked the UDF to repudiate an article in *Inqaba Yabasebenzi*, the journal of the Marxist Workers’ Tendency of the ANC which had attacked Inkatha, the

United Workers' Union of South Africa (UWUSA)—a trade union linked with Inkatha—and Chief Buthelezi.²¹¹ [²¹¹ *The Weekly Mail* 11 November]

The following week the UDF and COSATU placed a full-page advertisement in *The Natal Witness*, which repudiated the document and called for peace. 'We are committed to the talks and the peace process. We believe the talks should continue', the advertisement stated. Inkatha's urban representative in Pietermaritzburg, Mr Vitus Mvelase, welcomed the repudiation of the document and said that Inkatha was also committed to the peace talks. A senior Inkatha official, Mr Velaphi Ndlovu, criticised the presence of Indians and whites in the UDF leadership. 'This is not racism, but if leaders of an organisation are of a different race and none of their race group is being killed, while their members are, then there is something not right about it. There is no mutual interest and this makes peace difficult,' he said. Mr Ndlovu added that Inkatha did not 'trust all the players at the moment, but maybe through these talks about talks we will learn to trust one another a little more'.²¹² [²¹² *Ibid* 18 December]

At the end of December Chief Buthelezi said that the 'hideous deaths and wanton killing for political purposes must indeed cease forthwith' in Pietermaritzburg. He said that he agreed with the archbishop of Cape Town, the Most Rev Desmond Tutu, who had called for a cessation of hostilities, but criticised Archbishop Tutu for becoming 'entangled in the labyrinth of intrigue which purposefully sets out to perpetuate the violence which he now decries'. Chief Buthelezi said that Archbishop Tutu had frequently stated his support for the ANC even though he distanced himself from some of the organisation's methods. 'Too many people are dying for South Africans to tolerate posturing for peace,' he said. Chief Buthelezi said that unless the archbishop publicly resigned as a patron of the UDF, there was no way that the public could know that he was 'no longer enmeshed with UDF politics'.²¹³ [²¹³ *The Citizen* 30 December]

During 1987 Chief Buthelezi reiterated his support for the private enterprise system and spoke out against the 'socialist policies' of the South African Communist Party (SACP), the ANC, COSATU and the UDF. Inkatha continued to make explicit its opposition to economic sanctions and disinvestment as a means for bringing about political change in South Africa. The organisation's leaders reiterated Inkatha's political stance in various meetings with representatives of foreign governments and other interested parties.

In March Chief Buthelezi said that African workers who were 'politically duped' into supporting disinvestment, which 'they barely understood', were 'now facing the brunt of yet another failed ANC strategy'. The Inkatha leader argued that disinvestment had caused the loss of jobs and houses among black workers and added that the families of black workers 'are now starving'. 'The very people who travelled the world campaigning for disinvestment and sanctions still have their jobs while the victims of disinvestment and sanctions are losing theirs in droves,' he claimed.²¹⁴ [²¹⁴ *Ibid* 12 March]

Returning from France in May, Chief Buthelezi said that he had discussed the 'undesirable effects' of international sanctions against South Africa with the French prime minister, Mr Jacques Chirac, and

added that he did not know of a 'single black person who would vote for sanctions'. The Inkatha leader said that although the French government acknowledged the ANC as a political party, it did not favour the organisation as the next viable government of South Africa. Chief Buthelezi said that he had warned Mr Chirac of the unprecedented violence that would result in South Africa if the ANC assumed power through revolution.²¹⁵ [²¹⁵ Ibid 1 May]

In June Chief Buthelezi wrote to the author of the Sullivan Principles, the Rev Leon Sullivan, and urged him to reconsider his call for the withdrawal of American companies. In a letter to Chief Buthelezi, Mr Sullivan said that while he admired Chief Buthelezi for his 'historic and extraordinary leadership', he would not reconsider his decision to support disinvestment from South Africa which he had taken after 'deep concentration and much prayer'.²¹⁶ [²¹⁶ *Business Day* 14 July]

In the same month Chief Buthelezi announced that Inkatha would be setting up an office in London because 'it cannot trust others to convey the truth' about the organisation's activities.²¹⁷ [²¹⁷ *The Star* 23 June] In July the chairman of Inkatha's foreign relations and intergroup communications department, Mr Mandla Msomi, said that the organisation had set up foreign missions to inform western governments that if they wanted to apply positive pressure on South Africa, it must not be through sanctions. He said that it would be wiser for foreign governments to exercise diplomatic pressure on South Africa to participate in the search for solutions.²¹⁸ [²¹⁸ *The Citizen* 7 July]

In November Inkatha's overseas representative, Mr Ben Skosana, told a meeting of Young Conservatives in London that the 'growing non-violent black democratic opposition' stands the best chance of bringing apartheid to its knees. 'This is one of the reasons why Inkatha will solicit and support diplomatic offensives by western governments and the international community as a potent political process toward the total eradication of apartheid in South Africa rather than the practice of the ill-conceived strategy of disinvestment and sanctions,' he said.²¹⁹ [²¹⁹ Ibid 18 November]

In February Inkatha provided transport for 400 of its supporters to break a boycott of an OK Bazaars supermarket in Ladysmith (Natal). A COSATU-affiliated union, the Commercial, Catering and Allied Workers' Union (CCAWUSA), had organised a boycott of the store after its members went on strike. Chief Buthelezi said that the issue was not the legitimacy of the strike but the methods of the boycotters. He said that the boycott was 'a typical example' of workers' legal rights to strike 'being overtaken by thugs who do not consult the people, and use terror tactics to intimidate the public' into supporting the boycott. A CCAWUSA official said that Inkatha was willing to fight as a supporter of 'the capitalist class, even on basic wage issues' and added that the union was dismayed that Inkatha had 'bused in' a large number of school pupils because 'Inkatha are the very people who so stridently condemn other organisations for using youth for political purposes'.²²⁰ [²²⁰ *The Weekly Mail* 20 February]

Addressing the 75th anniversary dinner of the mining recruitment organisation. The Employment Bureau of Africa (TEBA), in August Chief Buthelezi said that 'those in the labour movement who use trade unionism for political purposes will find that they have overstepped the mark and that true trade

union leaders, deeply concerned with worker benefits and worker advancement, will rise up to gather mass followings'. 'It is because I believe in trade unionism that I am not lily-livered when it comes to facing the reality that we need the free enterprise system in this country,' he said. Chief Buthelezi added that the free enterprise system could never survive in South Africa unless it was underpinned by constitutional democracy 'in which there is total equality for all before the constitution and before the law'.²²¹ [²²¹ *The Citizen* 14 August]

In October Dr Dhlomo, addressing a conference in White Plains (New York), said that if South Africa's liberation forces failed to reincorporate the homelands, the country would be exposed to 'dissident military attacks that would be far more serious than those we see in Angola, Mozambique and Zimbabwe'. Dr Dhlomo added that it was Inkatha's grasp of the potential danger posed by ethnic fragmentation that had prompted the organisation to reject homeland 'independence' and look for alternative solutions.²²² [²²² *Ibid* 1 October]

In the same month Chief Buthelezi visited West Germany where he met the chancellor, Mr Helmut Kohl, and other politicians, businessmen and industrialists. It was reported that Chief Buthelezi had appealed to Mr Kohl to throw his country's full support and diplomatic weight behind the politics of negotiation in South Africa. He also called for the western world to support the KwaZulu Natal indaba, which, he claimed, had shown that it was possible for Africans, coloured people, Indians and whites to sit around a table and negotiate.²²³ [²²³ *Ibid* 10 October]

Addressing a group of West German leaders in Frankfurt, Chief Buthelezi said that a peaceful transition in South Africa 'can only be made if common cause can be established, not only between race groups but between the various political groups working for nonviolent change'. Such common purpose could evolve only from a growing recognition of the need to salvage the best that there was in the existing society and to eradicate the worst, he said. He added that there was a time when a national convention could have avoided the escalation of violence, but the reality of violence had made that option too late. Chief Buthelezi said that 'such conventions, or Lancaster House-type negotiations, occur only when there are a limited number of major parties, among whom one or more has to be brought to the point of having to sue for peace'. He said that what could still bring peaceful change was an ongoing, multi-strategy approach involving a wide range of organisations and leaders working towards a common democratic purpose.²²⁴ [²²⁴ *Ibid* 21 October, *The Star* 22 October]

In April Inkatha bought *Ilanga*, South Africa's largest vernacular newspaper, from the Argus Printing and Publishing Company. Dr Dhlomo assured the staff that *Ilanga* would not become 'a party political rag', but 19 journalists working on the newspaper asked to be transferred to another Argus Company newspaper. They said that they feared for their safety in the African townships if they worked for a newspaper owned by a political organisation. The UDF's acting publicity secretary, Mr Murphy Morobe, described the sale of the newspaper to Inkatha as 'a clear indication of a liberal conspiracy to promote KwaZulu and the bantustan concept' (see chapter on *The Media*).²²⁵ [²²⁵ *The Star* 22 April, *Work in Progress* August]

In May a claim for R20 000 in damages made by Dr Dhlomo against Natal Newspaper was dismissed by Mr Justice J A van Heerden in the Durban and Coast Local Division of the Supreme Court. The claim followed a report in the *Sunday Tribune* during August 1986 which Dr Dhlomo alleged was defamatory of Inkatha. Natal Newspapers had argued that Inkatha was incapable of being defamed and had no title to sue or recover damages for defamation. Judge Van Heerden said that it was common cause that Inkatha was a quasi-political and cultural movement and decided that, as a non-trading corporation, it was not entitled to bring such an action.²²⁶ [²²⁶ *The Star* 22 May]

In November Chief Buthelezi sued *Frontline* magazine and its editor, Mr Denis Beckett, for defamation and claimed damages of R20 000. Chief Buthelezi alleged that an article which appeared in the November 1986 edition of *Frontline* was trying to ruin his international reputation as a leader wedded to non-violence and he claimed that it was part of an international campaign by the ANC to discredit him, using local and foreign media. The article, written by Mr Stephen Robinson, had said that Chief Buthelezi was 'nauseatingly pompous and self-imponant', that he claimed to be the 'sole non-violent alternative to Marxist revolution' and that 'his well-drilled impi regiments' were among 'the most thuggish operators in South Africa'. Chief Buthelezi's stated commitment to non-violence came under focus during cross-examination and was disputed by two journalists who gave evidence against him. Mr Edwin Cameron, acting for *Frontline*, said that of the 89 people who had been killed in the Pietermaritzburg political violence between January and September, the local KwaZulu representative had identified 18 of the dead as members of Inkatha. He said that it showed that Inkatha had not been the 'major victim of the violence'. Mr David Gordon SC, acting for Chief Buthelezi, said that the article implied that the leader of Inkatha was 'was directing criminal conduct', that he was 'a poseur' and that he was not a democrat. He said that it would not be unreasonable to award Chief Buthelezi R20 000 for 'this grievous injury'. Arguing for the claim to be dismissed, Mr Cameron said that Chief Buthelezi had repeatedly relied on the menace of violence to warn off his opponents; his commitment to non-violence was, by his own admission, a strategy which could change and it was also clear that 'persons within his inner circle of acquaintances had been involved in thuggish acts'.²²⁷ [²²⁷ *The Weekly Mail* 6 November]

Chief Buthelezi was awarded R12 000 in damages, as well as costs, when the article was found to be defamatory. *Frontline* lodged an appeal against the court's decision.

Labour Party (LP)

During the period under review the Labour Party (LP) remained the majority party in the House of Representatives, holding 74 of the 85 seats at the end of this period. The leader of the LP, the Rev Allan Hendrickse, remained chairman of the ministers' council in the coloured house but resigned from the cabinet in August (see below). Mr Hendrickse's resignation from the cabinet, where he was a minister without portfolio, focused attention on the tricameral constitution and both the role and power of the majority party in the House of Representatives (see chapter on *Government and Constitution*).

In January Mr Hendrickse told the party's 21st congress in Port Elizabeth that, contrary to what the state president, Mr P W Botha, had said, he had not been part of the cabinet's decision to implement the emergency media regulations (see chapter on *Security*). Mr Hendrickse said that if it had been done by the cabinet then he must have been absent.²²⁸ [²²⁸ *Sunday Tribune* 4 January] In the same month a senior LP spokesman said that the party did not see Mr Hendrickse as being responsible for cabinet decisions as he was not a member of the National Party (NP). The spokesman said that it was 'absolute nonsense' that the LP was a 'junior partner of government'. 'We view our leader's cabinet position as a valuable opportunity to make inputs and influence events, rather than being co-responsible for everything the Nats do,' he added.²²⁹ [²²⁹ *Business Day* 7 January]

During the party's congress in January Mr Hendrickse and 25 LP supporters went for a 'protest swim' against the Group Areas Act of 1966 and the Reservation of Separate Amenities Act of 1953 on a 'white-designated' beach in Port Elizabeth (see chapter on *Social Segregation*). Mr Hendrickse's action angered Mr P W Botha, who presented the LP leader with three options: that he and Labour Party MPs involved in the Port Elizabeth protest publicly apologise for deliberately breaking the law by swimming on a white beach; that Mr Hendrickse resign from the cabinet; or that an election for the House of Representatives be held with the House of Assembly elections in May. Mr Hendrickse said that whatever he had done had been in accordance with the dictates of his conscience and the policy of the LP and for this no apology was necessary. However, Mr Hendrickse chose, on behalf of his colleagues and himself, to apologise for any 'unintended' affront to the state president or 'any impression that might have been created to that effect'. Mr Botha accepted the apology and Mr Hendrickse remained a member of the cabinet.²³⁰ [²³⁰ *The Star* 5, 21 January, *The Citizen* 22 January]

In March seven LP MPs (five from the House of Representatives and two from the House of Delegates) resigned from the party because 'the LP had gone off the rails' and had become 'an appendage of the NP'. One of the MPs, Mr Peter Mopp, said that Mr Hendrickse's apology to Mr Botha in January had 'crucified the image of the party because man does not apologise for what God has given you'. Mr Mopp said that the LP had reached 'the stage where it is no longer fighting apartheid but entrenching it'.²³¹ [²³¹ *Business Day* 25 March] In April the leader of the LP in the Transvaal, Mr Jac Rabie, and 41 of his supporters resigned from the party because of 'the real lack of leadership and the authoritarian actions of Mr Hendrickse'.²³² [²³² *The Natal Mercury* 28 April] In the same month an alliance of coloured and Indian political parties from both houses was formed in Uitenhage (eastern Cape). The Democratic Alliance, as it was provisionally called, was led by a former LP MP, Mr Charles Redcliffe, and replaced the Democratic Workers' Party (DWP) as the official opposition in the House of Representatives.²³³ [²³³ *Sunday Times* 26 April] Mr Hendrickse called the LP breakaway group and the new alliance 'a damp squib'.²³⁴ [²³⁴ *The Citizen* 23 March] The alliance was later reconstituted as the United Democratic Party and in March 1988, it held eight seats in the House of Representatives.²³⁵ [²³⁵ *The Weekly Mail* 27 March]

In February Mr Hendrickse said that he stood by his party's call for the lifting of the ban on the African National Congress (ANC), which, he added, did not imply support for the organisation. Mr Hendrickse

said that ‘we must provide a situation which will negate the existence of the ANC’ (see *African National Congress* above).²³⁶ [²³⁶ *The Star* 4 February] In the same month the LP’s representatives on the parliamentary standing committee on defence held discussions with the chiefs of the South African Defence Force (SADF) and the navy to object to what was described as racial discrimination in the training of naval recruits. Mr Abe Williams MP (LP) said that the LP delegation ‘was far from satisfied with the explanations given’. He added that the party believed that ‘people who train together, learn to know each other better, have a greater understanding and, by the development of camaraderie, have a greater oneness in terms of loyalty to the total South Africa’.²³⁷ [²³⁷ *The Citizen* 18 February]

In May Mr Peter Hendrickse MP (LP), son of the party leader, called on whites to support the Progressive Federal Party (PFP) or the Independents in the general election for the white House of Assembly on 6 May. Mr Peter Hendrickse said that the NP had no conception of the meaning of reform, which for it meant the ‘modernisation of racial domination and oppression’ or ‘new style apartheid’. He added that the NP did not understand that ‘we reject separate voters’ rolls’ and that ‘the concept of own affairs is nothing but entrenched ethnicity and racism as it is based on non-voluntary racial characteristics’.²³⁸ [²³⁸ *Ibid* 6 May]

In June Mr Allan Hendrickse said that the decision by the Rev Leon Sullivan to call for a total withdrawal of American companies from South Africa was ‘an act of violence which can only lead to an escalation of violence’. He said that Mr Sullivan’s decision would harm the people he wished to help and added that the LP had called ‘for a moratorium on pressures until the next election, when we will review our decision to participate in the light of the progress of reform’.²³⁹ [²³⁹ *Ibid* 16 June]

In August the LP’s spokesman on economic affairs and technology, Mr Sam Leeuw, said that his party supported the National Union of Mineworkers’ 30% wage increase demand in its dispute with the Chamber of Mines (see chapter on *Labour Relations*).²⁴⁰ [²⁴⁰ *Eastern Province Herald* 11 August]

Also in August, the LP threatened to block government plans to amend the constitution (and so force it to hold a general election for all houses by March 1990) (see *Government and Constitution*) if the government did not make a commitment to repeal the Group Areas Act. After heated debates in the House of Representatives during the state president’s budget vote, Mr Botha said that he would ‘not allow’ LP members to make derogatory remarks about the Afrikaner or the NP. Mr Botha claimed that if it ‘was not for the Afrikaner and the NP in government, the coloured would not be in his privileged position in South Africa today’, and added that no group had enjoyed greater protection under the Group Areas Act.²⁴¹ [²⁴¹ *Hansard* (R) 10 cols 2281-2295, 17 August] Mr Desmond Lockey MP (LP) said that Mr Botha’s claim that coloured people should thank Afrikaners for their advancement was ‘paternalism at its worst’.²⁴² [²⁴² *Hansard* (R) 11 col 2367, 24 August] The leader of the House of Representatives, Mr Miley Richards (LP), asked the minister of constitutional development and planning, Mr Chris Heunis, if he should say ‘thank you for the Group Areas Act and apartheid’.²⁴³ [²⁴³ *Ibid* col 2394]

The leader of the LP said that he had ‘no fear in slating that we came here with the sole purpose of dismantling apartheid’. Mr Hendrickse said that he wanted the government clearly to outline its reform programme, particularly with regard to the Group Areas Act, in return for LP support for the constitutional amendment sought by Mr Botha.²⁴⁴ [²⁴⁴ *Hansard* (R) 10 col 2267, 17 August] After an exchange of letters between the LP leader and the state president, which dealt with Mr Hendrickse’s differences with cabinet decisions, the LP leader tendered his resignation from the cabinet. In his resignation letter Mr Hendrickse wrote that the state president was not prepared to ‘acknowledge the feelings and perceptions of others if that perception is not in line with that’ of himself and his party.²⁴⁵ [²⁴⁵ *The Star* 25 August] While Mr Hendrickse was announcing his resignation on South African Broadcasting Corporation (SABC) television, the state president telephoned the director general of the corporation, Mr Riaan Eksteen, to inform him that he was not satisfied with the way Mr Hendrickse’s resignation was portrayed (see chapter on *The Media*).

In the same month Mr Peter Hendrickse said that the LP had ‘embarked on a programme of aggressive opposition’ and added that if any member of the LP accepted an offer by Mr Botha to join the cabinet then that member would be immediately expelled from the party. ‘If the NP maintains its present attitude and refuses to clearly outline its mandate as far as the Group Areas Act, Separate Amenities Act and Population Registration Act are concerned, then our principle of continued participation in the tricameral system will have to be seriously reconsidered,’ he said.²⁴⁶ [²⁴⁶ *The Natal Witness* 26 August]

In September Mr Allan Hendrickse reiterated his call for the release of Mr Nelson Mandela and said that if Mr Mandela died in prison then Mr Botha and the cabinet ‘must bear the responsibility’. The LP leader, addressing a meeting in Port Elizabeth, said that the ‘bottom line’ for further co-operation with the state president was the repeal of the Group Areas Act. The party would not demand the repeal of the Population Registration Act ‘at this stage’. Mr Hendrickse said that Mr Botha could not understand the deep feelings of hurt caused by the Group Areas Act, which had led to the removal of more than a hundred thousand families on the ideological basis of partition (see chapter on *The Group Areas Act*).²⁴⁷ [²⁴⁷ *The Citizen* 2 September]

Also in September, addressing a Cape Town Press Club meeting, Mr Hendrickse said that Mr Botha was ‘inclined to be dictatorial, not only to me but to people of his own party’. He added that the LP was not prepared to forgo its confrontational stance in return for a government offer of pension benefits or the postponement of an election.²⁴⁸ [²⁴⁸ *The Natal Mercury* 17 September]

In October the *Eastern Province Herald* obtained a confidential report entitled, ‘From Eshowe to St James’, which outlined responses from members of the party’s caucus to a questionnaire on the state of the LP. Some members identified the LP’s participation in the apartheid system, the party’s pre-occupation with ‘coloured affairs’ and the strength of extra-parliamentary groups, as major threats to the party. The report found that there was a complete lack of discipline in the party and an abuse of ‘strong drink’ by some MPs who had set themselves up as a cult figures and lost touch with the rank and file. The report said that some MPs had not informed their constituents of what had been happening since

September 1984 (when the House of Representatives came into operation) and used ‘the fear of the radical element’ as an excuse for a lack of grassroots contact. One respondent felt that the majority of voters believed that power ‘rests in the hands of the white man’, and other responses indicated that MPs had ‘scant credibility’ because most ‘people in the community believe we are collaborating with the NP’ and were confused over the party’s standpoint with regard to the ANC. Some caucus members felt that the achievements of participation in the tricameral system had been few, while one respondent stated that ‘much material gain’ had been achieved on the part of MPs.²⁴⁹ [²⁴⁹ *Eastern Province Herald* 5 October]

In November the LP published a ‘blueprint’ for the constitutional future of South Africa which outlined a plan for the establishment of a federation of nonracial, geographically-based South African states, with a built-in bill of rights. The leader of the LP’s caucus in the President’s Council (PC), Mr Billy Ross, argued that a federation would allow for universal suffrage without the domination of national majority rule. Mr Ross added that the first step towards the realisation of this constitutional plan would be for Africans to be elected to the PC, giving it credibility and competence to conduct initial research. He added, however, that while Mr Mandela was still in prison, moderate Africans would be hesitant to participate in the PC and the proposed National Council (see chapter on *Government and Constitution*).²⁵⁰ [²⁵⁰ *Sunday Times* 1 November]

In December Mr Allan Hendrickse opened the LP’s 22nd congress in Pretoria and reiterated his stance that unless radical changes were made to the Group Areas Act, the party would force the government to hold a white general election on the due date. A split in the party was averted when the minister of education and culture in the House of Representatives, Mr Carter Ebrahim, was defeated in his attempt to replace the LP’s confrontational position on negotiations with the government with a more accommodating approach. Delegates to the congress voted overwhelmingly in favour of Mr Allan Hendrickse’s strategy to force the government to repeal the Group Areas Act. They also reaffirmed the LP’s 1983 decision to stay in the tricameral system for five years. The congress rejected any further expansion of the tricameral system’s own affairs concept and called for a broadening of the general affairs concept to include Africans in the decision-making process. The LP called on the government to create a climate for peaceful change to enable the ANC to renounce violence.²⁵¹ [²⁵¹ *The Star* 30 December, *Business Day* 31 December, *The Citizen* 31 December]

Natal Indian Congress (NIC)

The Natal Indian Congress (NIC) was revived in 1972 and in 1983 it affiliated to the United Democratic Front (see *United Democratic Front* below). The organisation has 18 branches in Natal.

In interviews with researchers from the South African Institute of Race Relations in Durban in April, NIC officials said the organisation believed in peaceful transformation and supported the Freedom Charter and all ‘progressive’ movements. The NIC had always attempted to get Indian people to see that their interests were inextricably tied up with the African struggle against apartheid and for liberation. The organisation viewed the current political situation as one of a ‘stalemate’ between a movement not

powerful enough to overthrow the government and a government which was not strong enough to ‘crush its opponents’.

The NIC rejected the KwaZulu Natal indaba’s proposals (see chapter on *Government and Constitution*). According to the NIC, the indaba was unacceptable at the level of both process and content, as the process excluded key parties and the content pandered to unacceptable notions of minority rights. The NIC had to guard against being ‘hijacked’ by moderate elements because Indians were a relatively affluent minority group and were vulnerable to co-option.

The ‘fundamental aim’ of the NIC and its allies was to deepen the schisms within the ruling class and to isolate the government. The NIC viewed ‘popular front politics’ as an appropriate strategy which had demonstrated its ability to mobilise people on a massive scale. There was no alternative to ‘a national democratic programme’ and it would have to be the programme of a new government. The NIC said that ‘grassroots organisation’ had suffered under state repression and there was a need to rebuild organisation at that level. The collapse of the state was not an immediate prospect and there would have to be a negotiated settlement in which the African National Congress (ANC) would take the leading role (see *African National Congress* above).²⁵² [²⁵² SAIRR Interviews]

In an article in *The Daily News*, Dr Farouk Meer, an executive member of the NIC, outlined his organisation’s reasons for boycotting the tricameral parliamentary system and discussed the question of the NIC’s participation in that system. Dr Meer said that the tricameral constitution had been imposed on the majority of South Africans and was not the product of negotiation ‘with authentic leadership’. The ‘key pillars of apartheid’ were entrenched in the new constitution, and ‘the exclusion of Africans from central government would alienate Indians and coloureds from the African majority and help intensify division, polarisation, suspicion and conflict’.²⁵³ [²⁵³ *The Daily News* 11 June]

Dr Meer said that although any decision to participate would be taken only after ‘the fullest consultation among rank-and-file membership of the organisation’ and with allies in the UDF and the Congress of South African Trade Unions, ‘it is clear that the reasons for non-participation today are stronger than in 1984’.²⁵⁴ [²⁵⁴ Ibid]

In August Dr Meer accused the the leader of the National People’s Party (NPP), Mr Amichand Rajbansi, of promoting apartheid through its housing policy (see *National People’s Party* below). Dr Meer said that ‘if Mr Rajbansi wants the Group Areas Act to go then why is he looking for more land for Indian housing?’²⁵⁵ [²⁵⁵ *Post Natal* 26 August]

In October Mr Mewa Ramgobin, an executive member of the NIC, denied allegations by the president of Inkatha and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, that the leaders of the UDF and the NIC were deliberately fuelling violence among African people (see chapter on *Political Developments*). Chief Buthelezi had also called on the Indian community ‘to shake the rubbish out of the NIC’ and had warned that there was ‘a brand of Indian’ who was ‘poison’ to the struggle for black

liberation. 'The history of the NIC is one of reconciliation, peace and co-existence. These are fundamental to the policy of non-violent political action,' Mr Ramgobin said.²⁵⁶ [²⁵⁶ *The Natal Mercury* 12 October, *Post Natal* 14 October]

In December the NIC held its first conference in ten years and re-elected Mr George Sewpersadh as the organisation's president.

Dr Meer denied accusations that 'a cabal' controlled the NIC and added that the conference was 'closed' but not 'secret'. He maintained that the conference had been democratic and open to all members even though there had been strict security precautions. Dr Meer said that NIC branches had been consulted about issues to be raised at the conference and that each branch had sent three delegates and three observers. Messages of support had been received from the ANC and the South African Communist Party (SACP), among others.²⁵⁷ [²⁵⁷ *The Weekly Mail* 4 December]

A former NIC official, Mr Y S Chinsamy, who had served the organisation for 25 years, alleged that the NIC was being run by 'a clique'. The former vice president of the NIC, Mr R B Chaudrey, who resigned in protest against the 'existence of the cabal', said that 'for the sake of peace, unity and harmony' certain NIC members 'silently suffered the mischief of the cabal'. 'The final straw was reached when we were told on the night of 25 November that a "closed meeting" was to be held at a "secret venue" on 29 November,' he said. Mr R Ramesar, the former general secretary, also resigned in protest. Dr Meer said that 'the cabal they refer to is in fact the most representative structure of congress, which is the organising committee'. 'This committee consists of executive members and representatives of all branches. No serious opponent of the government could possibly find anything objectionable about this democratic forum,' Dr Meer said.²⁵⁸ [²⁵⁸ *The Natal Mercury* 9 December]

In January 1988 a former executive member of the NIC, Mr M J Naidoo, said that 'the cabal' had 'a carefully manipulated plan to secure control of the NIC which is soon to be used as a vehicle to campaign for participation in the tricameral elections'. Mr Sewpersadh reiterated the NIC's denial of the existence of 'a cabal' and added that the organisation's policy on participation in the tricameral system had not changed.²⁵⁹ [²⁵⁹ *The Natal Witness* 26 January 1988] Mr Mamoo Rajab MP (Progressive Reform Party) had claimed that he had held discussions with members of the NIC on various matters, including participation in the House of Delegates. Dr Meer said that 'if it can be proved that any NIC members have in fact met Mr Rajoob or any other House of Delegates parliamentarian then we will institute disciplinary action against such individuals who would almost certainly be expelled from the organisation'.²⁶⁰ [²⁶⁰ *The Natal Mercury* 3 February 1988]

National Democratic Movement (NDM)

The National Democratic Movement (NDM) was formed in October by Mr Wynand Malan and three former members of the Progressive Federal Party (PFP), viz, the national chairman, Mr Peter Gastrow;

the party's MP for Greytown, Mr Pierre Cronjé; and a PFP member of the President's Council, Mr Pieter Schoeman. The three PFP members, who had apologised to the party for not informing it of their participation in the Dakar talks with the African National Congress (ANC) in July (see *Progressive Federal Party* below), resigned from the party to join the NDM.

Mr Malan had resigned from the National Party (NP) in January 1987 and fought the general election on a joint manifesto with Dr Denis Worrall, the former ambassador to Britain, and Mrs Esther Lategan, a former NP member, in a loose coalition called the Independent Movement (see *National Party* below). The NDM's leadership committee included Mrs Lategan and a prominent campaigner for the Independent Movement, Mr D P de Villiers. Dr Worrall said that he was 'confused' at being 'elbowed out' of the NDM and added that he doubted whether South Africa had 'the resources in the business community for both the NDM and the PFP to compete for funds and moral support'.²⁶¹ [²⁶¹ *Business Day* 9 October] The NDM said that it regretted the 'parting of the ways' with Dr Worrall, but his absence opened the way for the movement to fulfil its chosen role in parliamentary as well as extra-parliamentary politics.²⁶² [²⁶² *The Natal Witness* 10 October]

The NDM said the differences between Dr Worrall and his former partners centred on the primary role of the movement as an ordinary white political party with short-term political goals, as seen by Dr Worrall, as opposed to their ideal of an inclusive, nonracial national movement with long-term political goals.²⁶³ [²⁶³ *The Star* 12 October]

An NDM spokesman claimed that 57 of the 60 area committees set up by the Independent Movement had indicated that they would support the NDM, while only two committees and part of a third committee would support Dr Worrall. The spokesman further claimed that the NDM had received messages of support from the general secretary of the National Union of Mineworkers, Mr Cyril Ramaphosa, and the co-president of the United Democratic Front (UDF), Mr Archie Gumede.²⁶⁴ [²⁶⁴ *Business Day* 13 October]

In its first policy statement the NDM said that there had to be 'equality of citizenship, as well as recognized human rights for all the people of our country'. 'While these freedoms should be guaranteed by the constitution, we believe that the rights of all South Africans to their language, religion and culture should be guaranteed on the basis of freedom of association.' The NDM 'would like to see the freedom of the press and the media and a free flow of information restored, so as to ensure that all South Africans are informed of the circumstances affecting our country and our destiny'. The NDM was 'convinced that the root causes of violence as political instrument can only be addressed and counteracted through a purposeful process of negotiation'. The NDM believed that the state of emergency should be lifted as 'a prerequisite for negotiations'.²⁶⁵ [²⁶⁵ *Cape Times* 8 October]

Mr Cronjé argued that the viability of the PFP as a mobilising force in South African politics had been lost. The leader of the PFP, Mr Colin Eglin, said that the NDM had 'philosophically borrowed very heavily from the PFP' but only its 'style differs' (see *Progressive Federal Party* below).²⁶⁶ [²⁶⁶ *The Natal*

Witness 8 October, *Business Day* 9 October] Mr Malan called for the release of Mr Nelson Mandela and ‘all other political leaders’ in order that they may ‘participate in the political process’. He said that the vision of the NDM was to mobilise all South Africans on a nonracial basis.²⁶⁷ [²⁶⁷ *The Natal Witness* 21 October, *Business Day* 22 October]

National Party (NP)

The National Party (NP) has been the ruling party in South Africa since 1948. After the general election for the House of Assembly on 6 May, the NP was returned to power with 133 out of 178 seats (including nominated MPs). The NP gained six seats from its position in June 1986. The new official opposition was the Conservative Party (CP), which won 23 seats (including one nominated MP) in the white chamber (see *Conservative Party* above and chapter on *Government and Constitution*)

The NP’s election campaign promoted the concept of ‘reform’ based on ‘security’, and identified the African National Congress (ANC) as the major threat to stability in South Africa. On two occasions the minister of foreign affairs, Mr Roelof (Pik) Botha, summoned foreign diplomats to a meeting and informed them of an ‘ANC plan to disrupt the elections’.²⁶⁸ [²⁶⁸ *The Star* 10 April, *The Citizen* 19 April] The ANC denied that it intended to do this (see *African National Congress* above).²⁶⁹ [²⁶⁹ *Cape Times* 13 April] No incidents of sabotage were reported in the period preceding voting day. In April the state president, Mr P W Botha, warned the international community that South Africa was ‘not a nation of weaklings’ and successive NP candidates criticised ‘foreign interference’ in South Africa’s internal affairs.²⁷⁰ [²⁷⁰ *Business Day* 7 April, *The Star* 23 April] In an interview on a British Broadcasting Corporation radio station during April, Mr P W Botha said that he did not ‘foresee’ ‘a black majority government’ in South Africa and ruled out the possibility of a black state president ruling the country.²⁷¹ [²⁷¹ *The Citizen* 13 April]

In February the NP published an election manifesto which stated that the party was committed to striving for ‘full participation for all’, ‘freedom’, ‘prosperity’ and ‘security’. The manifesto said that the party would continue to promote reform ‘by broadening the democratic base of the government’, and security ‘by fighting and neutralising the revolutionary offensive’. The party sought a mandate from the electorate to continue with a strong security policy in dealing with the ‘revolutionary onslaught’.²⁷² [²⁷² *The Star* 17 February]

Several government ministers made important references to African political rights during the election campaign. The minister of national education, Mr F W de Klerk, said that the government had no mandate for power sharing with black people and that ‘without a clear mandate all reform will run on to the rocks’. According to Mr De Klerk, the core of the mandate being sought was:

- approval of a policy of power sharing on a basis in which no group would dominate another;

- establishing legislative and executive structures for blacks outside the national states;
- joint decision-making on the basis of consensus in a council of state; and
- the effective protection of minorities and group rights.²⁷³ [²⁷³ SAIRR, *Quarterly Countdown Five*, First quarter]

Mr Pik Botha said that a new constitution needed to be negotiated involving all the population groups. The minister of finance, Mr Barend du Plessis, said that ‘if you want to see an explosion in this land, close your eyes to the black people demanding their rights’. The minister of manpower, Mr Pietie du Plessis, said that the government was ‘implementing, in its process of orderly reform, a lesson it learnt from Imperial Russia—that one section of the population cannot keep everything to itself’.²⁷⁴ [²⁷⁴ *Ibid*]

Faced with an increased right-wing challenge in the Transvaal, National Party speakers at election meetings argued that the CP’s policy of ‘partition’ could never work as the political accommodation of urban Africans was a ‘realistic’ necessity (see *Conservative Party* above).²⁷⁵ [²⁷⁵ *The Citizen* 2 May]

The Progressive Federal Party (PFP) accused the NP of using a ‘dirty tricks’ campaign during the elections in its attempt to link the PFP with the ANC and prove that the PFP was ‘soft on security’ (see *Progressive Federal Party* below).

In April it was reported that the NP’s election advertising campaign cost over R100 000 a day. Mr Roger Burrows MP (PFP) said that no other party could ‘hope to compete with this sort of spending’.²⁷⁶ [²⁷⁶ *The Star* 29 April] According to the Department of Journalism and Media Studies at Rhodes University the NP received nearly double the election coverage of any other party or group (see chapter on *The Media*).²⁷⁷ [²⁷⁷ ‘Political News on South African television during the 1987 (white) general election’. Department of Journalism and Media Studies, Rhodes University.] After the election the PFP claimed that voters ‘had fallen’ for the NP’s election campaign because they had been ‘scared witless by ruthless propaganda’.²⁷⁸ [²⁷⁸ *The Citizen* 22 May]

In the months preceding the general election, a number of prominent NP members resigned from the party after concluding that the NP’s ‘reform’ initiative had ‘come to a standstill’. In January Mr Wynand Malan MP (Randburg) resigned and declared his intention to stand as an independent candidate. ‘A continued approach on the basis of group or community equals race, and this spells confrontation and disaster. Underlying my attitude is the view that security is only to be found in justice. That justice cannot, however, involve only one section of the population and can also not be experienced by only one section. It has to be justice for all,’ he said.²⁷⁹ [²⁷⁹ *Ibid* 6 February]

Also in January, the South African ambassador to Britain, Dr Denis Worrall, resigned his post and returned to South Africa. In February Dr Worrall announced that he would stand as an independent against the minister of constitutional development and planning, Mr Chris Heunis, in the Helderberg

(Cape) constituency. Dr Worrall said that South Africans were united by a single shared desire to be shown a path out of the present morass of unrest and repression and of international isolation and economic decline. 'The way to do it is to give the government a mandate to put a real end to apartheid and to start negotiations for political rights for blacks,' he said.²⁸⁰ [²⁸⁰ *The Star* 15, 20 February, *Business Day* 26 February]

The resignation of Mr Malan and Dr Worrall led to other defections from the NP, particularly among academics at the University of Stellenbosch, and by prominent Afrikaans-speaking businessmen. In March 301 academics at the University of Stellenbosch called on the NP to abolish all apartheid laws, including racial classification, and for an end to white domination in South Africa. In the same month Mr D P de Villiers resigned from the Nasionale Pers board and backed an academic and former NP member, Mrs Esther Lategan, who stood against the party in Stellenbosch.²⁸¹ [²⁸¹ *Sunday Star* 8, 15, 29 March] Several NP members, including Mr Albert Nothnagel MP (Innesdal) and the deputy minister of foreign affairs, Mr Kobus Meiring, urged reformist NP members to press for reform from within the party.²⁸² [²⁸² *The Star* 26 February, *The Citizen* 4 March]

The loose 'reform-minded' coalition known as the Independent Movement, which centred around Mr Malan, Dr Worrall and Mrs Lategan, fought the election on a joint manifesto. Mr Malan was the only independent candidate who won a seat. However, Dr Worrall lost to Mr Heunis by only 39 votes and Mrs Lategan reduced the NP majority in the Stellenbosch constituency by 3 841 votes. In October Mr Malan formed the National Democratic Movement (NDM), which excluded Dr Worrall (see *National Democratic Movement* above).²⁸³ [²⁸³ *Post Natal* 13 October]

In May the NP's director of information, Mr Con Botha, said that the NP was the only party that could claim to represent both English- and Afrikaans-speaking whites in the proper ratio. Mr Botha claimed that of the 1 075 000 votes won by the NP in the general election, about 392 000 were from English-speaking people and this gave a ratio of 63 to 37, Afrikaans- to English-speaking people. Mr Botha conceded that the NP's 'change in character' had cost it votes on the right but added that the party had already accepted that this type of vote would go and it had gone. 'No party is going to grow by being koeksuster-orientated,' he said.²⁸⁴ [²⁸⁴ *The Star* 28 May]

In his first speech after the NP's election victory in May, the state president, Mr P W Botha said that the electorate had given the government a clear mandate to pursue security for the country and its peoples as a primary objective. Mr Botha said that the government would continue to talk to 'wise, black leaders who believe in peace' but warned that he was determined to see that 'the government takes a very strong stand on extra-parliamentary organisations' which send delegations to talk to the ANC.

Addressing the Afrikaanse Handelsinstituut (AHI) congress in May, Mr P W Botha said that the private sector should not prescribe to the government on political issues and should confine its activities to business matters (see chapter on *Economy*). Mr Botha said that he referred especially to those businessmen who had met the ANC.²⁸⁵ [²⁸⁵ *Business Day* 20 May]

In August Mr Botha voiced his criticisms of a delegation, led by the Institute for a Democratic Alternative in South Africa (IDASA), which met the ANC in Dakar (Senegal) (see *African National Congress* above). He said that the government would also take ‘a strong stand’ on the ‘financing of organisations from outside the country’.²⁸⁶ [²⁸⁶ *The Citizen* 8 August] In March 1988 the government introduced in Parliament the Promotion of Orderly Internal Politics Bill, which made provision for the confiscation of foreign funds received by restricted individuals and organisations (see *United Democratic Front* below).²⁸⁷ [²⁸⁷ *The Star* 3 March 1988] The bill was, however, withdrawn.

On 11 June Mr Botha renewed the state of emergency and said that the ordinary laws of the land were still inadequate to maintain public order. Referring to the ANC, Mr Botha said that the government would not talk to ‘these people’ but would ‘fight them for the simple reason that they are part of the terrorist curse besetting the world today’. ‘In the midst of continuous and determined attempts to fan yet further the flames of violence, and to sow chaos and disorder, it is at the same time still government’s duty and responsibility to ensure security, order and stability in this country,’ he said (see chapters on *Political Developments* and *Security*).

During his budget vote in August, Mr Botha announced that a parliamentary joint select committee of inquiry had been appointed to investigate the activities and funding of extra-parliamentary organisations. Mr Botha strongly criticised IDASA and added that there would be stricter control of the issuing and renewal of passports for South Africans ‘who collaborate with enemies abroad’. In the same speech the state president indicated that the government was considering releasing the former national chairman of the ANC, Mr Govan Mbeki.²⁸⁸ [²⁸⁸ *Hansard* (A) 9 cols 3748-3771, 13 August] In November Mr Mbeki was released, after more than 23 years in prison (although he was later restricted) (see chapter on *Security*).

During 1987 the NP became increasingly concerned about the growth in support for the new official opposition, the CP, and its extra-parliamentary ally, the Afrikaner Weerstandsbeweging (AWB). National Party leaders continued to criticise the CP’s ‘policy of partition’ as an outdated plan, and described the AWB as a ‘Nazi’ organisation. In June the minister of the budget in the House of Assembly, Dr Dawie de Villiers, said that the CP’s policy was dangerous because it created ‘dangerous expectations for whites that an all-white state is possible when it is not’. Dr De Villiers said that the NP had accepted that the era of white domination was over, although the CP had not. He added that the CP’s policy of partition ‘means conflict’, while the NP’s policy was founded in consensus and the only ‘practical’ solution was power-sharing for all groups and the protection of groups from domination.²⁸⁹ [²⁸⁹ *Hansard* (A) 5 cols 1448-1455, 17 June] The state president also criticised the CP’s policy of ‘partition’ and said that the CP ‘owed it to the public’ to clarify whether this policy was not really a policy of secession which was unilateral and sometimes violent. He added that the CP would have to make arrangements for the 10m Africans that would be in the white state and for those that would still be born in the territory.²⁹⁰ [²⁹⁰ *Hansard* (A) 9 cols 3748-3771, 13 August]

In September the official organ of the NP, the *Nationalist*, condemned the AWB’s participation in a

memorial service for the dead Nazi leader, Mr Rudolph Hess, and added that right-wing groups ‘who try to equate the Afrikaner culture’ with Nazism ‘only display a deplorable ignorance of the history of the Afrikaner’ (see *Afrikaner Weerstandsbeweging* above).²⁹¹ [²⁹¹ *The Citizen* 8 September] At the NP’s Transvaal congress in November, the minister of national education and leader of the party in the province, Mr F W de Klerk, said that the party should treat the 1988 municipal elections as ‘a general election with regard to local government’. He added that ‘we are looking forward to the opportunity to show that the CP has peaked and is on the down slope’.²⁹² [²⁹² *The Star* 14 November]

Also in May, Mr Botha issued a full-page advertisement which called for all black ‘leaders who reject violence’ to join him ‘in talks and negotiations’. The advertisement said that the negotiations would not be a struggle for domination and power but ‘an honest meeting of men of peace and goodwill’ that ‘must and will produce the answers to our problems’.²⁹³ [²⁹³ *Business Day* 25 May]

In September the leader of the PFP, Mr Colin Eglin, claimed that one of the features of the session of Parliament following the general election had been ‘the sterile debate’ between the NP and the CP on issues relevant to white voters on the platteland. He added that these issues had no bearing on the problems and challenges facing ‘the 30m South Africans who are living in multiracial South Africa’.²⁹⁴ [²⁹⁴ *Hansard* (A) 15 col 6227, 21 September]

In September the NP introduced the proposed National Council Bill as a constitutional plan for the political accommodation of urban Africans and Africans living in the non-independent homelands. The proposed bill was widely criticised, albeit for different reasons, by black organisations and by both the CP and the PFP (see chapter on *Government and Constitution*). In September Mr Heunis said that the bill had been discussed with ‘257 people and organisations’ and ‘the support for the concept has been overwhelming’. Mr Heunis did not reveal which individuals and organisations the government had consulted. The ANC rejected the bill as a plan ‘designed to entrench white supremacy’, and the chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, reiterated that he would enter into negotiations with the government only if Mr Nelson Mandela and other political prisoners were released (see *Inkatha Yenkululeko Yesizwe* above).²⁹⁵ [²⁹⁵ *The Citizen* 11 September] The bill’s submission to Parliament was delayed in September when Mr Heunis announced that the standing committee on constitutional affairs had called for further evidence in the form of written representations.²⁹⁶ [²⁹⁶ *Ibid* 25 September]

In the same month Mr Heunis said that the government accepted ‘in principle’ a single legislature for KwaZulu and Natal but added that the ‘rights of minorities must be protected’. The deputy minister of information and of constitutional planning in the state president’s office, Dr Stoffel van der Merwe, said that the KwaZulu Natal indaba process was ‘fine’ although the government had not been more supportive because the interests of the minority—‘the Afrikaans-speaking part of Natal’—had not been catered for. He added that the trouble with the indaba was that ‘they did not continue long enough until real consensus was reached’ (see chapter on *Government and Constitution*).²⁹⁷ [²⁹⁷ *The Star* 14 September]

In September, introducing the Constitution Second Amendment Bill, Mr Heunis said that the proposal to provide for joint debates by the three houses was perhaps the most important amendment to the Republic of South Africa Constitution Act of 1983 'to date'. The bill was criticised by the PFP and the LP for not providing for joint decision-making (see *Progressive Federal Party* below).²⁹⁸ [²⁹⁸ Ibid 29 September]

In August Mr P W Botha, speaking during the state president's budget vote, said that the government intended to postpone the 1989 general election scheduled for the House of Assembly.²⁹⁹ [²⁹⁹ *Hansard* (A) 9 cols 3747-3748, 13 August] This proposed constitutional amendment required the agreement of the majority parties in both the House of Representatives and the House of Delegates. However, the NP-controlled President's Council (PC) would be the final arbiter if either the Labour Party (LP) or the National Peoples' Party voted against the amendment. The leader of the LP, the Rev Allan Hendrickse, said that his party would not agree to the proposed constitutional amendment unless the government gave an undertaking to repeal the Group Areas Act of 1966. Mr Hendrickse, who had apologised to Mr Botha for his 'protest swim' on a white-designated beach during January, resigned from the cabinet in August after numerous disagreements with the state president (see *Labour Party* above and chapter on *Government and Constitution*).

In October Mr P W Botha announced that the government had accepted the principle of 'open' residential areas. At the same time, he said, it intended to enforce strictly the existing provisions of the act and would continue to exercise strong measures to prevent illegal racial mixing in residential areas. Responding in the House of Assembly to the report of the committee for constitutional affairs of the PC on the report of the technical committee and related matters, Mr Botha said that the government would not allow public schools to be opened to all race groups, even if there was a possibility of certain residential areas being 'opened up'. He added that the government would not accept the committee's recommendation that the Reservation of Separate Amenities Act of 1953 be repealed without replacing it with alternative legislation. The report was rejected by all other parliamentary parties. Mr Hendrickse said that he found Mr Botha's speech and the report 'depressing and frustrating' (see chapter on *Social Segregation*).³⁰⁰ [³⁰⁰ *The Star* 18 September. *Business Day* 6 October]

In April the leader of the NP in the Johannesburg City Council, Mr Danie van Zyl, admitted that the Group Areas Act had failed in Hillbrow and no government would be able to remove those people who could afford to pay rents. 'We have no answers on Hillbrow where we allowed too many people of other races to move in. They have come to stay in these areas,' he said.³⁰¹ [³⁰¹ *The Star* 1 April]

In October the newly-elected NP MP for Hillbrow, Mr Leon de Beer, was arrested and charged on 139 counts of electoral fraud. Mr De Beer was suspended from the party and announced his intention to continue serving 'the voters of Hillbrow' as an independent, pending the outcome of the court case.³⁰² [³⁰² *Business Day* 16 October, *The Citizen* 17 October]

At the end of 1987 the NP held its four provincial congresses. In August the minister of justice and the leader of NP in the Orange Free State, Mr Kobie Coetsee, said at the provincial congress that the 1988

municipal elections would be of the greatest importance, and added that he wanted to see that 'where the CP interferes it must be put in its place'.³⁰³ [³⁰³ *The Citizen* 24 August]

In October the minister of home affairs, Mr Stoffel Botha, was re-elected leader of the NP in Natal at the party's congress in Amanzimtoti. Mr Botha said that the NP had finally displaced the opposition parties in Natal, which, before the general election, was the only province in the country not to be controlled by the NP. The Natal leader said that 'poison pen' journalists contributed as much to the revolution as did the 'man with the gun', and added that the government would take the necessary steps to ensure that 'revolution-inciting' propaganda was stopped in South Africa (see chapter on *The Media*).³⁰⁴ [³⁰⁴ *Cape Times* 17 October, *The Natal Witness* 16 October] In response to a resolution calling for legislation against foreign funding for 'certain extra-parliamentary organisations', Mr Coetsee said that existing legislation was being circumvented and the government would have to 'examine the loopholes and even consider new measures' (see *United Democratic Front* below).³⁰⁵ [³⁰⁵ *Business Day* 16 October] The state president told delegates at the Natal congress that the Commonwealth conference in Vancouver (Canada) should concentrate on 'issues and on matters to restore the good order and development and prosperity in our neighbouring states' and leave us alone to solve South Africa's problems'.³⁰⁶ [³⁰⁶ *The Star* 15 October]

In November Mr Heunis was re-elected leader of the NP in the Cape province at the party's congress in Cape Town. He told the congress that the government was investigating the possibility of dividing the four provinces into smaller entities. Mr Heunis referred to the KwaZulu Natal Joint Executive Authority as an example of how regional institutions could co-operate on matters of common concern (see chapter on *Government and Constitution*).³⁰⁷ [³⁰⁷ *Cape Times* 11 November, *Business Day* 12 November] Addressing the congress, Mr P W Botha dispelled rumours that he was going to resign and added that he was a political fighter and the more his enemies attacked, the less likely they were to get rid of him. Mr Botha said that Afrikaans-speaking people should not allow themselves to be divided on petty issues because it was the time when South Africa needed all its energy and teamwork.³⁰⁸ [³⁰⁸ *Diamond Fields Advertiser* 11 November]

In the same month it was reported that a group of NP MPs, referred to as Club 22, had formed an inner-caucus group to back Mr Roelof Botha as a possible successor to Mr P W Botha. Nationalist MPs claimed that Club 22 was merely a social club for new backbenchers and their wives. A patron of the club, the minister of manpower, Mr Pietie du Plessis, said that he had issued a statement which advised the club to disband because 'of gossip about Mr Pik Botha'.³⁰⁹ [³⁰⁹ *The Star* 24 November]

The minister of education and culture in the House of Assembly, Mr Piet Clase, told the Cape congress that the NP's policy of segregated schools was expensive. 'The policy which we all want is causing us to fight on the borders and costing us boycotts and sanctions. It is very expensive because we have to duplicate, triplicate and even quadruplicate,' he said. The minister of finance, Mr Barend du Plessis, said that it was essential to solve the country's political problems if any headway was to be made in building up South Africa's economy.³¹⁰ [³¹⁰ *Business Day* 12 November]

Mr Pik Botha warned delegates at the congress that propagandists for South Africa faced ‘a tidal wave of anti-South African sentiment in the outside world as a result of an emotional, intentional and finely planned campaign against the country’.³¹¹ [³¹¹ *Daily Dispatch* 11 November] Mr Heunis closed the congress by expressing his optimism that the government’s proposed National Council could lead to the negotiation of the first constitution for all South Africans.³¹² [³¹² *The Star* 14 November]

The NP held its Transvaal congress in Pretoria during November. The minister of national education and Transvaal leader of the party, Mr F W de Klerk, urged delegates to prepare themselves for the 1988 municipal elections in which the CP was expected to be a major opponent. Mr De Klerk added that the municipal election campaign would be the longest election campaign in the history of South Africa because it ‘had already started’. He claimed that he had received ‘overwhelming’ support for the recently imposed subsidy conditions for universities (see chapter on *Education*).³¹³ [³¹³ *The Citizen* 14 November] The Transvaal party leader assured delegates that they would not lose their schools, nor their residential areas and identities through NP reform. He said that whites would gain from reform as white security was tied to the extension of political rights to Africans.³¹⁴ [³¹⁴ *The Natal Mercury* 16 November]

In February 1988 the government banned 17 organisations, including the United Democratic Front (UDF) and the Azanian People’s Organisation (AZAPO), and prohibited the Congress of South African Trade Unions (COSATU) from engaging in political activities (see chapter on *Security*).³¹⁵ [³¹⁵ *The Star* 25 February 1988]

National People’s Party (NPP)

The National People’s Party (NPP) was formed in 1981 and was the ruling party in the House of Delegates. In March 1988 it held 25 of the 45 seats in the Indian chamber. The leader of the NPP and chairman of the ministers’ council in the House of Delegates, Mr Amichand Rajbansi, was also a member of the cabinet.

In January Mr Rajbansi said that he regarded the white general election as an ‘own affairs election’ and not a ‘general election’. Mr Rajbansi said that after consulting the leader of Solidarity, Dr J N Reddy, he felt that it was ‘too early’ to have an election for the House of Delegates. ‘We have just sown the infrastructure and have started seeing the fruits and we want to see more fruits before going to the polls,’ he said. An executive member of the Natal Indian Congress (NIC), Dr Farouk Meer, claimed that Mr Rajbansi was afraid to have an election because there would be an even lower percentage poll than in the 1984 election (see *Natal Indian Congress* above).³¹⁶ [³¹⁶ *The Natal Mercury* 6 January]

Mr Rajbansi said in March that the white election would be the most significant and most interesting election in the history of white politics in South Africa. He said that experience had taught him not to trust the liberals in the white community, and added that he did not believe that they would change the system any faster than the state president, Mr P W Botha (see chapter on *Government and*

Constitution).³¹⁷ [³¹⁷ *The Natal Witness* 30 March]

The NPP's 'unity pact' with Solidarity, the official opposition in the House of Delegates, led to a breakaway of MPs from Solidarity during January. The MPs were led by Mr Pat Poovalingam, who later formed the Progressive Reform Party. (PRP) (see *Progressive Reform Party* and *Solidarity* below).³¹⁸
[³¹⁸ *Business Day* 19 January]

In the same month a joint meeting of the parliamentary caucuses of the Labour Party (LP)—the majority party in the House of Representatives—and the NPP agreed on future co-operation. They agreed that if it was in the interests of both parties and houses, further joint caucus meetings would be held to determine strategies.³¹⁹ [³¹⁹ *The Star* 29 January]

In February Mr Rajbansi said that his party would 'under no circumstances' support the application of removals under the Group Areas Act of 1966. He said that the House of Delegates had adopted a pragmatic approach to the act but this would change if more land was not granted to Indians.³²⁰ [³²⁰ *Ibid* 10 February]

After Mr Rajbansi dismissed Mr Baldeo Dookie as minister of housing in the House of Delegates during April, a letter by Mr S Pachai, the party's chairman, was 'leaked' to the press and revealed strong criticisms of Mr Rajbansi's 'style of leadership'. The NPP lost its majority in the house after Mr Dookie, supported by seven NPP members, resigned from the ministers' council and the NPP. The eight MPs said that Mr Rajbansi's 'dictatorial style of leadership' was the main reason for their decision to resign. After losing two votes in the House of Delegates for the first time, the NPP persuaded three MPs to return to the party. Mr Rajbansi alleged that Solidarity had 'held captive' Mr Narantuk Jumuna MP (NPP) and added that Mr Jumuna 'was being brainwashed by people who are determined at any cost to occupy ministerial positions'. Mr Jumuna claimed that he was being 'blackmailed' into remaining loyal to the NPP because of a murder he had committed 24 years before in Ireland. 'Mr Rajbansi made my life so unbearable that I nearly committed suicide,' he said. The South African Police (SAP) were requested to give extra protection to MPs after some MPs had claimed that they had been 'physically threatened' in the brief power struggle that ensued over the control of the House of Delegates.³²¹ [³²¹ *The Daily News* 13 April, *Business Day* 20 May, *The Star* 22 May] The NPP regained a majority in the house during the no confidence debate at the end of May.³²² [³²² *The Daily News* 11 June] In June four MPs who had changed their Allegiances from the NPP to Solidarity resolved again to support the NPP.³²³ [³²³ *Ibid* 23 June]

In July the Transvaal Indian Congress (TIC) claimed that 'special votes' were being abused in the byelection for the Lenasia constituency in August (see *Transvaal Indian Congress* below). The TIC, which campaigned against participation in the House of Delegates, said that special votes cast in favour of the NPP in the Lenasia byelection were illegal in terms of the Electoral Act of 1979. The NPP denied the allegation. After winning the byelection on 4 August, Mr Rajbansi praised voters for their determination and interest and said that the 16% voting poll was an indication of increasing support for

Indian parliamentary groups.³²⁴ [³²⁴ *The Citizen* 6 August] In September the TIC and Mr Rajbansi failed to agree to conditions for a public debate.³²⁵ [³²⁵ *The Indicator* 25 September]

After the committee for constitutional affairs of the President's Council (PC) published its report on the report of the technical committee and related matters in September, the NPP expelled one of its members of the PC, Mr T L Gounden, for signing the report (see chapter on *African Removals*). Mr Gounden accused Mr Rajbansi of giving him conflicting instructions on whether or not to sign the report. Fifteen council members from the NPP, the LP, Solidarity and the Progressive Federal Party (PFP) walked out of the PC's chamber following the introduction of the report. The NPP leader said that his party would neither support nor reject the report but would use the report's 'many positive aspects' as a basis for negotiations.³²⁶ [³²⁶ *The Citizen* 19 September, *Cape Times* 19 September, *Sunday Tribune* 20 September]

Mr Rajbansi accused the *Sunday Tribune* of 'mischievous journalism' when the newspaper stated that he had succumbed to government pressure after initially supporting the idea of a one-month boycott of Parliament in protest against the Group Areas Act. Mr Rajbansi denied that he had suggested or advocated a boycott. The newspaper claimed that the article was based on Mr Rajbansi's statements drawn from the parliamentary *Hansard*.³²⁷ [³²⁷ *Sunday Tribune* 20 September]

In October a bomb partially destroyed the NPP's offices in Lenasia a few hours after they were officially opened. No one claimed responsibility for the explosion.³²⁸ [³²⁸ *The Weekly Mail* 2 October]

In November the leader of the Phoenix (Durban) region of the NPP, Mr Ashwin Mohanlall, praised the British prime minister, Mrs Margaret Thatcher, for not applying sanctions against South Africa.³²⁹ [³²⁹ *Post Natal* 11 November] In the same month Mr Rajbansi said that the government's proposed National Council (NC) was 'one of the finest developments for political change' in South Africa. Addressing the party's Natal congress, Mr Rajbansi said the NC, under the chairmanship of Mr P W Botha would consult Africans to plan a new constitution for South Africa (see chapter on *Government and Constitution*). The NPP would oppose conscription for Indians but had no objection to those who volunteered. The NPP leader criticised the NIC for its 'boycott and protest politics' and said that as a result of the NIC's policy, job creation had suffered and 'a pathetic situation' had arisen where Indian matriculants were in clothing factories as machinists.³³⁰ [³³⁰ *The Natal Mercury* 16 November, *Post Natal* 18 November]

In January 1988 Mr Rajbansi said that he would not follow the LP's decision to prevent Mr Botha from postponing the white elections from 1989 to 1992 unless the Group Areas Act was repealed. 'One good turn surely deserves another. Mr Botha did not force elections on the House of Delegates and the House of Representatives. So why should we force elections on him?,' Mr Rajbansi said (see *Labour Party* above).³³¹ [³³¹ *Phoenix* January 1988] In the same month the leader of the PRP, Mr Pat Poovalingam, made allegations of bribery and corruption against Mr Rajbansi in the Durban Regional Court (see *Progressive Reform Party* below).³³² [³³² *The Star* 26 January 1988] Dr Reddy said that in light of the allegations made by

Mr Poovalingam, 'the proper thing' for Mr Rajbansi to do was to step down from office until his name had been cleared. Mr Rajbansi said that he was not prepared to stand down as he regarded the allegations as 'propaganda fabricated by Mr Poovalingam'. 'I will only step down the day a single allegation against me is proved correct.' he said.³³³ [³³³ Ibid 2 February]

New Republic Party (NRP)

The New Republic Party (NRP) was formed in 1977 after the disbanding of the United Party and the Democratic Party (see 1978 *Survey* p8). In the general elections in May, the NRP lost four of its five seats in the House of Assembly. As at March 1988, it held one seat in the white chamber.

In January the NRP concluded an agreement with the Progressive Federal Party (PFP) that the two parties would not fight each other in the white general election in May. Agreement was first reached at provincial level, when the leaders of the two parties in the Cape province, Mr Roger Hulley (PFP) and Mr Pat Rogers (NRP), signed a pact.³³⁴ [³³⁴ *Business Day* 8 January]

In the same month 12 senior NRP members resigned from the party because of the election arrangement with the PFP. In a joint statement, they said that an alliance with the PFP was a temporary expedient which would not save the NRP and 'the politically honest action to take is to disband the party, use its assets to guarantee the pensions of loyal staff and allow members to gravitate to new political homes'. The leader of the NRP, Mr Bill Sutton, said that the breakaway would not affect the arrangement with the PFP, and added that it did not mean that the NRP would disband.³³⁵ [³³⁵ *The Star* 19 January] Two senior NRP MPs, Mr Vause Raw, the former leader of the party, and Mr Brian Page, the party's chief whip in the House of Assembly, announced their intention to retire before the general election.³³⁶ [³³⁶ *The Citizen* 20 January]

The leader of the NRP in the Transvaal, Mr Martin Stephens, said that his party would not oppose the National Party (NP) in any constituencies where NRP candidates' presence could benefit the right-wing parties.³³⁷ [³³⁷ Ibid 28 January]

Also in January, the NRP and the chief minister of Lebowa, Dr Cedric Phatudi, invited 'moderate political groups' to a conference in Pretoria. Delegates from the NRP, Lebowa, QwaQwa, the United Christian Conciliation Party and the Urban Councils' Association of South Africa attended the meeting. Mr Sutton and Dr Phatudi said after the meeting that efforts would be made to form an informal alliance of all interested organisations. They said that the alliance, which extra-parliamentary groups would be invited to join, would work towards a non-discriminatory constitution.³³⁸ [³³⁸ Ibid 26 January]

In April Mr Sutton said that 'national security' and 'foreign interference' were not the real issues in the election campaign but were being used by the NP to distract attention from its 'disastrous record' of government. The NP was attempting to gain support by engendering fear amongst the white electorate,

he said.³³⁹ [³³⁹ Ibid 14 April]

In May, after the NRP was reduced in the election to one MP in the House of Assembly, the leader of the party in Natal, Mr Derrick Watterson, said that for the NRP to carry on 'as it is now, would be a futility'.³⁴⁰ [³⁴⁰ Ibid 13 May] At the end of the NRP's federal executive meeting in May, Mr Sutton announced that the party had decided not to disband. Mr Watterson said that he 'was going along with the idea of keeping the NRP going' as 'loyalty is high on my list of priorities'. He added that the party's participation in the KwaZulu Natal indaba was one of the main reasons for the NRP's continued existence. (see chapter on *Government and Constitution*).³⁴¹ [³⁴¹ *Sunday Times* 17 May] In the same month six past and present members of the NRP, some of whom had resigned from the party because of its alliance with the PFP, formed the National United Party (NUP) in Durban.³⁴² [³⁴² *The Daily News* 16 May]

Also in May, Mr Sutton said that the NRP was 'looking at the Independent Movement with great interest because it provides new leadership, a new image and a new impetus for reform'. He said that the NRP was 'not finished' and 'must become part of the new vision' (see *National Party* above).³⁴³ [³⁴³ *Sunday Tribune* 17 May]

In October Mr Sutton welcomed the formation of the National Democratic Movement (NDM), led by Mr Wynand Malan (see *National Democratic Movement* above). He urged NRP members to take an active interest in the formation of NDM branches.³⁴⁴ [³⁴⁴ *The Natal Mercury* 10 October]

New Unity Movement (NUM)

The New Unity Movement (NUM), a revival of the Unity Movement of South Africa (formerly known as the Non-European Unity Movement), was launched in April 1985. Its chief affiliates were the Federation of Cape Civic Associations and the Natal-based African People's Democratic Union of South Africa (APDUSA).

In a statement published by the NUM in April, the organisation condemned the white general election as 'a tragic and destructive farce'. 'The election is devised to place in power a government that will maintain the present order of society. This election, therefore, is not only a patent fraud in terms of democratic principles; it is a violent abuse of privilege, prejudice and power to maintain a social system which the vast majority reject.' The NUM said that the majority had been rendered 'voiceless' and were being denied the right 'to take part in the democratic processes by which society can be made civilized and safe for everyone'. The NUM said that the solutions to South Africa's problems were:

- the attainment of full and equal citizenship by all South Africans in an undivided South Africa;
- the wiping out of exploitation, poverty, unemployment and all forms of discrimination; and

- the freedom of the masses from national oppression and of South Africa from foreign domination and exploitation.³⁴⁵ [³⁴⁵ New Unity Movement press statement April]

At a NUM public meeting in September, a speaker praised workers' success in building strong unions and added that the demands of workers were the same as the liberation movement. He criticised South African businessmen who flew to Lusaka (Zambia) for talks with the ANC, whilst their companies continued to exploit 'oppressed workers in South Africa'. Another speaker said that indefinite school boycotts were a misuse of 'the boycott weapon' and led to division, demoralisation and 'a breakdown in the battle for the minds of the oppressed'. The last speaker at the meeting warned that 'the ruling class would use even more ruthless methods of suppression in future as the struggle becomes sharper'. He also warned against the increasing role of 'liberals and imperialist among the oppressed' and referred to the institute for a Democratic Alternative for South Africa (IDASA), the National Democratic Movement (NDM) and the Five Freedoms Forum (see *Five Freedoms Forum* and *National Democratic Movement* above). The speaker said that 'negotiation with the ruling class could never bring liberation'.³⁴⁶ [³⁴⁶ *New Unity Movement Bulletin* vol 1 no 3 November-December o]

During the meeting fights broke out between a group of youths, allegedly supporters of the United Democratic Front (UDF), and members of the NUM. The president of the NUM, Mr Richard Dudley, said that the NUM would 'make it known to all organisations that this type of conduct, by a small number of people, is not only counter productive, but can only benefit the ruling class in its endeavours to cause disunity among the ranks of the oppressed'. The UDF's western Cape executive committee published a statement which called on its supporters to 'ignore' the NUM. 'Let those organisations who, in this period of severe repression, consider their political pre-occupation to be to attack the mass democratic movement, hold their meetings in peace and have their say,' the statement said.³⁴⁷ [³⁴⁷ *South* 10 September]

Also in September it was reported in *South* that about 50 members of the NUM's youth wing had resigned because of dissatisfaction with the organisation's leadership. According to one former NUM member, 'the final straw was when the NUM issued a pamphlet on 6 May criticising the call by the Congress of South African Trade Unions and the UDF for a stayaway in protest against the white election?'. 'The NUM has no programme of action. They only respond to what other organisations are doing. There is no way it will become a mass-based organisation,' he said.

In November the NUM reiterated its support for 'the boycott strategy'. In an article in the NUM's *Bulletin*, the organisation claimed that 'the boycott is one of the most powerful weapons an unarmed, oppressed people can use against the oppressors'.³⁴⁸ [³⁴⁸ *New Unity Movement Bulletin* vol 1 no 3 November-December]

Pan-Africanist Congress (PAC)

The Pan-Africanist Congress of Azania (PAC), formed in 1959 after a breakaway from the African National Congress (ANC), was banned in 1960 and operates in exile (see 1985 *Survey* p32). The organisation has a military wing, the Azanian People's Liberation Army (AZAPLA) and is committed to armed struggle as a strategy for overthrowing the South African government.

In an interview with South African Institute of Race Relations (SAIRR) researchers in Harare (Zimbabwe) during March, the PAC said that it supported the 'inalienable right to self-determination' by the 'indigenous African majority'. The PAC claimed that the 'indigenous African majority' was not a racial concept, but consisted of all people who were 'loyal' to Africa and interested in the development of Azania (South Africa). The organisation said that the current political struggle was both anti-colonialist and anti-capitalist. The PAC added that the replacement of the apartheid system with a nonracial parliamentary democracy would be inadequate because it could not represent adequately popular interests under capitalism. According to the PAC, parliamentary institutions were inimical to socialism because representation was not based on class.

The PAC's basic aim was the return of the land to the African people and land allocation and reallocation would depend on demographic, economic and technological factors. The organisation said that its main interest had been in rural mobilisation and it claimed that this strategy would avoid the elitism of other mobilisation strategies. The PAC said that its strategy in the countryside was one of a prolonged period of guerrilla warfare which was aimed at promoting maximum political participation by rural people as well as increasing their fighting capacity. The PAC would not enter into 'early negotiations' with the South African government. The organisation would only negotiate at a 'penultimate stage' when it was clear that its aims had been achieved. According to the PAC, the purpose of such negotiations would be to prevent further loss of life and property.³⁴⁹ [³⁴⁹ SAIRR interviews]

In January Mr Jeff Masemola, a PAC member who was sentenced to life imprisonment in 1963, went on a hunger strike in Diepkloof Prison (Johannesburg) to protest against prison conditions. Mr Masemola and another PAC member, Mr John Nkosi, were the longest-serving political prisoners in South Africa. In November the government released Mr Nkosi, after 24 years imprisonment and another PAC member, Mr Michael Matsobane, who had spent 10 years in jail. Mr Matsobane was served with several parole restriction orders which effectively curbed his ability to travel and made it difficult for him to resume his political activities. He said that he was still committed to Africanist and nonracial ideals. Mr Nkosi said that he was disappointed that his 'comrade', Mr Masemola, was still in jail. 'I have a strong hope that Jeff as well as other political prisoners will be freed', he said. In a statement released from Dar es Salaam (Tanzania) the PAC welcomed the release of its members from jail but said that their release should not be interpreted as a sign that there had been a change of heart or movement towards reform by the South African government. The three PAC men were released along with the former chairman of the ANC, Mr Govan Mbeki and two members of the right-wing Afrikaner Weerstandsbeweging (AWB) (see *African National Congress* and *Afrikaner Weerstandsbeweging* above and chapter on *Security*).³⁵⁰ [³⁵⁰ *Sowetan* 7 January, 9 November; *The Star* 10 November; *South* 12 November]

In February the PAC's chief representative in Australasia and the south Pacific, Mr Maxwell Nemadzivhanani, called on Australian parliamentarians to fight for more government aid to help Africa fight disease, hunger, illiteracy and oppression. Mr Nemadzivhanani urged the Australian government to provide assistance for self-help resettlement and rehabilitation projects run by exiled South African movements in neighbouring African states.³⁵¹ [³⁵¹ *Sowetan* 20 February]

According to the minister of law and order, Mr Adriaan Vlok, five Libyan-trained guerrillas belonging to the PAC were arrested in February with arms, explosives and Libyan defence force uniforms. Mr Vlok said that the five guerrillas had been arrested when they had attempted to infiltrate South Africa from Botswana. He said that some of the men were members of Qibia, 'a leftist, radical organisation operating under the banner of the PAC'.³⁵² [³⁵² *Ibid* 23 February]

In March the PAC's secretary for foreign affairs and information, Mr Gora Ebrahim, met officials from the British foreign office for talks. A foreign office statement said that the meeting was held in terms of its commitment to 'keep in touch with all shades of opinion' and should not be seen as a move to give official recognition to the PAC.³⁵³ [³⁵³ *The Star* 6 March]

In the same month the PAC denied a report that had claimed that there was a split in the organisation and that two senior officials had been expelled from their posts and another two had resigned in protest. The report alleged that the PAC's secretary for publicity, Mr Edwin Makoti, and the secretary for defence, Mr Sabela Phaama, had been fired by the organisation and that the respective secretaries for labour and education, Messrs Michael Muendane and Ike Mafole, had resigned in protest. According to the report, the split in the organisation was linked to drug dealing and car theft allegations. The PAC's finance secretary, Mr Joe Moabi, said that Messrs Makoti and Phaama still held their positions on the central committee, while Mr Muendane and Mr Mafole had not resigned but had been dropped from the central committee and suspended from PAC activities for 12 months. Mr Moabi said that there was no split in the organisation and that any PAC official found guilty of the drug dealing and car theft allegations would be expelled.³⁵⁴ [³⁵⁴ *Sowetan* 23 March]

In March, according to an announcement by Radio Uganda, the PAC opened an office in Kampala (Uganda).³⁵⁵ [³⁵⁵ *The Citizen* 21 March]

In April Mr Ebrahim addressed a conference of foreign ministers from Arab countries in Tunis (Tunisia). According to a PAC statement, the organisation would seek to intensify existing relations and called for close collaboration in matters of common concern. Mr Ebrahim also met the leader of the Palestine Liberation Organisation (PLO), Mr Yasser Arafat, and briefed him on the latest developments in South Africa. Mr Arafat said that Palestinians and South Africans were waging the same struggle for national liberation and self-determination.³⁵⁶ [³⁵⁶ *Sowetan* 8, 13 April]

Addressing the United Nations (UN) meeting called to commemorate the 11th anniversary of the Soweto revolt, the PAC's chief representative at the UN, Mr Lesaoana Makhanda, praised all those

youths who had lost their lives as 'heroes and heroines'. He said that the PAC had been the only exiled movement of national liberation, besides the Black Consciousness Movement of Azania, to be charged with responsibility for the revolt. He added that the PAC would do 'everything in its power to establish a nonracial, democratic and socialist Azania'.³⁵⁷ [³⁵⁷ Ibid 22 April]

According to an announcement on Radio Lesotho in July, members of both the PAC and the ANC had engaged in internal faction fighting at the refugee centre in Maseru (Lesotho). The radio said that in the fighting which had taken place among factions from the PAC, four members had been seriously injured and had to be admitted to hospital for treatment.³⁵⁸ [³⁵⁸ *The Star* 23 July]

Also in July, the chairman of the PAC, Mr Johnson Mlambo, held talks with the president of Tanzania, Mr Ali Hassan Mwinyi, on the situation in southern Africa. After the meeting, Mr Mwinyi said that Tanzania remained committed to supporting 'the just struggle of the Azanian people' and would do all it could to assist the national liberation movements. In the same month Mr Mlambo called on the people of Africa and the international community to render material support to black South Africans. Addressing a meeting of 'frontline states' in Lusaka (Zambia), Mr Mlambo also called for the total political, economic and cultural isolation of the South African government.³⁵⁹ [³⁵⁹ *Sowetan* 23 July]

In August three members of AZAPLA were killed after a car chase with the police in Johannesburg. Mr Ebrahim denied that the three men had been involved in robberies and said that 'our combatants are freedom fighters and not robbers' (see chapter on *Political Developments*).³⁶⁰ [³⁶⁰ Ibid 19 August]

In September the National Council of Trade Unions (NACTU) led by its president, Mr James Mndaweni, held discussions with the PAC in Tanzania. According to NACTU's general secretary, Mr Phiroshaw Camay, both delegations had condemned the practice of 'necklacing' and 'black-on-black violence' and had agreed that 'necklacing' was used by both 'the oppressor and as well as those forces wishing to impose undemocratically their ideological will on others'. Mr Camay said that NACTU had confirmed its objective of pursuing dialogue with all liberation organisations, in line with its principle of non-affiliation to political organisations. This was accepted by the PAC which also encouraged dialogue 'aimed at uniting all Azanian workers', Mr Camay said (see chapter on *Labour Relations*).³⁶¹ [³⁶¹ *The Weekly Mail* 4 September, *Sowetan* 4 September]

Addressing a press conference in New York after his four-week lecture and fund-raising tour of the Caribbean, Mr Nemadzivhanani said that the tour served to highlight the plight of exiled PAC communities living in Botswana, Lesotho, Tanzania and Zimbabwe and it helped communicate the PAC's overall political outlook on the South African struggle. He said that the 'Azanian struggle' was not simply a question of civil rights, but a national liberation struggle concerned with the restoration of the land and the right to self-determination by the indigenous African population. The PAC sought the total destruction of the current 'exploitative economic set-up' and its replacement with a socialist order and placed emphasis on the organisational, ideological and military fighting capacity of 'the oppressed'. Mr Nemadzivhanani said that although the PAC encouraged trade union struggles and mass resistance to

various abuses of the state, the organisation believed that a protracted armed struggle was also a necessary method of struggle.³⁶² [³⁶² *City Press* 25 October]

In November it was reported that a PAC delegation led by Mr Ebrahim would meet officials from the United States (US) State Department for discussions on the issue of mandatory sanctions against South Africa.³⁶³ [³⁶³ *Sowetan* 11 November]

In the same month the PAC release a statement which expressed strong opposition to the ‘organisational feud’ in the Pietermaritzburg townships between Inkatha and the United Democratic Front (UDF) (see chapter on *Political Developments*). ‘The feud is helping to cloud the real issues in South Africa. Feuds among the oppressed only benefit those in power. The PAC calls on all those involved in the fights in Maritzburg to end these senseless killings.’ The PAC urged the feuding parties to pursue their political aims and objectives, in spite of tactical differences, without resorting to inter-organisational violence.³⁶⁴ [³⁶⁴ *Ibid* 13 November]

Progressive Federal Party (PFP)

During 1987 the Progressive Federal Party (PFP) lost its position as the official opposition in the House of Assembly to the Conservative Party (CP), which won 23 seats to the PFP’s 20 (including nominated MPs) in the election on 6 May. Apart from its losses in the election, the party’s strength in Parliament was also diminished by the resignation of three MPs in the months after the election. As at March 1988 the PFP held 17 of the 178 seats in the white chamber.

In January the PFP and the New Republic Party (NRP) concluded an election pact wherein it was agreed that the two parties would not fight each other in the general election. The pact led to the resignation of 12 senior NRP members (see *New Republic Party* above). The PFP’s ‘turbocharge’ election strategy was formulated after Mr Colin Eglin reassumed the party’s leadership in 1986 (see 1986 *Survey* part 1 p168). The strategy involved the targeting of 21 marginal constituencies for ‘direct-mail marketing’, which, according to the PFP, could alter the outcome of the election if these constituencies were converted to the Party’s policies.³⁶⁵ [³⁶⁵ *The Star* 24 April]

The PFP’s election manifesto, published in March, called for the scrapping of all discrimination, for a new, negotiated constitution, equal rights for all and the sharing of political rights ‘without the domination of one group’ over others. The party believed that ‘a federal constitution free from racial structures and incorporating a bill of rights will best suit the needs of our nation and will bring security and harmony’. The ten-point manifesto outlined the PFP’s commitment to ‘building an alternative government through an alliance of moderate South Africans who want an apartheid-free South Africa’. The party’s pact with the NRP and its decision not to oppose key Independent candidates in the elections formed the basis of this strategy. The manifesto called for urgent, ‘real negotiations between the acknowledged leaders of all sections of our South African people’ and added that, while security and

law and order had to be maintained, this would only work 'if there is racial harmony and social, economic and political justice'. The PFP believed that the right of people to maintain their culture should be defended and would continue to strive for equal economic opportunity and individual rights.³⁶⁶ [³⁶⁶ Ibid 10 March]

In February Mr Eglin said that an election held under a state of emergency could be neither free nor fair. Speaking in the House of Assembly during the no-confidence debate, the PFP leader said that 'the state of emergency, with its police powers, its abrogation of the rule of law, its assault on civil liberties, its muzzling of the press, its denial of information to the public, its restrictions, its bannings, its jail without trial, is proof that the National Party (NP), after 39 years in office, is incapable of governing this country by democratic means'. 'Quite apart from the restrictions placed on what can be said by and what can be published about a political party, there cannot possibly be a fair or free election in that the voters at that election are kept in the dark about what is going on in the country.' Mr Eglin added that the pro-government propaganda work done by the Bureau for Information and the attempts 'by the South African Broadcasting Corporation (SABC) to brainwash the public' should help people realise that 'the opposition parties go into the coming election with their hands tied behind their back'.³⁶⁷ [³⁶⁷ *Hansard* (A) 1 cols 35-40, 2 February]

Throughout its election campaign the PFP reiterated its goal for a 'negotiated nonracial constitution' and stressed the possibility of a 'moderate alliance', brought together by the PFP, unseating the government in the 'near future'.³⁶⁸ [³⁶⁸ *The Sunday Star* 8 March, *The Citizen* 23 March, *The Star* 28 April] The party accused the government of using a 'dirty tricks' campaign against it in order to convince voters that the PFP was 'soft on security'. According to the PFP, the government tried to link the party to extra-parliamentary organisations, such as the African National Congress (ANC), the South African Communist Party (SACP), the United Democratic Front (UDF) and the End Conscription Campaign (ECC), through a series of newspaper advertisements and selected photographs and quotations.³⁶⁹ [³⁶⁹ *The Citizen* 5 February, *The Star* 27 April, 5 May, *Business Day* 16 April, 4 May]

In February the state president, Mr P W Botha, speaking in the no-confidence debate in the House of Assembly, claimed that the ANC was trying to manipulate the PFP and other organisations as part of a larger strategy to achieve its political objectives (see *African National Congress* above).³⁷⁰ [³⁷⁰ *Hansard* (A) 1 cols 244-256, 4 February] In May Mr Harry Schwarz MP (PFP) said that the NP had gone 'overboard in its desire to paint the PFP as a radical organisation, which it is not in any way'.³⁷¹ [³⁷¹ *The Citizen* 4 May] In April Mr Eglin said that voters were too intelligent to fall for the NP's 'nonsensical claim' that the PFP was 'soft on communism' because the party's whole approach and its policies were diametrically opposed to communism.³⁷² [³⁷² *Business Day* 27 April] At an election meeting in April, the PFP leader said that people had a right to support the ECC but the PFP had no association with the organisation.³⁷³ [³⁷³ Ibid 24 April]

In the same month Mr Horace van Rensburg MP (PFP) resigned from the party and claimed that aspects of PFP thinking and organisation were being hijacked by a small radical minority inside and outside the

party. He also claimed that ‘anti-Afrikaner animosities’ prevailed in some PFP quarters. The PFP denied his claims and said that Mr Van Rensburg was only expressing ‘sour grapes’ after he realised that he was going to lose the party’s nomination contest in the Bryanston (Transvaal) constituency.³⁷⁴ [³⁷⁴ *The Citizen* 11 February, *The Star* 11 February] The PFP regained the Bryanston seat after defeating Mr Van Rensburg, who stood as an independent candidate in the general election.

Commenting on the PFP’s election defeat as the official opposition, Mr Eglin said that he could not deny that ‘the results pose a major setback for the PFP and the concept of a reform alliance developing into an alternative government for South Africa’.³⁷⁵ [³⁷⁵ *The Weekly Mail* 8 May] He admitted that the PFP’s alliance with the NRP had not worked because NRP supporters had voted for the NP. Mr Eglin said that the NP had received ‘massive assistance’ through its ‘biased and servile SABC’ which had played along with the government to create a wrong image of the PFP on the issue of security (see chapter on *The Media*).

Speaking in the no-confidence debate in May, the PFP’s spokeswoman on law and order, Mrs Helen Suzman, said that the NP had used ‘every dirty trick imaginable’ in its election advertisement campaign. She said that the tragedy was that the electorate ‘fell for it’ after having been ‘scared witless by the ruthless propaganda’ put across by the NP in the press and over the radio and television.³⁷⁶ [³⁷⁶ *Hansard* (A) 1 col 224, 3 February] Speaking in the same debate Mr Eglin said that although the PFP had received ‘some jolts in the election’ it was ‘neither down nor out and was going to come back fighting’. He added that it was like ‘a bad dream’ to hear the NP being attacked by the new official opposition for being too liberal (see *Conservative Party* above).³⁷⁷ [³⁷⁷ *Hansard* (A) 1 cols 67-71, 2 February] The archbishop of Cape Town, the Most Rev Desmond Tutu, urged the PFP ‘to get out of Parliament’ as it had ‘given the world the impression that we have a multi-party democracy when it is now quite clear we have a total charade’.³⁷⁸ [³⁷⁸ *The Weekly Mail* 8 May]

In July Mrs Suzman accused the UDF and the National Union of South African Students (NUSAS) of ‘torpedoing’ the PFP’s support in the election by persuading thousands of students at English-language universities to boycott the polls ‘to show solidarity with disenfranchised black bretheren’. She claimed that this had cost the PFP seven seats, ‘three by less than 200 votes’.³⁷⁹ [³⁷⁹ *The Star* 9 July] The president of NUSAS, Mr Steve Kromberg, claimed that ‘NUSAS did not call for a boycott of the election’ but had ‘appealed to students to make decisions according to their own consciences’. Mr Kromberg added that those students who had decided not to vote ‘probably believed the PFP strategy of change through Parliament to be unrealistic’.³⁸⁰ [³⁸⁰ *Business Day* 10 July]

In August three PFP members apologised to Mr Eglin for not discussing their participation in the delegation of mostly Afrikaans-speaking South Africans which met the ANC in Dakar (Senegal) in July (see *African National Congress* above and chapter on *Political Developments*). The apology, by the party’s national chairman, Mr Peter Gastrow (MP), Mr Pierre Cronjé (MP), and a PFP member of the President’s Council (PC), Mr Pieter Schoeman, was accepted by the party’s parliamentary caucus. The participation of the three men in the delegation had threatened to split the party after Mr Schwarz

publicly repudiated the Dakar talks by saying that he was not prepared 'to negotiate with someone who has an AK-47 on the table'.³⁸¹ [³⁸¹ *The Citizen* 1 August]

At the end of July, the minister of defence, Mr Magnus Malan, said after a car-bomb explosion in Johannesburg that the Dakar delegation and Mr Eglin 'who supports talks' with the ANC 'owe South Africa an answer'. Mr Eglin said that the attempt by Mr Malan to link the PFP to the explosion was 'disgraceful', 'contemptible' and 'gutter politics at its worst' (see chapter on *Political Developments*).³⁸² [³⁸² *The Star* 31 July] In August Mr Gastrow said that Mr P W Botha's insinuation that he was unpatriotic because he had met the ANC in Dakar was 'the lowest level of debate'. He added that history would show that the government would have to meet the ANC at some stage.³⁸³ [³⁸³ *The Citizen* 15 August] In September the deputy minister of defence, Mr Wynand Breytenbach, indicated that Mr Gastrow had not been invited to a visit to the operational area as his presence might affect the 'morale' of the individual soldier. Mr Gastrow described his comments as 'outrageous' and challenged Dr B L Geldenhuys MP (NP) to repeat outside Parliament his claim that Mr Gastrow had not been invited on the trip because of his association with the ANC in Dakar and because MPs on border visits were often given 'confidential information about the onslaught of the ANC'.³⁸⁴ [³⁸⁴ *Business Day* 15 September]

Also in August, Mr Jan Van Eck MP (PFP) resigned from the party and said that although he had no fundamental differences with PFP policy, 'I can no longer reconcile myself to what I see as an increasingly ineffective party caucus which has become isolated and removed from its grassroots membership.' He said that the 'incredibly petty squabbling' within the caucus over the Dakar talks had not been shared by the grassroots party membership which had been 'overwhelmingly excited and enthused by the fact that the party had representatives at these talks'. Mr Van Eck refused to resign his Claremont (Cape) seat in response to calls from members of the PFP and added that he intended to extend his contacts 'in black education, trade union movements and grassroots organisations generally'. Three PFP youth leaders in Stellenbosch resigned in support of Mr Van Eck and in 'protest at the party's conservative drift'.³⁸⁵ [³⁸⁵ *Ibid* 17, 21 August]

In October Messrs Gastrow, Cronjé and Schoeman resigned from the party to join the National Democratic Movement (NDM) led by Mr Wynand Malan (see *National Democratic Movement* above). In announcing their resignation, the three former PFP members claimed that the PFP, by working within the strict confines of Parliament and directing its effort almost entirely in terms of style and vocabulary at a very narrow spectrum of the white electorate, had reduced its influence to such an extent that it could no longer be seen as a viable political force. They said that the NDM would be active in both parliamentary and extra-parliamentary politics.

Mr Eglin said that he was 'surprised and disappointed' and added that 'opposition to the NP would become further divided and that the process of fundamental change would be retarded'.³⁸⁶ [³⁸⁶ *The Natal Witness* 8 October] The three men said that they would not resign their seats.³⁸⁷ [³⁸⁷ *The Star* 8 October] Mrs Suzman said that she found the 'defections' of the four PFP members (including Mr Van Eck) 'totally inexplicable'. 'None of them claims to have any difference in principle, or basic policy, with the PFP

and that to my mind is the only acceptable reason for deserting the party responsible for their holding public office' she said.³⁸⁸ [³⁸⁸ *The Citizen* 22 October] In November Mrs Suzman, who had been in Parliament for 34 years, was elected national chairwoman of the PFP.³⁸⁹ [³⁸⁹ *The Star* 23 November] After the resignations, the PFP began to describe publicly its own stance as 'centrist' or 'being positioned firmly in the centre of the broad spectrum of South African politics'.³⁹⁰ [³⁹⁰ *The Citizen* 8, 27 August]

In August the PFP appointed a committee to draw up a new constitutional policy for the party as it was 'time for the PFP to update and review its constitutional policy in line with the party's fundamental principles and in light of the changed circumstances since 1978 when the policy was formulated'. One of the aspects of the PFP's constitutional policy that was criticised at the party's federal congress during 1986 was the retention of the minority veto clause. PFP youth leaders had criticised the concept of a minority veto, which, they argued, was a way of maintaining white domination.³⁹¹ [³⁹¹ *Ibid* 27 August, *The Star* 31 August]

In September the PFP opposed the government's National Council Bill, as it did not make adequate representation for 'all sections of our people'. Mr Eglin said that if the government 'proceeds to set up negotiating machinery that is not fully representative, not only will its efforts fail, but the process of negotiation will be set back still further' (see chapter on *Government and Constitution*).³⁹² [³⁹² *The Star* 18 September]

In the same month Mr Eglin said that the resignation of the leader of the Labour Party (LP), the Rev Allan Hendrickse, from the cabinet, together with the strong opposition building up towards the Group Areas Act of 1966 in the coloured and Indian houses, marked the first steps towards the 'disintegration' of the 'fatally flawed' tricameral system (see *Labour Party* above). Also in September the national director of the PFP, Mr Neil Ross, said the regional services councils (RSCs) were 'the Achilles heel of local government in the whole of South Africa'. He added that the RSCs would 'tear local government apart' because of the financial strain they would impose and because of their reinforcement of apartheid (see 1986 *Survey* Part 1 p171).³⁹³ [³⁹³ *Eastern Province Herald* 24 September]

Mr Eglin criticised the government's new regulations for joint debates of all three houses, saying that they detracted from the status of Parliament and impinged on the rights of MPs. During the debate on the report of committees on standing rules and orders in September, Mr Eglin said that the government did not have the courage to change the constitution to allow for joint decision-making as well as joint debates. 'It will be impossible for us to sit through a charade of talking and in the end retire to separate houses to make separate decisions,' he said. The PFP's chief whip, Mr John Malcomess, said that the government would never allow joint decisions to be taken because that would end the control the NP held over Parliament (see chapter on *Government and Constitution*).³⁹⁴ [³⁹⁴ *Hansard* (A) 16 cols 6486-6493, 28 September]

In September Mr Dave Dalling MP (PFP) said that the UDF 'bad little to show' for its years of struggle,

and it was time for 'this passive partner of the ANC' to become involved 'in the system it hates so much'. 'While the UDF elects to stay politically pure and aloof, others will dictate the future. The message to the UDF is that it must get involved,' he said.³⁹⁵ [³⁹⁵ *Cape Times* 22 September] A UDF spokesman rejected Mr Dalling's criticisms and said that he was 'preoccupied with criticising the democratic movement'. The spokesman added that the UDF 'decided to oppose the tricameral Parliament because it is undemocratic and does not carry the blessing of the majority of people in the country'.³⁹⁶ [³⁹⁶ *Ibid* 23 September]

In September six PFP Cape Peninsula MPs called for the whole of Cape Town to be declared an 'open area' as a matter of urgency. The six MPs released a statement which said that the Group Areas Act had 'done irreparable harm to the social and economic fabric of Cape Town'. 'We believe that the sooner Cape Town can have open residential areas, open schools and nonracial local government the better it will be for all its citizens,' they said.³⁹⁷ [³⁹⁷ *Ibid* 19 September] In October speaking in the debate on the report of the committee for constitutional affairs of the PC on the report of the technical committee and related matters, Mrs Suzman said that the Group Areas Act had only helped whites and added that between 1950 and 31 August 1984, of the 126 176 families 'resettled' under the act, 1,9% had been white, 66,3% had been coloured people and 31,7% had been Indian (see chapter on *African Removals*).³⁹⁸ [³⁹⁸ *Hansard* (A) 16 col 6703, 5 October]

During 1987 the PFP reiterated its opposition to economic sanctions against South Africa. In June Mr Schwarz criticised the call by the Rev Leon Sullivan (the author of the Sullivan Principles) for total disinvestment by American firms and a trade boycott of South Africa. He said that 'disinvestment and trade boycotts will encourage violent as opposed to peaceful change'.³⁹⁹ [³⁹⁹ *Eastern Province Herald* 5 June] Addressing a meeting at the University of California (United States) in November, Mrs Suzman said that economic sanctions had backfired and were likely to make the South African government more repressive. She called on Americans to withdraw their support for sanctions, and added that the disinvestment by foreign companies had not weakened the South African government but had increased black unemployment.⁴⁰⁰ [⁴⁰⁰ *Business Day* 17 November]

In December Mrs Suzman met the prime minister of Britain, Mrs Margaret Thatcher, and told her that she was not optimistic about the prospects for political reform in South Africa. Mrs Suzman said that she shared Mrs Thatcher's view that white rule in South Africa and the system of racial discrimination could not be effectively attacked through sanctions. Mrs Suzman added that she welcomed the British government's position on sanctions as long as it continued to make it clear that it firmly opposed apartheid and kept up support for South Africa's neighbouring states.⁴⁰¹ [⁴⁰¹ *The Star* 10 December]

In November Mr Eglin and Mrs Suzman became the first South African parliamentarians officially to visit the People's Republic of China. The two PFP leaders met the deputy head of the Communist Party's international liaison department and a group of Chinese academics who, according to Mrs Suzman, 'listened with great interest' to what the PFP delegation had to say.⁴⁰² [⁴⁰² *The Citizen* 5 November]

In June Mrs Suzman said in Parliament that the National Security Management System (NSMS) was ‘a sinister and disturbing’ development that had the effect of ‘a creeping coup d’etat by consent. She claimed that ‘accountable politicians’ had ‘abrogated their power to non-accountable members of the security forces’. She added that the ‘Botha regime was one of executive despotism’ in which the security forces were accountable only to the state president and the ‘state president only to himself’ (see chapter on *Security*).⁴⁰³ [⁴⁰³ *Hansard* (A) 3 cols 819-820. 4 June] In the same month Mrs Suzman appealed for the end to the state of emergency and added that there could be no ‘lasting stability unless the emergency is lifted and detainees released’ (see 1986 *Survey* Part 1 p169).⁴⁰⁴ [⁴⁰⁴ *Cape Times* 10 June]

At the PFP’s Natal congress in November, the outgoing party chairman in the province. Mr Ray Swart, said that if ‘you are looking for a quick fix towards short-term power in white politics in South Africa, the PFP is not for you’. Mr Swart said that if ‘the PFP were not in Parliament, who else could be relied upon to uphold democratic values and fight for the rejection of race discrimination and for civil liberties?’⁴⁰⁵ [⁴⁰⁵ *Sunday Tribune* 8 November] Mr Roger Burrows was elected by the congress to replace Mr Swart.⁴⁰⁶ [⁴⁰⁶ *The Sunday Star* 8 November] The PFP also reaffirmed its support for the KwaZulu Natal indaba, resolved to intensify the part’s extra-parliamentary work and recorded its ‘absolute rejection of the use of violence as a means towards political ends’.⁴⁰⁷ [⁴⁰⁷ *The Natal Mercury* 9 November, *Business Day* 9 November, *Cape Times* 9 November]

In February 1988 the PFP decided to become involved in the House of Delegates and the House of Representatives as pan of a strategy to ‘engage the system to change the system’. In March 1988 Mr Eglin said that it ‘was a deliberate move to obliterate the racially dividing lines which the tricameral system tries to impose on our parliamentary politics’. In the same month the Progressive Reform Party (PRP) in the House of Delegates indicated that the party would disband and its members would join the PFP (see *Progressive Federal Party* below).⁴⁰⁸ [⁴⁰⁸ *The Sunday Star* 6 March 1988]

Progressive Reform Party (PRP)

The Progressive Reform Party (PRP) was formed in January 1987 and as at March 1988 it held three seats in the House of Delegates. The PRP was launched by four former Solidarity MPs who were expelled from the party because of their opposition to Solidarity’s ‘unity pact’ with the ruling National People’s Party (NPP) (see *Solidarity* below).⁴⁰⁹ [⁴⁰⁹ *The Citizen* 26 January]

The leader of the PRP, Mr Pat Poovalingam, said that his party would be ‘the only real opposition’ in the House of Delegates as the ‘unity pact’ had made Solidarity and the NPP partners in government.⁴¹⁰ [⁴¹⁰ *Ibid*] Mr Poovalingam said that the PRP’s ‘principal function will always be to oppose apartheid in all its forms, which includes own affairs’.⁴¹¹ [⁴¹¹ *The Natal Mercury* 26 January] The PRP leader said that the Natal Indian Congress (NIC) and the United Democratic Front (UDF) had correctly warned against co-option into the apartheid system. ‘Certainly the four of us and some others have refused to be co-opted. Even if

the others want to go into the laager of the Nationalists, we have a duty to use the parliamentary platform to expose the wrongs that go on,' he said. Mr Poovalingam said that the leader of Solidarity, Dr J N Reddy had scored a 'first' of which 'Indian South Africans are so fond'. 'Dr Reddy became the first person in the entire parliamentary history of the world to be simultaneously leader of the official opposition and a cabinet minister,' Mr Poovalingam said.⁴¹² [⁴¹² *Post Natal* 26 January]

In January 1988 Mr Poovalingam was subpoenaed to give evidence in a court hearing on allegations of corruption and bribery he had made in 1985 against the leader of the NPP, Mr Amichand Rajbansi (see *National People's Party* above). Mr Poovalingam repeated the allegations in the Durban Regional Court. Mr Rajbansi rejected Dr Reddy's request that he resign, and added that he would only stand down if the allegations were proved correct.⁴¹³ [⁴¹³ *The Citizen* 26 January 1988, *The Star* 2 February 1988]

In March 1988 Mr Poovalingam announced that the PRP would join the Progressive Federal Party (PFP) as part of the PFP's strategy to use all three houses of parliament as a base from which to attack apartheid (see *Progressive Federal Party* above). The PFP members of the House of Delegates would become the first PFP MPs who were not white. Mr Poovalingam, who would become the leader of the PFP in the House of Delegates, said that he believed that within a few years the PFP would reflect the population complexity of the nation and most of its members would be black.⁴¹⁴ [⁴¹⁴ *The Sunday Star* 6 March 1988]

In April Mr Poovalingam said that the Herstigte Nasionale Party (HNP) should stop resorting to 'blatant anti-Indian racism' in its election Campaign.⁴¹⁵ [⁴¹⁵ *The Citizen* 23 April]

Solidarity

Solidarity was formed in 1984 and as at March 1988 it held 11 of the 451 seats in the House of Delegates where it was the official opposition.

At Solidarity's party congress in January 1987, the party reaffirmed the coalition agreement with the National People's Party (NPP), the ruling group in the House of Delegates. As a result of the agreement, signed in 1986, the leader of Solidarity, Dr J N Reddy, was appointed minister of the budget and another leading Solidarity member, Mr Ismail Kathrada, was appointed minister of health services and welfare (see 1986 *Survey* Part 1 p172–173). Solidarity retained its role as the official opposition in the House of Delegates. Four Solidarity MPs, led by Mr Pat Poovalingam, were expelled from the party after they opposed 'the unity pact'. Mr Poovalingam and the other three MPs formed a new party called the Progressive Reform Party (PRP) (see *Progressive Reform Party* above).⁴¹⁶ [⁴¹⁶ *Ibid* 26 January]

Addressing the congress, Dr Reddy defended his decision to form a coalition agreement with the NPP. 'We would be dissipating our energies if we regard our opposition in Parliament as the NPP. when in fact there are no perceptible or fundamental policy differences between the two parties,' he said. Dr

Reddy said that the agreement maximised the resources of both parties ‘to the advantage of all concerned’ and added that ‘on general affairs, the entire House of Delegates can be said to be in opposition to the government’s policies’. Mr Poovalingam claimed that Dr Reddy was the first person in parliamentary history to be ‘simultaneously leader of the official opposition and a cabinet minister’.⁴¹⁷ [417 *Post Natal* 26 January]

Speaking in Parliament in February, Dr Reddy said that ‘in an atmosphere of intense bitterness and frustration, against the background of detentions, the state of emergency and the police presence in the townships, no dialogue can take place’. He said that in order for the government to overcome the ‘political impasse’ it should make an unequivocal declaration that all apartheid legislation, particularly the Group Areas Act of 1966 and the Population Registration Act of 1950, would be abolished without delay.⁴¹⁸ [418 *The Star* 3 February]

After an ultimatum by the speaker of Parliament, Mr Louis Le Grange, that Solidarity had until 27 March to decide on its role in the House of Delegates, the party’s national executive decided to terminate its coalition agreement with the NPP and retain the position of off opposition Dr Reddy resigned from his position on the ministers’ council, which was inconsistent with his position as the leader of the opposition, while Mr Kathrada indicated that he would resign his membership of Solidarity and remain on the council.⁴¹⁹ [419 *The Daily News* 28 March] In April the national vice chairman of the party, the Rev Edward Manikkam, resigned from Solidarity in protest over the way in which the coalition agreement was handled and the manner in which the four MPs were expelled from the party.⁴²⁰ [420 *Post Natal* 8 April]

In July the national chairman of Solidarity, Mr Ismail Omar, said that the party would not allow itself to be used as a ‘holiday resort’ by people with personal ambitions. Mr Omar was reacting to a number of MPs who had shifted allegiances from Solidarity to the NPP (see *National People’s Party* above). He added that ‘their movement seems to coincide with offers of lucrative positions and the perks of office that go with it’.⁴²¹ [421 *Ibid* 8 July] In September Mr Omar suggested that a one-month boycott of Parliament be organised to force the government to negotiate a moratorium on all evictions under the Group Areas Act. Mr Rajbansi eventually rejected the idea and denied that he had succumbed to government pressure.⁴²² [422 *The Star* 3 September]

In February 1988 Dr Reddy said that there had been ‘no real discussion’ within Solidarity on the PFP’s plan for a coalition across the three houses of Parliament (see *Progressive Federal Party* above).⁴²³ [423 *Business Day* 5 February]

South African Communist Party (SACP)

The South African Communist Party (SACP) was formed in 1921 and was banned in 1950. It operates in exile and works in close alliance with the African National Congress (ANC).

In January the United States (US) released an intelligence report on 'Communist Influence in South Africa' which served as a guideline on American policy towards the South African liberation movements. The (American) Comprehensive Anti-Apartheid Act, which had imposed selective economic sanctions against South Africa in October 1986, had provided for an investigation into communist influence in the ANC (see 1986 *Survey* Part 1 pp137–138). The intelligence report traced the history of the SACP and its relationship with the Union of Soviet Socialist Republics (USSR) and the ANC. The concluding section of the report argued that the interests of the SACP were being served by the South African government's inflexible attitude towards negotiations with the ANC. The report said that negotiations could 'shatter the SACP' because of its policy differences with the ANC. The report claimed that the SACP was concerned that nationalist elements in the ANC might try to conclude a separate deal with the South African government.

According to the report, half of the ANC's 30-member national executive were 'known or suspected communists'. The report added that these 'known or suspected communists' also dominated the ANC's military wing, Umkhonto we Sizwe, and the exiled trade union movement, the South African Congress of Trade Unions (SACTU). 'A clandestine SACP network of probably modest dimensions is believed to exist in South Africa alongside a parallel but distinct network of ANC supporters.' It claimed further that the ANC was beholden to the SACP, the USSR and Angola for its arms and military training. However, the report stressed that 'there is little reliable evidence on the extent of SACP influence within the United Democratic Front (UDF)' which is 'due largely to the disparate and fragmented nature of the UDF' (see *United Democratic Front* below). The report claimed that the SACP appeared 'to have little or no influence on political and labour groups inside South Africa' and that 'this lack of popular support gives non-communist leaders of the ANC considerable counter-leverage against SACP efforts to dominate the group'.⁴²⁴ [⁴²⁴ *Cape Times* 17, 19, 20 January]

In April the newly-appointed secretary general of the SACP, Mr Joe Slovo, resigned his post as chief of staff of the ANC's armed wing, Umkhonto we Sizwe. The administrative secretary of the ANC's information department, Mr Victor Moche, said that the initiative for Mr Slovo's resignation had come from the SACP which had anticipated that his new position in the party would require all his time and had asked that he be allowed to leave Umkhonto. Mr Moche added that although the ANC had agreed to this request with 'great reluctance', it was felt that 'the post of chief of staff of Umkhonto also required the full-time attention of someone'. Mr Moche denied that Mr Slovo's resignation was a result of pressure from western governments.

According to a student of the ANC, Dr Tom Lodge, of the Department of Political Studies at the University of the Witwatersrand, Mr Slovo would retain his place on the ANC's national executive committee and his resignation neither implied a purge of communists by the ANC nor tension between it and the SACP. 'If the removal of Mr Slovo was meant to imply either disappointment with him or the SACP generally, this would mean a major shake-up.' he said. Dr Lodge added that it was logical for the SACP's senior member 'to get rid of an ANC portfolio, albeit a very important one'. Dr Lodge said that Mr Slovo's resignation removed one of the most influential advocates of restraint from the ANC's

military wing.⁴²⁵ [425 *Sowetan* 23 April; *The Star* 22, 24 April] The director of the Africa Institute, Mr Eric Leistner, said that Mr Slovo's acknowledged role as a 'high-level communist operator' did not look good for the ANC and his resignation would be a favourable move for the organisation.⁴²⁶ [426 *Business Day* 27 April]

In an interview published in *Work In Progress* during October, a senior SACP official outlined the party's view on its alliance with the ANC and the role of the SACP in the 'national-democratic revolution'. The official explained that the SACP's participation in the liberation alliance' was not 'an opportunistic ploy to camouflage our so-called hidden agenda and to use the ANC as a stepping stone to socialism'. 'We have never made a secret of our belief that the shortest route to socialism is via a democratic republic.' The SACP took part in 'the liberation alliance, as one of its fundamental pillars, because we believe that the elimination of national domination, which is the prime objective of the alliance, is of the most immediate and vital concern of South Africa's proletariat'.⁴²⁷ [427 *Work in Progress* no 50-51, October-November]

The official added that 'to be truly representative of a people whose overwhelming majority are workers, the ANC recognises the need to show a strong bias towards the working class, both in its composition and policies. It does not apologise for the fact that it considers it both proper and necessary for socialist ideology to be discussed and understood in its ranks'. The ANC was 'the head of the liberation alliance and the prime representative of all the oppressed', and its 'strategy and tactics bear witness to an approach which recognises the significance of the different class formations which make up "the people"', the official said. However, he added that it would weaken the multi-class character of the ANC if it adopted socialist objectives as part of its programme

The SACP official said that there was 'both a harmony and a distinction' between a trade union movement and a corks' political vanguard'. A trade union could not represent workers both in the economic struggle 'against the bosses' and 'in relation to all classes of society and to the state as an organised force'. The official said that his party believed that it was equipped to play the role of the 'political vanguard of the working class'.⁴²⁸ [428 *Ibid*]

In November the government released the former chairman of the ANC, Mr Govan Mbeki, who immediately declared his continued allegiance to the ANC and the SACP. Mr Mbeki was served with restriction orders and all of his rallies at which he was due to speak were banned (see *African National Congress* above and chapter on *Security*).

Transvaal Indian Congress (TIC)

The Transvaal Indian Congress (TIC) was revived in 1982, and in 1984 it affiliated to the United Democratic Front (see *United Democratic Front* below and 1984 *Survey* p38). In February 1988 the government restricted the vice president of the TIC, Dr Rashid Saloojee, as part of a general security

clampdown in which the United Democratic Front (UDF) and 16 other organisations were banned (see *United Democratic Front* below and chapter on *Security*).

In January 1987 the TIC criticised the delay in the admission of Soweto pupils to schools in Lenasia (outside Johannesburg) and said that leaders in the House of Delegates were ‘dishonest’ by claiming that Indian schools had been opened to all races. A TIC statement said that the House of Delegates had imposed a system whereby pupils would require a permit before they could be admitted to the schools. The TIC called upon all principals ‘to admit students unconditionally, and in so doing, they will not be breaking the law but will be exposing the sham of “open schools” as viewed by the House of Delegates’.⁴²⁹ [⁴²⁹ *The Indicator* 27 January]

In June the TIC said that it would oppose any attempts to ‘extend military conscription, cadet training, camps and national service to Indian, coloured and African youth’. The TIC described the report of the President’s Council’s committee for social affairs on the youth of South Africa as ‘pure racist garbage designed to force conscription onto the black youth’.⁴³⁰ [⁴³⁰ *Cape Times* 20 June]

In the same month the TIC and the UDF mounted an extensive campaign to persuade voters not to vote in the Lenasia byelection. A TIC spokesman said that ‘the House of Delegates and anyone associated with it has little credibility in our community and they will demonstrate that again when they refuse to vote for the apartheid system on 4 August’.⁴³¹ [⁴³¹ *The Indicator* 26 June] In July the TIC claimed that special votes cast in favour of the National People’s Party (NPP) for the Lenasia byelection were illegal in terms of the Electoral Act of 1979. The NPP denied the allegation and the party’s candidate, Mr Mohamed Shah, wrote a letter to voters which advised them to report to the Lenasia Police Station any person who asked questions or intimidated them with regard to the reason for casting a special vote. At the end of July the Witwatersrand Local Division of the Supreme Court set aside six special votes cast irregularly.⁴³² [⁴³² *The Citizen* 17 July, *Sowetan* 5 August]

The TIC issued a newspaper advertisement which challenged the candidates in the byelection to ‘face the people’ at a mass meeting in Lenasia. About 1 000 people attended the mass meeting to protest against the tricameral system and a TIC statement said that ‘needless to say, candidates failed to arrive’.⁴³³ [⁴³³ *The Star* 3 August] A TIC attorney, Mrs Priscilla Jana, said that another TIC legal adviser, Mr Krish Naidoo, had been assaulted by a family member of one of the election candidates. The TIC and the parties contesting the election made claims of intimidation against one another.⁴³⁴ [⁴³⁴ *Sowetan* 5 August] The NPP won the Lenasia seat in a 16% voting poll (see *National People’s Party* above).⁴³⁵ [⁴³⁵ *The Citizen* 6 August]

In September the TIC and the leader of the NPP, Mr Amichand Rajbansi, failed to come to an agreement about the procedural aspects of a proposed public debate in Lenasia. The TIC went ahead with the public meeting without Mr Rajbansi and called on all members of the NPP to resign from Parliament as they had no mandate from Indians to participate in Parliament or represent them.⁴³⁶ [⁴³⁶ *Sunday Tribune* 27

September]

United Democratic Front (UDF)

The United Democratic Front (UDF) was launched in Cape Town in August 1983 as a nonracial alliance of political, civic, youth, student, women and trade union organisations. The UDF claimed between 700 and 800 affiliates and more than 2,5m members. The organisation had a national executive committee and several regional executive committees.

On 24 February 1988 the government banned the UDF and 16 other organisations and prohibited the Congress of South African Trade Unions (COSATU) from engaging in political activities (see chapters on *Security* and *Labour Relations*). Fourteen of the banned organisations were affiliated or sympathetic to the UDF. They included: the Cape Youth Congress (CAYCO), the Cradock Residents' Association (CRADORA), the Detainees' Parents Support Committee (DPSC), the Detainees' Support Committee (DESCOM), the National Education Crisis Committee (NECC), the National Education Union of South Africa (NEUSA), the Port Elizabeth Black Civic Organisation (PEBCO), the Release Mandela Campaign (RMC), the Soweto Civic Association (SCA), the Soweto Youth Congress (SOYCO), the South African National Students Congress (SANSCO), the South African Youth Congress (SAYCO), the Vaal Civic Association (VCA) and the Western Cape Civic Association (WCCA). The government also banned the black consciousness Azanian People's Organisation (AZAPO) and its youth wing, the Azanian Youth Organisation (AZAYO) (see *Azanian People's Organisation* above). In an amendment to the emergency regulations, the organisations were prohibited from 'carrying on or performing any activities or acts whatsoever', but were allowed to 'preserve' their assets, keep their books up to date and take 'legal advice or judicial steps' (see chapter on *Security*).⁴³⁷ [⁴³⁷ *The Star* 25 February 1988]

The government restricted 18 people, including two of the UDF's three national presidents, Mr Archie Gumede and Mrs Albertina Sisulu, to specific geographical areas and prohibited them from engaging in any political activity. The third UDF president, a 76-year-old former Cape trade unionist, Mr Oscar Mpetha, was serving a five-year sentence in Pollsmoor Prison (Cape Town).⁴³⁸ [⁴³⁸ *The New Nation* 25 February 1988] The head of the security police, General Johan van der Merwe, quoted selected extracts from speeches made by the president of the African National Congress (ANC), Mr Oliver Tambo, 'to prove' that the UDF was 'a creation' of the ANC and therefore 'part of the revolutionary onslaught'. The minister of law and order, Mr Adriaan Vlok, said that the organisations had been restricted because, he claimed, they had persisted 'in establishing, maintaining and promoting a revolutionary climate'.⁴³⁹ [⁴³⁹ *The Star* 25 February 1988]

The restriction of the 18 organisations was widely condemned internationally and several of the organisations indicated that they intended to take legal action. A UDF patron and the president of the World Alliance of Reformed Churches, Dr Allan Boesak, said that if the UDF could not call people to non-violent action he would do so in his own name. The archbishop of Cape Town, the Most Rev Desmond Tutu, said that people would see the bannings as 'a declaration of war' by the government.

The general secretary of the South African Council of Churches (SACC), the Rev Frank Chikane, said that he feared that South Africans would 'see force as the only way of ending apartheid'.⁴⁴⁰ [440 Ibid]

During the period under review and before it was banned, the UDF continued to campaign for the lifting of ban on the ANC and the release of all political prisoners. In January the UDF issued its New Year message for 1987. 'We enter 1987 devoid of any illusion as to what this government can and cannot do. We do not see any signs that the white minority is ready for a government based on the will of the people. We actually expect 1987 to usher in an era of even greater collaboration between the state president and the military.' The UDF said that it 'must warn the Botha government that banning the UDF will not solve the crisis' and added that '27 years after the banning of the ANC, Mr P W Botha himself has conceded that the ANC is still very much alive'. The organisation stated that it was 'still committed to waging a non-violent struggle against apartheid even as the state seems bent on closing every available legal space'.⁴⁴¹ [441 *The Star* 2 January]

During 1987 the government continued to restrict the promotion of UDF-led campaigns and detain UDF members and officials. In January *The New Nation* became the fourth Johannesburg newspaper to be prohibited from promoting or publishing statements about the campaigns for National United Action, Christmas Against the Emergency, Christmas of Concern and the Campaign for National Unity. In December 1986, *City Press*, the *Sowetan* and *The Weekly Mail* had been served with similar restriction orders (see chapter on *The Media*).⁴⁴² [442 *The Citizen* 8 January]

According to the DPSC, the majority of detainees held without trial in South Africa were members of the UDF and its affiliates. From 12 June to 31 December 1987, approximately 78% of the recorded 2 346 detainees were members of the UDF and its affiliates and about 50 detainees were UDF officials who served as organisers in local, regional and national capacities (see chapter on *Security*).⁴⁴³ [443 *Detainees' Parents Support Committee Annual Review of 1987*] According to research published by Mr Mark Swilling of the Department of Political Studies at the University of the Witwatersrand, the UDF had both a working class and an intellectual, professional leadership. Using a sample of 62 UDF leaders from six regional executives, Mr Swilling found that 33 were in economic positions that could be defined as working class, while the rest were teachers and lecturers (16), doctors, nurses and social workers (4), lawyers (5), priests (2), technicians (2) and students (2), with some leaders in overlapping categories.⁴⁴⁴ [444 *Work In Progress* no 49 September]

In September a member of the the UDF's national executive committee, Mr Billy Nair, claimed that more than 30 000 UDF members had been detained between 1985 and 1987.⁴⁴⁵ [445 *The Weekly Mail* 11 September] In May the general secretary of the UDF in the Border region and a member of the national executive committee, the Rev Arnold Stofile, was sentenced to 11 years in prison for terrorism (see chapter on *Security*).⁴⁴⁶ [446 *The Natal Witness* 26 May] In July the UDF's acting national general secretary, Mr Mohammed Valli, and its acting national publicity secretary, Mr Murphy Morobe, were detained in Port Elizabeth.⁴⁴⁷ [447 *The Citizen* 23 July] In August it was reported that almost the entire eastern Cape

executive of the UDF was in detention, including the president, Mr Edgar Ngoyi and the vice president, Mr Henry Fazzie.⁴⁴⁸ [⁴⁴⁸ *Eastern Province Herald* 11 August] Also in detention were leading members of the UDF's western Cape executive, including the president, Mr Zoli Malindi, the vice president, Mr Christmas Tinto, and the general secretary, Mr Trevor Manuel.⁴⁴⁹ [⁴⁴⁹ *The Weekly Mail* 21 August] At a secret meeting in Cape Town during May, the UDF elected a new western Cape executive committee. At that meeting, the Call of Islam formally affiliated to the UDF.⁴⁵⁰ [⁴⁵⁰ *The New Nation* 14 May]

In August a treason trial in the Transvaal Provincial Division of the Supreme Court at Pretoria, involving 19 officials of the UDF, AZAPO and civic organisations, entered its third year. The trial, which had begun in Delmas (east Rand) in June 1985 (see chapter on *Security*), began hearing evidence from three leading UDF officials, including the national general secretary, Mr Popo Molefe; the national publicity secretary, Mr Patrick 'Terror' Lekota; and the organisation's general secretary in the Transvaal, Mr Moss Chikane. The three men who were the only defendants who had been refused bail, had pleaded not guilty to the charges of high treason, terrorism, subversion and murder. The state was attempting to prove that the UDF had conspired with the ANC and the South African Communist Party (SACP) to overthrow the government.⁴⁵¹ [⁴⁵¹ *The Star* 21 August]

Addressing the court during cross-examination by the state, Mr Molefe said that it had never been the UDF's policy 'to make the country ungovernable'. He said that 'it was made very clear in the course of the debate on the policy of the UDF that the UDF would seek change in this country through the methods of a national convention. That was seen as part of a non-violent strategy'. 'We felt that there was a need to create a climate in which there would be no need for anybody to pursue violent methods,' he said. Mr Molefe added that many people felt that disarming the armed forces would be a precondition to a national convention, although he personally favoured a neutral peace-keeping force. An essential condition to be met before the UDF sat down at a national convention would be the lifting of banning orders on banned organisations. He said that if this happened 'you remove the condition which made them adopt' the armed struggle. Mr Molefe said that the UDF had never produced a document that said it was committed to a violent strategy to overthrow the government. He denied the prosecutor's allegation that there was an undocumented 'secret agenda' for violence.⁴⁵² [⁴⁵² *The Sunday Star* 23 August] He also denied that the UDF was carrying out the aims of the ANC 'to activate the masses against the government'.⁴⁵³ [⁴⁵³ *Sowetan* 1 September]

Giving evidence in September, Mr Lekota said that he understood the government's talk of reform in 1983 as an invitation 'to say how we saw the peaceful future of our country'.⁴⁵⁴ [⁴⁵⁴ *The Star* 10 September] He said that the launching of the organisation was mainly as a result of the new constitution and the 'Koomhof bills' (see 1983 *Survey* p57). 'If there is anyone to be blamed for the formation of the UDF, it is the government,' he said. Mr Lekota added that the UDF rejected the new constitution because it excluded the African majority from government.⁴⁵⁵ [⁴⁵⁵ *Sowetan* 11 September] He said that the UDF was not calling for a black prime minister or a black government, but for a government of all the people, who would be represented in Parliament. 'Experience has taught us that among African people as well, there

are rascals and scoundrels, bantustan leaders and men who are committed to apartheid,' he said.⁴⁵⁶ [⁴⁵⁶ Ibid 14 September] Mr Lekota said that the constitution was a 'recipe for violence and disaster', and even the inclusion of African people in the tricameral Parliament was not acceptable.⁴⁵⁷ [⁴⁵⁷ *The Star* 15 September] In response to a question by the prosecutor, Mr Lekota admitted that at one stage he had called the state president, Mr P W Botha, 'a tsotsi' because 'a tsotsi' was someone who was dishonest.⁴⁵⁸ [⁴⁵⁸ *Sowetan* 18 September]

Mr Lekota called on the government to abandon the policy of apartheid, which, he alleged, was the basis for armed conflict in South Africa.⁴⁵⁹ [⁴⁵⁹ Ibid 15 September] He accused the state of having encouraged witnesses to say that he went around the country teaching people how to make petrol bombs. 'I am being portrayed as an anarchist,' he said. Mr Lekota denied that certain members of the UDF had been elected to the executive because of previous convictions for taking part in the activities of the ANC. 'They were not elected because they were the best criminals. They were elected because they are regarded as heroes in the struggle for a just and democratic system of government in this country,' he said. Mr Lekota added that black heroes were now seen as criminals because of their political activities against apartheid.⁴⁶⁰ [⁴⁶⁰ Ibid 25 September] Mr Lekota also denied that the UDF 'worked hand in hand' with community newspapers, such as *Grassroots*, *Speak* and *The Eye*, in the struggle against apartheid. He said that these newspapers were independent publications and that the UDF had no say on their editorial policy or on how they operated.⁴⁶¹ [⁴⁶¹ Ibid 29 September]

In October Mr Chikane denied that the UDF wanted to destroy the existing education system in black areas, take over control of schools and replace the syllabus. He said that the UDF's policy was to oppose apartheid and 'people would continue to protest until apartheid was scrapped'.⁴⁶² [⁴⁶² Ibid 27 October] The three men's fourth bail application was refused (see chapter on *Security*).

In January the UDF, together with the NECC and the South African Council of Churches (SACC), issued an advertisement calling for the lifting of the ban on the ANC. The advertisement, which appeared in 22 newspapers, was timed to coincide with the 75th anniversary of the ANC. In response to the advertisement, the commissioner of police, General Johan Coetzee, issued regulations which prohibited the publication of advertisements or reports calculated to improve or promote the public image or esteem of a banned organisation. At the end of January Mr Justice H Daniels, in the Witwatersrand Local Division of the Supreme Court, found that the commissioner had exceeded his authority and declared the regulations invalid (see chapters on *The Media* and *Security*).⁴⁶³ [⁴⁶³ *The Star* 8, 9 January, *Sowetan* 30 January] In February Mr P W Botha accused the managing director of First National Bank, Mr Chris Ball, of providing the funding for the advertisement (see chapter on *Business*). Mr Ball challenged Mr Botha to repeat his allegation 'outside Parliament'. Mr Botha responded by appointing a one-man commission headed by the chief justice of the Cape province, Mr Justice G Munnik, to investigate the funding of the advertisement. During the course of the commission's proceedings, the UDF's national treasurer, Mr Azhar Cachalia, said that after the state of emergency had been declared and the UDF had been declared 'an affected organisation', it had been 'plunged into debt' because it could not raise foreign funds. Mr Cachalia said that the UDF had decided not to use its funds of R70 000

for the advertisements because of the possibility of security police intervention.⁴⁶⁴ [⁴⁶⁴ *Sowetan* 29 April]

During the period under review the UDF instituted two court actions against security regulations. In January, before a full bench of the Natal Provincial Division of the Supreme Court, the UDF and the RMC asked that the emergency regulations promulgated on 11 December 1986 be declared null and void, or alternatively that they be declared unlawful. The UDF's counsel, Mr Ismail Mahomed SC, said that the regulations would be attacked on the grounds that they were unreasonable, vague and gave officials 'unfettered discretion without proper guidelines'.⁴⁶⁵ [⁴⁶⁵ *The Weekly Mail* 30 January]

In May Mr Justice J Didcott, presiding in the Durban and Coast Local Division of the Supreme Court, declared invalid a government proclamation issued on 9 October 1986 which declared the UDF to be 'an affected organisation'. The proclamation prohibited the UDF from receiving foreign aid. The executive chairman of the UDF, Mr Cumick Ndhlovu, said in an affidavit that it was of crucial importance to the continued functioning of the UDF that it should be free to receive the financial assistance it needed from abroad. He said that the organisation had a budget of R2m of which R200 000 had been received in 1987. The government was granted leave to appeal in the Appellate Division of the Supreme Court in Bloemfontein.⁴⁶⁶ [⁴⁶⁶ *The Natal Mercury* 9 May] In August an organisation called the Friends of the UDF was launched to raise funds for the UDF in South Africa.⁴⁶⁷ [⁴⁶⁷ *The Star* 13 August] In March 1988 the government introduced in Parliament the Promotion of Orderly Internal Politics Bill. The bill made provision for the confiscation of foreign funds received by restricted organisations and individuals. The state would also be able to confiscate funds received before restrictions were gazetted.⁴⁶⁸ [⁴⁶⁸ *Ibid* 3 March 1988]

Two months before the general election for the (white) House of Assembly on 6 May, Mr Morobe said that the UDF could not 'approve participation' in the elections. The organisation did not directly call upon the white electorate to boycott voting. Mr Morobe said that the elections were 'a farce' because 'the minority of South Africans will elect a Parliament that will attempt to determine the future of the majority of South Africans'. 'The elections will take place under a state of emergency with police and army control. There is heavy censorship of the press, an almost total information blackout and no freedom of association,' Mr Morobe said. The UDF called on 'white UDF supporters and democrats' to go into their community and 'bring meaning to the politics of nonracialism'.⁴⁶⁹ [⁴⁶⁹ *Cape Times* 21 March]

In April the UDPs publicity secretary in Natal, Mr Lechesa Tsenoli, said that white South Africans should not emigrate but should stay and contribute towards a democratic, nonracial solution to the country's problems. Mr Tsenoli said that white voters must accept the responsibility of staying and identifying with 'the aspirations of the majority of South Africans'.⁴⁷⁰ [⁴⁷⁰ *The Natal Witness* 23 April] The UDF led a two-day stayaway as part of a 'national protest' action against the general election.⁴⁷¹ [⁴⁷¹ *Sowetan* 4 May] Commenting on the election results, Mr Morobe said that the clear right-wing shift among whites was due to 'outrageous and false NP "swart gevaar" propaganda' (see *Progressive Federal Party* above). 'As the election heat and dust settles, white South Africans who voted for continued white

minority rule will find the crisis and conflict has intensified, and there will be less comfort for all to take home,' he said.⁴⁷² [⁴⁷² *Sowetan* 8 May]

In June the chairman of the committee for constitutional affairs of the President's Council (PC), Dr Dries Oosthuizen, invited Mr Gumede to give suggestions on the restructuring of the PC. The UDF turned down the invitation and Mr Gumede said that negotiation with the government without the participation of the leaders of the ANC would be of no value. He listed several other conditions for talks with the government:

- the lifting of the state of emergency;
- the lifting of the ban on the ANC and the release of all political prisoners and detainees;
- the withdrawal of the army and the police from the townships; and
- a guarantee of safety for the return of exiles.⁴⁷³ [⁴⁷³ *The Star* 8 June]

In the same month 200 UDF delegates from nine regions held a policy meeting under what were said to be conditions of 'absolute secrecy'. According to Mr Morobe, the national working committee decided that all regions be consulted with a view to adopting the Freedom Charter. The committee called for 15 days of national protest action, from 12 June to 26 June, against the renewal of the state of emergency.⁴⁷⁴ [⁴⁷⁴ *Ibid* 5 June] After Mr P W Botha renewed the state of emergency on 11 June, Mr Morobe said that the government had finally admitted that it could only govern South Africa by keeping it on a 'permanent war footing'. He said that the UDF was 'appalled' by the complacency and passive acceptance of most whites of the continuation of the emergency (see chapter on *Security*).⁴⁷⁵ [⁴⁷⁵ *City Press* 14 June]

In July Mr Gumede said that the UDF should give 'serious thought' to participation in parliamentary elections that were constitutionally due in 1989 (see chapter on *Government and Constitution*). He said that although the organisation had not formally discussed the possibility of an alliance across all three parliamentary houses involving the UDF, participation in the elections 'could serve a useful purpose'.⁴⁷⁶ [⁴⁷⁶ *Business Day* 3 July] Mr Gumede said that the UDF's possible participation was in line with the organisation's ongoing search for political alternatives to break the present stalemate. The UDF president said that the organisation's non-participation in the 1984 tricameral Parliament 'was not a matter of principle but a matter of strategy'.⁴⁷⁷ [⁴⁷⁷ *City Press* 5 July, *The Weekly Mail* 10 July]

The UDF's western Cape executive rejected the idea of participation and added that 'if Mr Gumede was quoted correctly, we want to make it clear that these are only his personal views and they have not been discussed within the structures of the UDF'.⁴⁷⁸ [⁴⁷⁸ *The Star* 7 July] Mr Morobe confirmed that the UDF

would not take part in any 1989 general election. 'Our policy is well documented and remains uncontradicted. Revision of our non-participation is not even considered,' he said. Mr Morobe added that the UDF would not prevent anyone from advancing a personal view when it was solicited.⁴⁷⁹ [479 Ibid 9 July]

In an interview with *Leadership South Africa* in July Mr Gumede said that the western Cape's political antecedents were the Non-European Unity Movement which boycotted everything on principle (see *New Unity Movement* above). He said that they were 'not prepared to look at the opportunities that could arise from' participation. 'We must ask ourselves whether the tactic of total boycott has worked. It would seem so far that it has not, so we must explore other options.' Mr Gumede added that he would put it to the UDF for 'serious discussion' and said that any such decision 'would be a change in tactics in the light of changing circumstances'.⁴⁸⁰ [480 *Cape Times* 17 July] Mr Gumede maintained that what he had said had not been a UDF policy statement but his right as 'any human to take an objective look at an abstract situation and weigh the options'. Mr Cachalia said that the 'hysteria' about a split within the UDF was totally misplaced and reflected either 'mischief making by those who would like to see the organisation split' or 'a total misunderstanding of the dynamics of the UDF'. The body was not an inflexible one and encouraged its members to put their views to UDF forums.⁴⁸¹ [481 *The Star* 18 July] In the same interview Mr Gumede said that the affiliates of the UDF were totally autonomous and that the organisation did not have the machinery to supervise their activities. He said that ordinary members of the affiliates were able to accommodate differences of opinion, but that there were also 'activists' who were radical and very influential, but were 'flattening that sort of action'. Some people at leadership level were also inclined towards coercing others. There were, for instance, those who said that if a stayaway was called, 'anybody who does not stay away is an enemy of the people and therefore would be overrun'. It did not matter whether the person knew or did not know about a stayaway. If he did not comply 'the expression I heard used was that he must be streamrollered and run over'.

Mr Gumede said that it was no good his trying to 'deliver the goods when I am unable to control ten-year-olds' The only people who could 'get the people to compromise on any material issue were the ones in gaol'.⁴⁸² [482 *Leadership*, vol 6 no 6. 1987]

In the same month Mr Morobe called on 'our people in the community and on the factory floor' to unite against the imposition of regional services councils (RSCs). 'The RSCs rest on a system of local government involving the racially separate black local authorities and management committees, both of which have been rejected by communities throughout the country,' he said (see chapter on *Government and Constitution*).⁴⁸³ [483 *Business Day* 3 July]

In September the UDF reiterated its 'absolute rejection' of the proposed National Council Bill. 'We are sure that the voteless people of South Africa will recognise the National Council for the farce that it is, and return it to the dustheap where all the government's other toy telephones and other grandiose schemes lie', the statement said. The UDF added that if the council was imposed, the organisation expected 'an increased clampdown against the UDF as the government tries to prevent united resistance

to its schemes' (see chapter on *Government and Constitution*).⁴⁸⁴ [⁴⁸⁴ *The Star* 17 September]

The UDF celebrated its fourth anniversary in August and formally adopted the Freedom Charter, drawn up by the Congress Alliance, including the ANC, in 1955. The UDF said that its adoption of the charter was a sign of the organisation's transformation from 'an issue-based front to an anti-apartheid people's front' guided by a definite programme.⁴⁸⁵ [⁴⁸⁵ *The Weekly Mail* 21 August] Mr Cachalia said that the UDF was 'in retreat' and was 'engaged in a holding action to protect and defend our organisations'. He said that the government had attempted and failed to engage the UDF on the political terrain. 'We feel that we are politically stronger than the government. That is why they think it is in their interests to push us underground, to engage us in the security and military areas,' Mr Cachalia said.⁴⁸⁶ [⁴⁸⁶ *Business Day* 20 August]

In January, on the eve of Mr Tambo's meeting with the United States (US) secretary of state, Mr George Schultz (see *African National Congress* above), the UDF said that the South African government's unrelenting repression was thrusting the UDF and the legal opposition movement into a position where it may have to review its non-violent principles. In an open letter to Mr Schultz, Mr Morobe said that 'the failure of the US and the world to use all ways effectively to bring the apartheid system to an end will leave us with no alternative but to turn from peaceful methods'.⁴⁸⁷ [⁴⁸⁷ *Cape Times* 28 January] The US said that it would condemn the UDF if it resorted to violence to oppose apartheid.⁴⁸⁸ [⁴⁸⁸ *The Natal Mercury* 24 January]

In February Mr Gumede presented a dossier on 'apartheid vigilantes' to the United Nations Commission on Human Rights.⁴⁸⁹ [⁴⁸⁹ *The Weekly Mail* 27 February] In the same month Mr Gumede held talks in London with the minister of state at the British Foreign and Commonwealth Office, Mrs Lynda Chalker. Before the talks, the UDF president said that he would urge the government of the British prime minister, Mrs Margaret Thatcher, to give stronger meaning to its sentiments on apartheid by taking stronger actions.⁴⁹⁰ [⁴⁹⁰ *The Star* 24 February]

In October the UDF suspended relations with 'the British government and its representatives, pending further discussions with our affiliate organisations'. In an open letter to Mrs Thatcher, the UDF said that the dropping of charges against people who had allegedly plotted to kidnap members of the ANC living in Britain had been 'the last straw'. The UDF added that Mrs Thatcher should apologise to the ANC for her statement that the ANC was 'a typical terrorist organisation' (see *African National Congress* above).⁴⁹¹ [⁴⁹¹ *The Citizen* 29 October]

During the period under review the violent political conflict between the UDF and Inkatha in Pietermaritzburg's African townships escalated substantially. Peace talks and negotiations between the rival groups repeatedly broke down, each side accusing the other of responsibility for the violence. The UDF claimed that the violence started after Inkatha launched a recruitment drive. A number of interdicts restrained alleged Inkatha 'warlords' from violent action against particular individuals and communities. The president of Inkatha and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, accused the UDF

of being the internal wing of the ANC. Chief Buthelezi claimed that the ANC had identified Inkatha as 'an enemy' to be violently confronted. Although the leaders of both the UDF and Inkatha repeatedly called for an end to the violence, politically-linked incidents of murder, arson, rape and intimidation continued in the area (see chapter on *Political Developments*).

In February 1988 the president of the Inkatha Youth Brigade and the leader of the Inkatha delegation at the peace talks, Mr Musa Zondi, said that the banning of the UDF and the restriction placed on COSATU 'dash all hopes for the talks'. 'The UDF is a crucial element in the search for peace. Who is there now for us to talk to?' he said. In addition to the restrictions placed on Mr Gumede, the government restricted the head of the UDF in the Natal Midlands, Mr A S Chetty, another participant in the talks. A UDF representative said that the banning of the UDF 'simply gives Buthelezi a free hand to gain control of the whole of Natal'. The representative added that 'the chances of ending the conflict with the UDF banned are next to nil'.⁴⁹² [⁴⁹² *The Weekly Mail* 26 February 1988]

In January COSATU held a joint meeting with the UDF and AZAPO to discuss the the continuing violence between members of the organisations in the Port Elizabeth (eastern Cape) townships (see 1986 *Survey Part 1* pp142–143). The president of AZAPO, Mr Nkosi Molala, said that 'we believe this is the most mature method of conducting our struggle and resolving our problems' (see *Azanian People's Organisation* above and chapter on *Political Developments*).⁴⁹³ [⁴⁹³ *Sowetan* 22 January] In the same month Mr Morobe claimed that 'reports reaching the UDF from various regions indicate an increase in vigilante activity against activists and other members of progressive organisations'.⁴⁹⁴ [⁴⁹⁴ *Ibid* 12 January]

In March the South African Youth Congress (SAYCO) was launched 'underground' and claimed over 500 000 signed-up members. SAYCO, which was restricted in February 1988, was claimed to have brought together 1 200 youth congresses nationally and became the UDF's largest affiliate. The organisation adopted the Freedom Charter and stated that it intended to 'unite and politicise youth; to channel the militancy and resourcefulness of the youth to the benefit of the whole national and class struggle; to strive for the realisation of free, nonracial, democratic and compulsory education; to organise unemployed youths in the struggle; and to encourage workingyouths to join progressive trade unions'.⁴⁹⁵ [⁴⁹⁵ *City Press* 3 April] By the end of 1987, ten regional youth congresses had met and had been launched in conditions of secrecy.

In July SAYCO initiated a worldwide campaign to save the lives of 32 South Africans awaiting execution for crimes ranging from 'necklacing' to the murders of community councillors and alleged police informers. The president of SAYCO, Mr Peter Mokaba, called for 32 000 signatures at the launching of a petition against the execution of the 32 prisoners.⁴⁹⁶ [⁴⁹⁶ *The Weekly Mail* 10 July] In September Mr Mokaba said that SAYCO took the concept of international solidarity seriously. He said that since the organisation's launch, leading SAYCO officials had visited Botswana, Britain, Denmark, Mozambique, Norway, Sweden and Zimbabwe. Mr Mokaba added that SAYCO realised that 'our struggle is not an isolated one' and linked it 'with the struggling people of Africa and the rest of the world'.⁴⁹⁷ [⁴⁹⁷ *Grassroots* September]

In April more than 300 female delegates launched the UDF Women's League at a meeting in Cape Town. The league formally adopted the Freedom Charter and resolved to call for the unconditional release of all detainees, particularly children, and to work closely with COSATU in fighting for women's rights in the trade union movement.⁴⁹⁸ [⁴⁹⁸ *The Weekly Mail* 30 April] Addressing a National Women's Day festival in August organised by the Federation of Transvaal Women, a co-president of the UDF, Mrs Albertina Sisulu, said that women should stand up and protect their children 'who were being killed by apartheid forces'.⁴⁹⁹ [⁴⁹⁹ *The Star* 10 August]

HEALTH

Legislation

The **Health Amendment Bill** tabled on 19 June was designed, among other things, to co-ordinate the activities of the health matters advisory committee and its various subcommittees and to redefine the functions of the National Health Policy Council (see 1986 *Survey* Part 2 p767). These functions were altered to include the need for the 'formulation and implementation of a national health policy in regard to health services in the Republic', and to determine targets and priorities relating to health services' and 'norms and standards relating to facilities, buildings, equipment and the rendering of health services'.¹ [¹ *Health Amendment Bill* [B 88-87 (GA)]] The bill was withdrawn on 10 February 1988.² [² *Hansard* 1 col 478, 10 February 1988]

Policy issues

The possibility of increased fragmentation of health services as a result of health becoming an own affair in terms of the 1983 constitution and the abolition of the provincial councils at the end of June 1986 continued as a focus of attention during the period under review. Many local black organisations strongly criticised the government's proposed privatisation of health services.

Privatisation was endorsed in various government statements, as well as by the commission of inquiry into health services (the Browne commission, see 1986 *Survey* Part 2 p770) and a report from four working groups of the Health Strategy Association.

Mr Cedric de Beer of the Department of Community Health at the University of the Witwatersrand argued at a medical congress in Cape Town in March 1988 that South Africa's health service could be improved only by establishing a single national health structure. 'Much of the shortfall in primary care can be explained by the racial politics of the country, as reflected in the segregation and fragmentation of health services,' he said. The apartheid system had led to the wasteful duplication of resources in health services. Mr de Beer gave a breakdown of this 'highly fragmented' system as follows:

- ten homeland health departments;
- three own affairs and one general affairs department;
- state, provincial and local authority services which were racially divided; and
- separate public and private health sectors.³ [³ *The Star* 15 March 1988]

The Health Workers' Association (HWA) drew up a health charter in March after the death of an infant who was born at the Chicken Farm, a squatter camp in Soweto. An investigation by Dr Aby Asvat into the prevalence of preventable diseases at the camp led the HWA to launch the health charter in which the primary demands were stated as:

- health services should be provided without any discrimination against any section of the South African population and all health facilities should be available to all;
- discussions and decisions on health services should be removed from universities and should take place in the townships where the community could participate, instead of the onus being entirely on professional health workers who lived largely in the white community; and
- the imbalance in the health budget should be rectified.

The HWA pointed out that the budget gave 20% of allocated money to 80% of the population, who were black, while the white population, which consisted of 20% of the population, received 80% of available resources.⁴ [⁴ *Sowetan* 13 March] The HWA also criticised government proposals to privatise health services, saying that 'health is a government responsibility. Privatising health services would mean people profiting out of the illnesses of others, a situation not acceptable to us because then of the people are poor'.⁵ [⁵ *Ibid*]

Medical aid schemes

Private medical aid schemes were reported to be facing collapse during the period under review. The chairman of the Barlow Rand Medical Aid Scheme, Mr Bany Simpson, said that the cash crisis and potential collapse facing medical schemes meant that the industry had to change or face liquidation. The changes suggested included increasing members' contributions. This, however, was a controversial proposal as contributions had risen at least twice in 1986, each time by about 20%. Another suggestion was to reduce benefits but 'this would almost certainly lead to individual hardship', Mr Simpson said. Mr Simpson said that the 'decline of the rand against overseas currencies' had also pushed up prices

‘very significantly’.⁶ [⁶ *The Star* 6 January]

In April the minister of national health and population development Dr Willie van Niekerk, warned that about ten medical aid schemes were in danger of being liquidated. He added, however, that the government could not afford to nationalise medical health schemes and was, in any case, committed to deregulation. By 1985 in white-designated South Africa, 72% of whites belonged to these schemes and 8% of blacks.⁷ [⁷ *The Citizen* 10 April]

The chairman of the Representative Association of Medical Aid Schemes, Mr Jan Fernhout, said in March that there was ‘deep concern’ about the rising costs of the schemes. ‘The most recent experience is, however, frightening and cannot be ascribed to inflation,’ he said. The reason for the increases was mainly the increased cost of ‘high-tech’ medicine, which was the ‘order of the day and was very expensive’.⁸ [⁸ *Ibid*]

Finance

Expenditure on health is controlled by the Department of National Health and Population Development, which deals with general policy, disease prevention, population development for all race groups and can health matters in the white-designated areas; the own affairs departments of health services and welfare; the ‘independent’ and non-independent homeland authorities; and the provincial authorities.

The Department of National Health and Population Development budgeted R2,21bn for the 1987/88 financial year, an increase of R382m, or 21%, over the previous year’s budget of R1,82bn. Of the total, R641m was allocated to health, an increase of R128m or 25%, over the previous year’s budget of R513m. The allocation in 1987/88 was for the following programmes (the remainder being allocated to welfare, administration costs and auxiliary services):⁹ [⁹ Republic of South Africa, estimate of the expenditure to be defrayed from the state revenue account during the year ending 31 March 1988, RP 2 and 4-1987]

Expenditure on health: 1987/88

R

Infectious, communicable and other diseases

132 902 000

Mental health

170 417 000

Medical care

93 466 000

Health protection and occupational diseases in mines and works

58 744 000

Auxiliary and associated services

129 214 000

Population development

94 665 000

(Less internal charges)

38 721 000

Total

640 687 000

During the 1987/88 financial year R630m was budgeted for coloured health and welfare, an increase of R187m, or 42%, over the R443m budgeted for the 1986/87 financial year. A total of R158m was allocated to Indian health and welfare for 1987/88, an increase of R45m, or 40%, over the previous year's R113m. Budgeted expenditure on white health and welfare in 1987/88 amounted to R835m, an increase of R118m, or 16%, over the previous budget of R717m. The following are some of the programmes for which the money was allocated:*10 [10 Administration: House of Representatives, estimate of revenue and estimate of expenditure for the financial year ending 31 March 1988, RP 9 and 10-1987; Administration: House of Delegates, estimate of revenue and estimate of expenditure for the financial year ending 31 March 1987, RP 12-1987; Administration: House of Assembly, estimate of revenue and estimate of expenditure for the financial year ending 31 March 1988, RP 6 and 71987]

Coloured, Indian and white health expenditure: 1987/88

Coloured

Indian

White

R

R

R

Mental health

23 247 000

1 865 000

24 371 000

Medical care

16 925 000

7 358 000

3 451 000

Total

40 172 000

9 223 000

27 822 000

*

The remainder of these budget were allocated to welfare and administration or were divided into differing categories that did not allow for tabling, ie white health does not have the category 'prevention of nutritional diseases' while the coloured and Indian budget do not include separate figure for dental care.

The provincial administrations budgeted the following amounts for health services in the 1987/88

financial year for all

Provincial health budgets: 1987/88

R

Cape

1 143 341 000

Natal

35 253 000

Orange Free State

274 963 000

Transvaal

1 139 174 000

Total

2 592 731 000

Allocations for health and welfare in the homelands for 1987/88 were as follows:¹² [¹² Estimates of expenditure for the various homelands]

Homeland health and welfare budget: 1987/88

R

Bophuthatswana

103 618 000

Ciskei

89 300 000

Gazankulu

65 628 000

KaNgwane

22 999 000

KwaNdebele*

28 406 000

KwaZulu

171 359 300

Lebowa

214 625 000

QwaQwa

N/A

Transkei

163 971 000

Venda

28 921 700

*

Includes welfare and pensions.

N/A - not available

The Member of the Executive Committee (MEC) in charge of hospital services in the Transvaal

Provincial Administration (TPA) , Mr Daan Kirstein, said in September that at least ten major Transvaal hospitals were facing a financial crisis and would have to cut costs to prevent a R100m provincial deficit. He said that in all, 69 TPA hospitals were in difficulty besides the ten larger centres. The crisis came to a head when the TPA approached the Johannesburg Hospital with a request for it to reduce the number of beds by 200. The hospital was designed for 1 800 beds of which only 1 100 were available. Of the 1 100 beds, 800 were occupied. 'The TPA is resisting pressure to close beds,' Mr Kirstein said. Under consideration were the selling of medicines and the more efficient use of staff. Mr Kirstein, however, rejected desegregation of hospitals as a way of cutting costs.¹³ [¹³ *Business Day* 25 September]

In most western countries the percentage of gross national product (GNP) allocated to health had progressively increased whereas in Africa the increase was negligible. Although there was a 'lack of accurate information regarding total expenditure on health, it would appear from various estimates that between 1976 and 1984 it ranged from 4,5% to 5,2% of GNP', said *Critical Health*. The journal acknowledged the difficulties in obtaining accurate health expenditure figures and gave a range of 2% to 4,6% of GNP. Most western countries spent on average between 7% and 11% of GNP on

Medical personnel

As at 31 December 1985 and 1986 respectively, the following numbers of doctors, dentists and pharmacists were registered with the South African Medical and Dental Council (SAMDC):¹⁵ [¹⁵ Department of National Health and Population Development annual reports for 1986 and 1987]

Medical personnel registered with the South African Medical and Dental Council

Year

Doctors

Dentists

Pharmacists

1985

20 477

3 367

7 239

1986

20 227

3 486

7 557

Doctors

Details of the number of applications and acceptances at medical schools in South Africa for the first-year course in 1986 were as follows:¹⁶ [¹⁶ *Hansard* (A) 4 q cols 553-554, 23 February]

Applications of new medical students: 1986

University

African

Coloured

Indian

White

Total

Cape Town

53

43

81

260

437

MEDUNSA*

Figures not available

Natal

153

25

344

—

522

OFS**

—

—

—

447

447

Pretoria

—

—

—

838

838

Stellenbosch

—

124

—

693

817

Witwatersrand

332

53

371

792

1 548

Applications of new medical students: 1986

University

African

Coloured

Indian

White

Total

Cape Town

7

20

7

116

150

MEDUNSA*

Figures not available

Natal

37

2

39

—

78

OFS**

—

—

—

123

123

Pretoria

—

—
—
224

224

Stellenbosch

—
18

—
165

183

Witwatersrand

23

13

33

142

211

*

Medical university of South Africa

**

O

Doctors and the treatment of detainees

A panel of doctors, who are members of the National Medical and Dental Association (NAMDA), and who treat detainees once they have been freed, claimed that 72% of detainees seen by them in 1987 had been assaulted in detention and that 97% of this number showed signs of abuse. NAMDA was formed in December 1982 as an alternative to the Medical Association of South Africa (MASA) after criticism that MASA doctors had been uncritical of the government's handling of detainees (see 1986 *Survey* Part 2 p783–784). Professor Selma Browde of the Johannesburg Hospital told delegates at the NAMDA congress in April that medical examinations had borne out the claims of these detainees, with evidence of bruising, lacerations, sjambok lesions, eardrum perforations and gunshot wounds. A study by NAMDA doctors of 131 released detainees showed that 78% of the group had allegedly been subjected to mental abuse through interrogation, threats or humiliation, including being made to strip and make false statements. About 32% of the detainees had spent time in solitary confinement, and 84% of these had suffered psychological problems afterwards. The study claimed that the existing acts and associated regulations were 'insufficient to safeguard the health of detainees' and that the 1983 recommendations of MASA had not been implemented.¹⁷ [¹⁷ *The Star* 8 April]

Speaking in June at a medical conference on the treatment of detainees, the professor of clinical and adjectival law at the University of Natal, Professor David Mcquoid-Mason, said that it was essential that doctors did not allow themselves to be 'co-opted by the detaining authorities' as happened in Uruguay. Any doctor who treated a prisoner or detainee with the purpose of compelling that person to make a statement or a confession to the police, or who put pressure on the prisoner to collaborate, could be guilty of breaching the Tokyo declaration and of unethical conduct. 'For instance, a psychiatrist who is required by the authorities to "cure" a detainee so that he can be subjected to further interrogation may be regarded as participating in the deliberate, systematic or wanton infliction of mental suffering if he allows a psychologically disturbed person to be returned to the custody of the detaining authorities in circumstances which will lead to his further psychological deterioration,' he said.¹⁸ [¹⁸ *Sunday Tribune* 7 June]

The Tokyo declaration, which was established by the World Medical Association, of which MASA is a member, sets out various ethical points which protect detainees and prisoners. Among these are the following articles:

Article 1:

'The doctor shall not countenance, condone or participate in the practice of torture or other forms of cruel, inhuman or degrading procedures, whatever the offence of which the victim of such procedures is suspected, accused or guilty, and whatever the victim's beliefs or motives, and in all such situations, including armed conflict and strife'; and

Article 4:

‘The doctor’s fundamental role is to alleviate the distress of his or her fellow men, and no motive whether personal, collective or political shall prevail against this higher purpose.’

According to a report by the Centre for Applied Legal Studies at the University of the Witwatersrand, the *Report on the Rabie Report: an Examination of Security Legislation in South Africa*, there was overwhelming evidence, given under oath in legal proceedings, that detainees are tortured in South Africa.¹⁹ [19 *Report on the Rabie Report: on Examination of Security Legislation in South Africa* Centre for Applied Legal Studies, University of the Witwatersrand, 1983] There was ‘little evidence that doctors have actively participated in torture but there is a general feeling that doctors may not have done all in their power to expose torture if it does occur. It is unlikely that the experience of Dr Wendy Orr was unique’, said Professor T Jenkins, of the South African Institute of Medical Research, in an article in the *South African Journal of Continuing Medical Education* in April. Dr Orr was a district surgeon in Port Elizabeth who claimed that detainees she had treated had been abused and tortured.²⁰ [20 *South African Journal of Continuing Medical Education* vol 5, April]

MASA appointed a panel of doctors in 1985 to see to the medical needs of detainees. The doctors’ names would be made available only on request as they were confidential. If any detainee wanted to see one of the doctors on the panel it was possible on condition that he or she undertook to accept responsibility for the cost. As at 25 June 13 detainees had used this facility.²¹ [21 *Hansard* (A) 7 q cols 362-363, 27 July]

MASA also published a code for the care of detainees, especially children, in the *South African Medical Journal* in July. The association said that the potential consequences for child political offenders held under the Internal Security Act of 1982 were ‘very disturbing’ as the act made no provision for children (see chapter on *Welfare*).

One detainee, Mr Simon Marule, who was detained at Modderbee Prison in Benoni, died after a prolonged kidney illness which was not checked by doctors. A prison official, Lieutenant Lukas van der Westhuizen, a trained nurse, admitted that the system of medical care at the prison was ‘completely unsatisfactory’. Mr Marule’s cellmates had frequently asked for him to be treated. The records showed that on one occasion he was taken for examination when both his eyes were swollen and bleeding. No further tests were done and he eventually died weeks later on 23 December 1986 after being rushed to hospital at the last minute. During the inquest the family alleged that the kidney disease could have been successfully treated had routine tests been carried out.²² [22 *The Star* 25 November, *The Natal Witness* 18 November]

Nurses

Applications to train as nurses, the number of applications accepted, and vacancies for students available

at institutions for the training of nurses during 1985 were:²³ [²³ *Hansard* (A) 6 q cols 293-294, 23 June]

New nursing students and vacancies: 1985

Applications

Vacancies

Received

Accepted

African

32 450

4 284

3 094

Coloured

856

648

Coloured and Indian*

2 024

Indian

217

199

White

4 141

3 461

1 768

*

Information was not available for each of these groups separately but together they were 2 024.

Nursing students completing their training in 1985 numbered 3 049 Africans, 648 coloured people, 199 Indians and 1 768 wh

The minister of national health and population development, Dr Willie van Niekerk, said in May that the declining registrations of young people as nursing students was alarming and that a special committee would be formed to investigate aspects of financing nursing education. ‘The registered nursing force is growing at an unacceptably slow rate, and the financing of nursing education undoubtedly plays a role in the current trend,’ he said. A progressive decline in the number of nurses could be seen over the years. In 1981 there were 12 633, dropping to 12 420 in 1982. In 1983 there was a slight rise to 13 324, but this began to drop from 1984, when there were 13 155 registered nurses. In 1985 the figure had decreased to 11 385 and in 1986 it was 11 169.²⁵ [²⁵ *The Citizen* 1 May]

The president of the South African Nursing Association, Ms Odelia Muller, said in October that an order had been issued to fill all porters’ posts in hospitals to take some pressure off nursing staff. She said that a much higher degree of theoretical training was required of nurses and that they were complaining that they were wasting time having to do menial tasks. She also pointed out that many wards were understaffed, some academic hospitals having only one trained sister in charge of three or four wards. ‘In the past two weeks 217 beds have been closed,’ she added. A senior member of the Johannesburg Hospital said that the situation at the hospital—where more than a third of the 1800 beds had been closed—could spell the end of the road for academic medicine there. Another health professional close to MASA said that the ‘high-care sections’ of the hospital were just managing to cope and nurses, many with years of experience and specialist training, had been resigning.²⁶ [²⁶ *The Star* 20 October]

The South African Nursing Association called for an investigation into the staff shortages and demanded an end to segregation in health-services to help overcome them, A former Progressive Federal Party (PFP) spokeswoman on health affairs, Mrs Irene Menell, said that ‘trained black nurses are only called on in emergency situations because of government restrictions’. Hospital sources alleged that:

- the government had its priorities wrong as new hospitals were being built while problems at grassroots level remained unsolved;
- grievances addressed to the authorities through the correct channels were being ignored;

- ethics were being compromised due to lack of funds; and
- nurses wanting better salaries and working conditions were leaving to work in the private sector.²⁷ [²⁷ *Sunday Times* 25 October]

Health Services

Family planning

In a speech to the Histadrut labour federation in Israel in June, the director of community affairs at the Urban Foundation. Mrs Deborah Mabiletsa, claimed that the government wanted to use birth control in the African population to attempt to bring about a white majority in South Africa. She said that ‘the government tells black women to have no more than two children, but white women are offered bonuses for having three or more—not to mention government efforts to bring in white immigrants from Europe’.²⁸ [²⁸ *The Star* 25 June]

The KwaZulu minister of welfare and pensions, Mr Stephen Sithebe, said in April that the South African Broadcasting Corporation (SABC) should stop its consistent calls for birth control. He said that every extra African child was a boost for freedom and that even if big families had to do without the ‘bare necessities’ of life, ‘in the name of the liberation struggle sacrifices must be made’. Africans, he said, had numbers on their side, which would see them through whether freedom came through ‘blood and iron’ or the ballot box. He accused the government of trying to swell the number of whites in the country by importing ‘white hoboes’ and calling them artisans. ‘It will be recalled that before 1948 the Afrikaner nation, in preparation for taking over the government, bred children without limitations,’ he added.²⁹ [²⁹ *The Natal Mercury* 3 April]

Introducing a private member’s motion in May, Dr J J Vilonel MP (National Party) said that South Africa would become a ‘banana republic’ unless the African birthrate was curbed. ‘The fate of South Africa will not be decided in the Hillbrows or Mayfairs but in the rural areas which are the breeding ground of the problems in the urban areas,’ he said.³⁰ [³⁰ *The Star* 27 May]

A population development programme of the Department of National Health and Population Development said in August that South Africa, excluding the Transkei, Bophuthatswana, Venda and the Ciskei (the TBVC states) and non-independent homelands, did not have the necessary socio-economic or natural resources to cope with the estimated 2,3% yearly population growth rate. An economic growth rate of 5% was necessary to accommodate this increase. The report said that the implications of these ‘realities are far-reaching. It is clear the results of the rapid population growth could be catastrophic in the wider social, economic and political fields for South Africa and southern Africa and could threaten stability and progress’.³¹ [³¹ *The Citizen* 3 July]

The average number of children in urban African families in 1987 was 2,8, the same as the previous year, compared to 5,3 in the rural areas. The figures for coloured families in urban areas had dropped from 3,6 in 1986 to 3,5 in 1987, while Indian families retained a rate of 2,8. Children in white families had increased from 2,08 to 2,1 for the same period.³² [³² *The Star* 16 June]

Segregation in health services

An incident highlighting the nature of segregation in health services occurred in November in Germiston when three qualified African nursing sisters were barred by a traffic officer from treating a white man injured in a motor car accident. The son of the victim—who died—Mr John van Niekerk, called the traffic officer's actions 'terrible'. One of the nursing sisters, who did not want to be identified, said that 'it was very frustrating to stand and watch a man dying, and be barred from giving him emergency treatment. Why should colour mean the difference between life and death?' The traffic officer later claimed that the man was already dead and did not need treatment. Mr Van Niekerk asked how a traffic officer could know better than a nurse when a person was dead.³³ [³³ *Ibid* 19 November]

White-designated areas

Provision and shortages

The minister of national health and population development, Dr Willie van Niekerk, said in Parliament in June that 39 registered private hospitals had integrated their facilities. Provincial hospitals, on the other hand, had segregated only their 'intensive care units and intensive care units of operating theatres'.³⁴ [³⁴ *Hansard* (A) 5 q cols 187-190, 16 June]

In January it was announced by the MEC for the Transvaal, Mr I F H Mayet, that Lenasia's first provincial hospital would be nonracial. It would, however, be primarily aimed at Indian residents. Although it was completed, the hospital had not been opened and was standing empty, because, it was claimed, there had been a poor response to advertisements for medical post.³⁵ [³⁵ *The Indicator* 27 January]

In February it was reported that Pretoria was to receive a R300m training hospital for whites with 1 200 beds. The report criticised the hospital as an 'elitist' institution. The largest African hospital in the Pretoria and Johannesburg area, Baragwanath Hospital, was 178% full and had a shortage of nursing staff. However, the largest provincial hospitals for whites in Johannesburg and Pretoria, including the Johannesburg Hospital and the H F Verwoerd Hospital, had empty beds because there were too few patients and nurses, the report said.³⁶ [³⁶ *Rapport* 15 February] According to the MEC for hospital services for the Transvaal, Mr Daan Kirstein, the report in *Rapport* was incorrect as the new hospital was not intended as an 'elite institution aimed at better health services mainly for whites'. He went on to add that the planning of Soweto's new 1 200-bed hospital had been completed, although funding had not yet been found, and a 2 000-bed training hospital for African doctors was being built as an addition to the

Medical University of South Africa's medical school at GaRankuwa, north west of Pretoria.³⁷ [³⁷ *Hansard* (A) 4 cols 1473, 24 February]

Baragwanath Hospital

In 1980 a letter signed by 70 doctors at Baragwanath Hospital (Soweto) criticised the conditions at the hospital and was sent to the South African Medical and Dental Council (SAMDC). The letter was allegedly ignored and 101 members of the Department of Medicine at the University of the Witwatersrand sent another letter to the *South African Medical Journal* in September 1987 pointing to the serious conditions at the hospital. The letter stated that 'as Baragwanath is a teaching hospital associated with the University of the Witwatersrand, we have also appealed several times to the Faculty of Medicine and to the principal of the university to support us in our pleas. Years later, the situation has not improved. Indeed it is worse. The conditions in the medical wards at the hospital are disgusting and despicable. The attitude of the responsible authorities can only be described as deplorable. The state of affairs is inhumane'. The letter said further that 'facilities are completely inadequate. Many patients have no beds and sleep on the floor at night and sit on chairs during the day. The overcrowding is horrendous ... Pleas for help have been met by indifference and callous disregard. Patients and their problems are treated with utter contempt by the authorities. Nothing is done to correct this affront to human dignity. Here is human suffering which cannot be portrayed by mere statistics'.

The letter also questioned the integrity of the administrations which stated that improvements to the existing hospital could not be made as a new hospital in Soweto was being planned. 'These statements have been devoid of truth,' it continued. 'The passage of time and inquiries at provincial council level have shown that there is no basis or justification for this excuse. Secondly, they say that unfortunately there is no money for the new facilities. This answer is utterly hypocritical. An expensive administration block has been erected at the hospital, and a R300m hospital mainly for whites is planned alongside H F Verwoerd Hospital in Pretoria.'³⁸ [³⁸ *South African Medical Journal*, vol 72, September]

In the same issue of the journal Messrs S R Benatar and R E Kirsch discussed the problems at Baragwanath Hospital. The evolution of the difficulties, they said, reflected decades of 'exploitation and of gross insensitivity' to the needs and aspirations of the African population which the hospital served. The hospital also suffered from an 'appalling inadequacy of national resources directed towards this hospital and its patients. Shortcomings in our health services are inextricably intertwined with those sociological, economic and political philosophies which underpin the policy of apartheid'.³⁹ [³⁹ *Ibid*]

The minister of constitutional development and planning, Mr Chris Heunis, said in October that 'continuous attention within the constraints of available funds' was being given to Baragwanath.⁴⁰ [⁴⁰ *The Star* 2 October] However, in early 1988 the 101 doctors who wrote the letter were asked by the Transvaal Provincial Administration's Department of Hospital Services to apologise or to resign. Six interns were refused appointments as they were also signatories. Twenty-eight senior doctors who were signatories refused to apologise and sent letters to the administration stating their case. They said that they had

refused to 'put the affair behind' them as the department had requested as they felt that the issue remained unresolved. One of the doctors said that 'personally, as a professional bound by the Hippocratic Oath, I am distraught with having to decide which patients deserve a bed because they are more ill'.⁴¹ [⁴¹ Ibid 5 March 1988]

The shortage of beds and other basic facilities was considered by the Transvaal's deputy director of hospital services, Dr D Kritzinger, to be , 'par for the course'. Dr Kritzinger answered the former head of Baragwanath Hospital's Department of Medicine, Professor Leo Schamroth, in February concerning these shortages by saying that the hospital served a third-world community who were accustomed to sleeping on the floor. The executive committee of the board of the University of the Witwatersrand's Faculty of Medicine said that in April 2 439 patients were admitted to Baragwanath Hospital. On average there were 780 patients daily and only 470 beds. Professor Schamroth had been writing letters to the Hospital Services Department since at least 1973.⁴² [⁴² *The Weekly Mail* 15 January 1988]

After ignoring two deadlines to apologise, the doctors who had sent letters, but had not apologised, met a mid-February 1988 deadline. The initial threat of being fired seemed not to have been implemented, as the doctors were told that they would be reprimanded by the provincial secretary. One of the doctors, who did not want to be named, said that the reason for the change of mind was probably the extensive publicity that the issue had received. A total of 48 doctors had signed a letter of apology which was a copy of a TPA statement This letter caused an outcry when it was published in the *South African Medical Journal* as the signatories had been told that it would not be published. One doctor said that 'we were told to sign or leave, so we signed the authorities' apology, but none of us really read or agreed with what it said. We definitely did not give permission for it to be printed in the journal'.⁴³ [⁴³ Ibid 22 April 1988]

The Baragwanath Hospital episode was just the tip of an iceberg, according to various doctors in other parts of the country who reported on hospital conditions nationally. Some hospitals, especially in the non-independent and 'independent' homelands, were alleged to be in a worse state. In one African hospital three different babies with various illnesses had to share the same incubator, while a cut in drug distribution to African health services countrywide meant that a number of effective painkillers were no longer available in many hospitals. The average bed occupancy rate of African hospitals in white-designated South Africa was 131%. Another problem was the doctor/patient ratio. Officially this was given as, on average, 1 to 40. However, in some rural areas this ratio could increase to as much as 1 to 40 000. A spokesman for the Health Workers' Association argued that 'the achievement of an adequate health service available to all South Africans, irrespective of class or colour, will never be realised until the apartheid system is destroyed'.⁴⁴ [⁴⁴ *The Sunday Star* 17 January 1988]

Homelands

A 23% cut in the KwaZulu health budget risked causing a collapse of health services in KwaZulu and Natal for African patients during the period under review. The secretary of health and welfare for

KwaZulu, Dr Daryl Hackland, said in May that the 1987/88 budget was 23% down on the R171m for the previous year. 'We will not be able to survive longer than six months without more money because we cannot find all our staff salaries out of this amount—let alone keep services going,' he said. Vital services, including pathology tests, had been stopped to cope with the situation and 38 clinics and thousands of beds had been closed. No more medical equipment was being bought for KwaZulu.⁴⁵ [⁴⁵ *The Daily News* 23 May]

The KwaZulu minister of health, Dr Frank Mdlalose, added that some hospitals did not have enough operating theatres, wards or laboratory facilities and he warned that the situation was likely to get worse. He said that the list of hospital projects identified for the 1987/88 period would have to be cancelled in order to divert the funds to more 'urgent, essential services'. He said that 'caring for the sick or continuing such control programmes as that for malaria must take precedence over the building of a health care facility'. Some of the hospitals had only one full-time doctor out of a complement of five and relief staff had to be brought in during the weekends.⁴⁶ [⁴⁶ *The Daily News* 13 May]

Dr Mdlalose disclosed that KwaZulu's hospitals were facing collapse and that the complement of trained medical staff was 20%. The reasons for the loss of medical staff since 1985 ranged from inefficient bureaucracy and lack of equipment to putting 'politics above the health of patients'.

The general secretary of the National Medical and Dental Association (NAMDA), Dr Rob Dyer, said that his organisation was concerned about the shortage of trained staff in the rural areas of South Africa, including KwaZulu. He said that most of the blame could be attributed to the South African government, which was responsible for the ethnic fragmentation of health services and the chronic underfunding of the homelands.⁴⁷ [⁴⁷ *City Press* 24 May]

Diseases

The authorities gave the following information about the notification of diseases in white-designated South Africa in 1986:⁴⁸ [⁴⁸ *Hansard* (A) 6 q cols 309-312, 23 June]

Notification of diseases by race: 1986

African

Coloured

Indian

White

Total

AIDS*

Only became a notifiable disease in 1987

Cholera

275

3

0

0

278

Leprosy

129

1

0

0

130

Malaria

6 640

3

8

188

6 839

Measles

10 414

1 053

48

1 060

12 605

Polio

35

5

0

1

41

Trachoma

108

1

0

0

109

Tuberculosis

37 342

12 714

537

720

51 313

Typhoid fever

3 940

41

27

51

4 059

Viral Hepatitis

593

291

93

417

1 394

*

Acquired Immune Deficiency Syndrome

The government discontinued routine tests for cervical cancer for township residents countrywide in July, leading to fears that the disease might spread uncontrollably in these areas. The discontinuation of the tests meant that:

- the rate of cervical cancer would rise;
- fewer womb infections would be treated;
- early warning signs of cervical cancer would be missed; and
- general community awareness of the disease wo

African women have the highest rate of cervical cancer in the country, accounting for more than half the number of all cancer cases diagnosed among women. Workers from the 11 community health clinics run by Baragwanath Hospital and some of those run by provincial health authorities criticised the cut in testing as an inappropriate response to the problem of cervical cancer and said that it would merely worsen the situation.⁴⁹ [⁴⁹ *Sowetan* 23 July, *The Star* 23 July]

Speaking as the official patroness of the National Cancer Association, Mrs Isabel Schlebusch, wife of the minister in the state president's office entrusted with administration and broadcasting services, Mr Alwyn Schlebusch, said that after heart disease, cancer was the next biggest killer in South Africa. One in four people suffered from cancer.⁵⁰ [⁵⁰ *The Citizen* 29 October]

Acquired Immune Deficiency Syndrome (AIDS)

The first case of Acquired Immune Deficiency Syndrome (AIDS) in South Africa was diagnosed in 1982. By September 1987 the number of people who were antibody positive had risen to 2 324, with over 80 deaths. The minister of national health and population development, Dr Willie van Niekerk, said that as at 25 July 1987 the racial breakdown for people who were antibody positive was as follows:⁵¹ [⁵¹ *Hansard* (A) 7 q cols 421-422, 25 July]

AIDS carriers as at 25 July 1987

African

1 093*

Coloured

31

Indian

3

White

1 140

Unknown

57

Total

2 324

*

Some 946 were miners

There were 31 cases of full-blown AIDS in South Africa in 1986.⁵² [⁵² *Hansard* (A) 4 q col 503, 23 February]

AIDS was made a notifiable disease on 30 October when regulations for repatriation of antibody positive sufferers and people with AIDS were gazetted. AIDS victims would be declared 'prohibited persons' (see chapter on *Employment*).⁵³ [⁵³ *Government Gazette* no 11014, 30 October: *Hansard* (A) 7 q cols 265-267, 28 June]

In the second half of 1987 the spread of 'African AIDS' was overtaking the spread of 'white AIDS', although experts warned about making a distinction between the routes of the disease as it was one and the same disease. This spread was noticed largely in the number of pregnant women beginning to appear as AIDS sufferers or as antibody positive. In November 20 pregnant women were identified as AIDS carriers in the Transvaal and women in the eastern Cape and KwaZulu were also found to be antibody positive. Although accurate assessments were difficult, figures for the potential number of AIDS carriers in South Africa at the end of November ranged from 8 000 to 15

Dr Maurice Shapiro, head of the South African Blood Transfusion Service, gave the rate of growth of 'African AIDS' as 300% annually. He said that an average of 30 new AIDS carriers presented weekly and that this group was made up mainly of heterosexual and bisexual people. However, Professor Jack Metz, head of the AIDS advisory committee, suggested that only 3 000 Africans were AIDS carriers and that there had been a 'slowdown' in the growth of the virus. He warned about the difficulty in taking figures of a test group and extrapolating them to include the general community.⁵⁵ [⁵⁵ *The Sunday Star* 13 September]

At least 36 people had been given AIDS antibodies through blood transfusions in South Africa because of loopholes in the security of the system. Routine testing of blood samples began in South Africa in August 1985 but tests since then had shown that about 25 donors, 12 in Cape Town and 13 in Johannesburg, had been identified as carriers of the virus. Dr Pat Coghlan of the Western Province Blood Transfusion Service said that this might have been as a result of individuals who had given a negative reading on initial tests or who could have been 'infectious at the time of the previous untested donation'. Another problem was the period of incubation. Questionnaires and better tests were being developed to alleviate the blood shortage.

In March two prisoners, one of whom died during the period under review, were identified as antibody positive. Prison officials had refused to supply condoms in prison as they believed, that this would be condoning homosexuality, which was prohibited. A University of Cape Town criminologist, Mr Wilfred Scharf, said that South African prisons faced a major AIDS problem as a result of widespread homosexual practices which a single-sex environment gave rise to. The homophobia of the prisons was questioned by a Cape Town biochemist who said that the 'prison service should not be concerned over being seen to condone homosexuality. Its main concern should be the health of the broader community and the containment of AIDS',⁵⁶ [⁵⁶ *The Citizen* 21 March, *City Press* 29 March]

British AIDS experts charged the South African government with endangering the lives of tens of thousands of people by catering to the whims of the 'puritanical minority' and not promoting the use of condoms. One of the specialists, Dr Charles Farthing, said that any advertisement that did not promote condoms would be about 80% ineffective. He also mentioned that pamphlets would have to be printed in all the languages of the country. 'AIDS spreads faster when medical care is poorer. Poorer people tend to go for treatment later, carry the disease for longer and pass it on to other people. The government is obviously responding to its power-base in the sense that its power comes from a more puritanical minority,' he said.⁵⁷ [⁵⁷ *Business Day* 23 December]

Malaria

Although malaria had been under control for a number of years, in late 1987 and early 1988 a new resistant strain broke out in South Africa, posing a severe threat to the local health situation. Writing in the *South African Medical Journal* in January, Dr Nic Lee, an editor of the journal, said that the threat posed by malaria called for determined, co-ordinated and prolonged action if disaster was to be avoided. The malaria epidemic which struck the northern and eastern parts of the country claimed the lives of seven members of the South African Defence Force (SADF) and an unknown number of civilians during January 1988. In 1986 eleven malaria-related deaths were reported. At the start of 1988, 95 soldiers were in civilian and military hospitals and by the end of January 1988, 33 soldiers were still in hospital. 'For many years it has been widely accepted that South Africa is not a malaria country except in the lowveld and that, apart from the area around the Kruger National Park, malaria poses no particular threat. The time may well have come for this sanguine view to be revised,' Dr Lee wrote. He pointed out that malaria was common in parts of Natal and KwaZulu. Whereas in 1981 the number of notified cases had

been 216, the first eight months of 1987 saw 4 352 cases. He gave the reason for the sudden outburst of malaria as the flooding that had occurred in the area, which had 'provided ideal breeding conditions for mosquitoes'.⁵⁸ [⁵⁸ *The Star* 28 January 1988]

The new resistant strain of malaria which appeared in this outbreak had developed immunity to chloroquin, the drug commonly used to treat the disease. The drug could suppress the disease while being administered, but about two weeks after stopping treatment the patient would probably begin to show signs of malaria once again.⁵⁹ [⁵⁹ *Ibid* 5 January 1988]

SADF soldiers in Angola also contracted the disease. The surgeon general of the SADF, Lieutenant General Nicol Niewoudt, blamed negligence on the part of the soldiers for the spread of the disease. He said that servicemen had not taken their tablets because they felt it prevented them from getting a tan. This was denied by various patients, however, as well as by Mr Frikkie van der Merwe, whose twin brother had died of malaria on his last day in the SADF. Mr Van Der Merwe said that 'you have to take them [the tablets] because you have a medic standing over you'.⁶⁰ [⁶⁰ *Ibid* 4 January 1988]

There were suspicions that the SADF was using inferior medicines for the soldiers. However, an SADF spokesman denied this saying that 'the defence force obtains all its medicines and medications from reputable pharmaceutical companies and does not manufacture its own'.⁶¹ [⁶¹ *The Citizen* 6 January 1988]

Malnutrition and infant mortality

A report published by Operation Hunger in September claimed that rural South Africa's malnutrition problem was worse than many other countries in Africa including Botswana, Swaziland, Zambia and Zimbabwe. The report said that declining job markets, especially in the rural areas, the recession in key industrial areas in the face of increased maize prices and the continued relocation of people meant that both destitution and vulnerability to the disease would increase. The report found that rates of stunting (stunting is the low height-for-age reading that marks malnutrition) were exceptionally high in white-designated South Africa: 58% in the eastern Cape; 80% in the northern Cape; and 49% in the Transvaal. The same rates for children in neighbouring countries were markedly lower. Mauritius had a stunting rate of 21%. Swaziland 10%, and Zambia 19%. The northern Cape was by far the poorest area, with up to 27% of the local population destitute and dependent on charity.⁶² [⁶² *The Star* 18 September]

Of the total population sampled for the report only 10% were found to be in a state of 'relative wealth', defined as having three or more stable sources of income, as well as having agricultural or other assets. Far more prevalent was the portion of the population who had nothing and suffered from 'severe poverty and destitution'. The study noted that 'a policy which ensures, over a long period of time, that people become wholly dependent on a cash income and have very limited access to land, and then removes people to remote land where they are effectively denied jobs and cash, is a recipe for disaster'.⁶³ [⁶³ *Cape Times* 23 October]

The South African Medical Research Council published a survey in August which pointed out that 32 000 children died of malnutrition annually in white-designated South Africa. The highest mortality rate was found in children who were less than one year of age. This number accounted for 73% of all child deaths in 1984.⁶⁴ [⁶⁴ *The Star* 18 August]

The infant mortality rate among Africans remained at 80 per 1000 for both 1981 and 1985. The infant mortality rate among whites dropped from 13,3 per 1 000 in 1981 to 9,3 per 1 000 in 1985. Among coloured people the rate fell from a high of 59,2 per 1000 in 1981 to 40,7 per 1000 in 1985. In the Indian population the infant mortality rate decreased from 18,8 per 1000 in 1981 to 16,1 per 1 000 in 1985.⁶⁵ [⁶⁵ *Hansard* (A) q cols 198-190, 20 February; 1984 *Survey* p723]

Tuberculosis

According to the minister of national health and population development, Dr Willie van Niekerk, despite an almost tenfold decrease in the incidence of tuberculosis (TB) over the past 40 years, it remained a national problem.⁶⁶ [⁶⁶ *Business Day* 22 August 1986] Dr Van Niekerk gave the following statistics for TB for 1986:⁶⁷ [⁶⁷ *Hansard* (A) 6 q col 291-293, 23 June]

Incidence of Tuberculosis: 1986

Province

Reported cases

Hospitalised cases

Deaths

Cape

22 348

8 942

1 288

Natal

4 455

5 316

83

OFS*

3 717

2 680

96

Transvaal

16 270

18 115

477

*

Orange Free State

According to the Cape Divisional Council's medical officer, Dr L R Tibbit, TB had reached epidemic proportions in the western Cape. Dr Tibbit revealed that the incidence of TB in this area was among the highest in the world and that during 1986 the increase was about 40%. He said that TB thrived in the poverty-stricken areas and bad sewerage conditions where overcrowding occurred and in which most of South Africa's population liv

The director of community education for the South African National Tuberculosis Association (SANTA), Dr T FB Collins, said that although the disease was preventable and treatable, about 20 children died of TB daily. Unreliable statistics made it difficult to assess the range of the problem accurately as many TB deaths remained unreported. It was estimated that only 33% of TB deaths in the white population were reported, while the percentage for Africans was suspected to be even lower. SANTA'S 22 hospitals around the country, which had potential treatment facilities for 5 200 patients and a recovery rate of 94% for the 1985/86 period, had been used for 30 years beyond their period of intended use and, as such, were badly outdated.⁶⁹ [⁶⁹ *The Star* 4 April, *The Citizen* 11 June]

A report published by the Department of National Health and Population Development stated that TB was the most rampant infectious disease in South Africa and only a fraction of people with the disease received treatment. 'Without a doubt the most important factor in the control of TB is improvement in living standards,' the report said. 'Unless there is improvement in nutritional status, reduction in overcrowding and improvement in the overall level of education, no TB programme can hope to be more than marginally effective,' the report continued.⁷⁰ [⁷⁰ *The Star* 22 September]

Typhoid and Poliomyelitis

The following were the figures for typhoid and poliomyelitis for 1986:⁷¹ [⁷¹ *Hansard* (A) 6 q cols 290-292 and 297-299, 23 June]

Figures for typhoid and poliomyelitis: 1986

Typhoid

Poliomyelitis

African

2 529

0

Coloured

47

1

Indian

27

4

White

51

31

Total

2 654

36

In all, 29 people died of typhoid although no racial breakdown was availab

Mental health

Speaking during the second reading of the **Mental Health Amendment Bill**, which amended the **Mental Health Act** of 1973, Mr Louis Hollander MP (NP), said that the bill made provision for periods of leave for patients who had the potential to take their places in the community again. This was a response to a dilemma which had arisen concerning many patients who had been committed to state hospitals as state president's patients and who returned to a position of social normality after treatment relating to their original crimes. The minister of national health and population development, Dr Willie van Niekerk, said that the emphasis should be on the care of the patients and not keeping them permanently in institutions. There were 1343 state president's patients in South Africa.⁷³ [⁷³ *The Star* 13 August]

The Progressive Federal Party's spokesman on health, Dr Marius Barnard, supported the bill saying that 40 years ago 'psychiatric patients used to be hidden away from their families. They were hidden away from their children. They were sent to mental homes and they were forgotten people. Because of the development of psychiatric treatment—this is why I want to pay tribute—a psychiatric condition no longer means incarceration in a mental institution. In fact, with proper treatment, more than 80% of these patients will go back to live a normal life in their societies'.⁷⁴ [⁷⁴ *Hansard* (A) 11 col 4872, 28 August] The bill was passed in September.⁷⁵ [⁷⁵ *Government Gazette* no 10922, 23 September]

The Society of Psychiatrists of South Africa said in January 1988 that although Baragwanath Hospital was one of the largest hospitals in the southern hemisphere it still had no psychiatric ward for seriously disturbed patients.⁷⁶ [⁷⁶ SAIRR, *Social and Economic Update* 4, Fourth quarter]

At a symposium in August, the director of mental health at the Ministry of Health Services and Welfare for the House of Assembly, Dr A Levin, said it could no longer be assumed that it was the state's duty to be the primary provider of community resources. Dr Levin said that the limitations on the amount of taxes that could be levied, and thus the limitations on state funding, had led to a dramatic reappraisal of the community's needs and resources. He said the role of the family and community was a greatly

untapped resource and needed to be exploited. Mr E R Makwe, a clinical psychologist at Baragwanath Hospital (Soweto), said that services were already so fragmented that he was not even aware of what programmes were being run. Proper assessments were hampered by the number of children involved in testing, the limited number of capable and willing professionals, difficulties in involving parents who were employed fulltime, as well as the lack of treatment facilities once a diagnosis had been made.⁷⁷ [⁷⁷ *The Star* 14 August]

The executive director of the Avril Elizabeth Home for the Mentally Handicapped, Mr John Rees, said in August that plans for a new home to cater for 800 of Soweto's 15 000 mentally handicapped had been completed and the home would be built as soon as the Soweto City Council granted the organisers a site. Called Takalani, Shangaan for 'place of joy', the home would have accommodation for 400 people, day-care facilities for a further 400, a training centre and workshops. A needs survey, however, showed that Takalani would only be 'scratching the surface', Mr Rees said.⁷⁸ [⁷⁸ *Ibid*] The director of the South African Council for Mental Health, Mr Lage Vitus, said that 'only 6%–7% of the needs of handicapped African children are being met. The government spends too little on facilities for the African mentally handicapped and those in need of psychiatric care. Sterkfontein is the only state-run institution of its type on the Witwatersrand. The others are private concerns'. Many children were neglected because of lack of facilities.⁷⁹ [⁷⁹ *Ibid* 19 August]

THE MEDIA

The Press

During the period under review the government and the Newspaper Press Union (NPU), which represents the four main South African newspaper groups, held negotiations. The government wanted the South African Media Council (SAMC), which comprises the NPU and the Conference of Editors, to play a more active role in disciplining the press. (For more information on the council, see 1984 *Survey* pp892–893.)

Before promulgating new press curbs in December 1986 the government offered to exempt the NPU newspapers from these restrictions if they voluntarily adhered to stricter censorship under the auspices of a strengthened SAMC.¹ [¹ *Business Day* 16 February] Newspapers which were not members of the NPU or the council and which were known as the 'alternative' press, would be subject to the stricter regulations.

On 9 December 1986 the NPU refused the special exemption offer and decided that any emergency restrictions had to apply to all media. On 11 December 1986 the state president issued Proclamation R224 setting out regulations which placed further and more wide-ranging restrictions on the media (see 1986 *Survey* Part 2 pp839–842).² [² *Ibid*]

Negotiations between the government and the NPU nevertheless continued, but a meeting scheduled for

13 February 1987 was cancelled when the NPU said that its members were unable to reach consensus in amending the constitution of the council to increase its powers to regulate the press.

Further restrictions followed (see *Media Control* below).

The Argus Printing and Publishing Company and Times Media Limited

In August Times Media Limited (TML), formerly South African Associated Newspapers (SAAN), dismissed the editor of the *Cape Times*, Mr Tony Heard. He was replaced by the editor-in-chief of Eastern Province Newspapers, a subdivision of TML, Mr J C Viviers. Mr Heard had worked for the *Cape Times* for 30 years and had been editor of the newspaper for 16 years. TML said that ‘after 16 years as editor, it was felt that the time had come for a successor to be appointed’.

Mr Heard’s dismissal was criticised by some media organisations and politicians. The president of the Southern African Society of Journalists (SASJ), Miss Pat Sidley, said that there had been a series of political incidents around the *Cape Times* ‘over the last couple of years’. She gave the examples of the recent detentions of various reporters (see chapter on *Security*, and *Journalists* below) and Mr Heard’s interview in November 1985 with the president of the African National Congress (ANC), Mr Oliver Tambo, ‘which resulted in charges being brought against the *Cape Times*’.³ [³ *The Star* 10 August] A media spokesman for the Progressive Federal Party (PFP), Mr David Dalling, said that the editor did not ‘deserve to be axed in this apparently unfair pre-emptory manner’. A statement published by the International Federation of Journalists (IFJ) said that TML had a history of dismissing its editors who had incurred the displeasure of the government and the dismissal of Mr Heard followed this tradition. ‘Laurence Gandar, Raymond Louw and Allister Sparks are some of their victims, who immediately come to mind,’ the statement said.

The managing director of TML, Mr Stephen Mulholland, denied a report which claimed that Mr Heard had been offered nearly R1m to resign from his job. He added that there had been no ‘political motivation whatsoever’ for Mr Heard’s dismissal. The chairman of TML, Mr Pat Retief, said that Mr Heard’s dismissal was a ‘purely business decision’.⁴ [⁴ *Cape Times* 8 August, *The Sunday Star* 9 August, *Business Day* 10 August, *The Citizen* 10 August] A statement issued by TML said that it intended to take legal action against anybody who repeated accusations that the company was influenced by political considerations in the editorial changes it had made at the *Cape Times*.⁵ [⁵ *Business Day* 13 August]

Nasionale Pers and Perskor

The two Afrikaans-language publishing groups, Nasionale Pers and Perskor, have traditionally had close links with the ruling National Party (NP) (see chapter on *Political Organisations*). During the period under review, a small breakaway from the NP led by the former ambassador to Britain, Dr Denis

Worrall; the former NP MP for Randburg, Mr Wynand Malan; and a group of academics based in Stellenbosch, led to three major incidents of political conflict within Nasionale Pers and Perskor.

In **March** Dr Willem de Klerk, the editor of *Rapport*, a Sunday newspaper jointly owned by Nasionale Pers and Perskor, resigned (see chapter on *Political Organisations*). Dr De Klerk said that his board and the cabinet expected newspapers ‘to become strongly propagandistic’ during election time. The chairman of the board of *Rapport*, Mr Willem van Heerden, said that the board ‘felt that during the election campaign, *Rapport* should concentrate less on differences in accent and the policy deviations of individuals and more on the importance of this election for the government’s programme for orderly reform’.⁶ [⁶ *The Natal Mercury* 9 March, *Diamond Fields Advertiser* 10 March]

Also in March, a member of the board of Nasionale Pers, Mr Dawid de Villiers, resigned to support the election campaign of the Independent candidate in Stellenbosch, Dr Esther Lategan. The chairman of Nasionale Pers, Professor Piet Cillie, said that the company could not tolerate Mr De Villiers’s support for Dr Lategan as it could not ‘betray’ its role of ‘fellow combatant’ with the NP.

In April Ms Dene Smuts, the editor, and Mrs Erica Platter, the assistant editor, of the Nasionale Pers-owned publication, *Fair Lady*, resigned after Nasionale Pers had suppressed the publication of an interview with Dr Worrall (see chapter on *Political Organisations*). The managing director of Nasionale Pers, Mr Ton Vosloo, said that it had long been the policy of Nasionale Pers that party-political controversy should be avoided in the columns of its consumer magazines. Ms Smuts said that she had had to resign to protect her journalistic integrity.⁷ [⁷ *Cape Times* 3 April]

African-owned newspapers

On 14 April Inkatha Yenkululeko Yesizwe (see chapter on *Political Organisations*) bought South Africa’s largest African-language newspaper, *Ilanga*, from the Argus Printing and Publishing Company. The Argus Company transferred the ownership of the bi-weekly newspaper, which had a circulation of over 100 000, from Natal Newspapers to the Mandla-Matla publishing company, headed by the secretary general of Inkatha and minister of education and culture in the KwaZulu legislative assembly, Dr Oscar Dhlomo. All the directors of Mandla-Matla were members of the central committee of Inkatha.⁸ [⁸ *Financial Mail* 24 April] Dr Dhlomo said that Inkatha did not intend to run ‘a party-political rag’ and added that stories critical of Inkatha could still be published in the newspaper.⁹ [⁹ *The Weekly Mail* 16 April]

The president of Inkatha and the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said that he wanted to give his ‘categorical assurance to everybody concerned that I respect the professionalism which alone can run a newspaper’. He added that he did not envisage that ‘*Ilanga* can now be run without white experience, which we blacks do not have’. Chief Buthelezi said that he ‘was simply expressing the yearning that is in all black hearts and minds, the yearning for freedom to speak their

minds the way they themselves want to speak it'.¹⁰ [¹⁰ *The Star* 16 April, *Business Day* 16 April]

The father of the *Ilanga* chapel of the Southern African Society of Journalists (SASJ), Mr Mdu Lembede, said that many of the newspaper's editorial staff wanted to be accommodated by one of the Argus Company's sister newspapers as they did not 'want to work for any paper with party-political affiliations, left or right'. Referring to the violent political conflict in the black townships in Natal (see chapter on *Political Developments*), an *Ilanga* journalist told the managing director of Natal Newspapers, Mr E Booth, at a press conference that the staff lived in the townships and were now 'going to be seen to be aligned to one political organisation ... Our lives are at stake'. Mr Booth said that the staff could resign but he refused to offer them alternative jobs.¹¹ [¹¹ *The Weekly Mail* 16 April]

The Media Workers' Association of South Africa (MWASA) said that the Argus Company had 'the right to sell its assets to any company but when the buyer becomes a company controlled by a political organisation then the sale becomes suspect, and when this political organisation is deeply involved in homeland and apartheid politics as Inkatha is, then the sale becomes sickening'.¹² [¹² *The Citizen* 16 April] The president of the Southern African Society of Journalists (SASJ), Miss Pat Sidley, said that the transfer of ownership would bring into question the independence of the professional journalists who worked on the paper.¹³ [¹³ *Business Day* 16 April]

Twenty-three members of *Ilanga*'s editorial staff went on strike against the transfer of ownership of the newspaper to Inkatha and were ordered out of the building by the new owners. The staff demanded that Natal Newspapers reverse its decision to sell *Ilanga* to Mandla-Matla and added that they would not return to work until that demand had been met. The International Federation of Journalists (IFJ), to which the SASJ is affiliated, offered to finance any legal action. It was reported that the first editions of *Ilanga* under Inkatha ownership were produced, on time, by journalists temporarily drafted from various KwaZulu government departments and Inkatha's inhouse publications.¹⁴ [¹⁴ *Echo* 23 April, *Financial Mail* 24 April]

Ilanga advertised for new journalists and Chief Buthelezi claimed that there had been a 'flood of responses'.¹⁵ [¹⁵ *The Natal Mercury* 23 April] He challenged his opponents, who he claimed were inspired by the United Democratic Front and the African National Congress, to open another Zulu-medium newspaper in Durban and 'rip the market away from *Ilanga*'.¹⁶ [¹⁶ *Eastern Province Herald* 22 April]

In May the Argus Company agreed to transfer journalists who refused to work for *Ilanga* after it had been bought by Inkatha. The vice president of the SASJ in Natal, Mr Stuart Flitton, said that 19 of the 25 *Ilanga* editorial staff had asked for a transfer and the Argus Company had given an undertaking to transfer as many as possible and had also agreed to grant, where it was applicable, the standard Argus Company retrenchment package.¹⁷ [¹⁷ *Cape Times* 15 May]

In July it was reported in *Work In Progress* that *Ilanga* had been sold for between R400 000 and R800

000 although it 'was worth over R1m'.¹⁸ [¹⁸ *Work In Progress* July]

Audit Bureau of Circulations of South Africa figures for the last six months of 1987 revealed that *Ilanga's* average sales per issue were 119 244, an 11% increase on the same period in 1986.¹⁹ [¹⁹ Audit Bureau of Circulations of South Africa] Dr Dhlomo later said that since the takeover, *Ilanga's* circulation had risen from 105 000 to 120 000, and at one stage touched 137 000.²⁰ [²⁰ *Beeld* 2 November]

Dr Alan Cooper, a lecturer on politics and the media at the University of Bophuthatswana, pointed out that until the takeover of *Ilanga* by Inkatha, 'there was not a genuine newspaper owned and run by blacks in South Africa'. All but *Ilanga* were in the 'hands of the large press corporations', he said. *Ilanga's* change of ownership could act as a catalyst.²¹ [²¹ *The Star* 29 April]

Other newspapers

During the period under review, newspapers which defined themselves as the 'alternative' press were singled out by the government in its implementation of the media regulations (see *Media Control* below). The alternative press is generally supportive of extra-parliamentary organisations. By the end of April 1988 the government had prohibited publication of *The New Nation* for three months and had issued gazetted warnings to *Grassroots*, *Out of Step*, *Saamstaan*, *South*, *The Weekly Mail* and *Work In Progress* (see *Media Control* below).

In May the editor of *The New Nation*, Mr Zwelakhe Sisulu, and the co-editors of *The Weekly Mail*, Messrs Anton Harber and Irwin Manoirn, received the annual SASJ Pringle Award for 'press freedom and outstanding contribution to journalism'.²² [²² *The Weekly Mail* 15 May, *The Star* 15 May] During 1987 an international campaign was launched by foreign anti-censorship groups to secure the release of Mr Sisulu, who had been in detention since 12 December 1986 (see *Journalists* below).

In May the minister of home affairs, Mr Stoffel Botha, referring to what he called the 'informal press', said that these publications were aimed at 'a particularly vulnerable segment of South African society, namely schoolchildren, students, the unskilled and unprivileged'.²³ [²³ *The Citizen* 26 May] In August, shortly before new media regulations were gazetted, the state president, Mr P W Botha, said that there was a sudden increase in 'alternative agencies' attempting to provide a news service to existing and 'alternative newspapers', but, he added, the news amounted to 'nothing but propaganda'. The state president said that both the 'alternative agencies' and the 'alternative newspapers' were being investigated and would be 'dealt with' (see *Implementation of the Media Regulations* below).²⁴ [²⁴ *Ibid* 18 August] According to a report in *The Weekly Mail* in March 1988, alternative news agencies included: Albany News Agency, Agenda Press, Concord News Agency, East London News Agency (Elnews), Port Elizabeth News (PEN), Press Trust, The Other Press Service (TOPS) and Veritas News Agency.²⁵ [²⁵ *The Weekly Mail* 31 March 1988]

In May it was reported that the government was investigating the Oudtshoorn-based (southern Cape) newspaper, *Saamstaan*, for a possible contravention of the Fund Raising Act of 1978. *The Weekly Mail* reported that *Saamstaan*'s offices had been damaged by fire on three separate occasions during 1985 and that three of its journalists, Mr Derek Jackson, Mr Reggie Oliphant and Mr Mbulelo Grootboom had been restricted to the municipal area of Oudtshoorn in March 1988. Another journalist on the newspaper, Mr Clive Stuurman, was in detention under the emergency regulations (see *Journalists* below). The newspaper had been forced to print its issues in Cape Town, over 500km from Oudtshoorn. because white-owned firms in Oudtshoorn refused to print it.²⁶ [²⁶ Ibid 15 May]

Media Control

During the period under review, publications were restricted in terms of either the state of emergency media regulations or the Publications Act of 1974. Newspapers which were registered with the Newspaper Press Union were exempt from the provisions of Publications Act.

State of emergency media regulations

Since the first state of emergency was declared in certain magisterial districts in July 1985, the government has gazetted numerous media regulations, in terms of the Public Safety Act of 1953, which have restricted the media and their ability to cover events and issues in South Africa (see 1985 *Survey* pp455–463 and 1986 *Survey* Part 2 pp838–842). Proclamations R109 of 12 June 1986 and R224 of 11 December 1986, issued in terms of the Public Safety Act, significantly increased the volume of legislation controlling the media in South Africa (see 1986 *Survey* Part 2 pp838–842).

In early January 1987, following the appearance of advertisements calling for the lifting of the ban on the African National Congress (ANC) (see chapter on *Business*), the government gazetted regulations which gave the commissioner of police the power to ban the publication of reports or advertisements 'calculated to improve or promote the public image or esteem' of outlawed organisations. These regulations were subsequently overturned in the Witwatersrand Local Division of the Supreme Court at the end of January 1987 but the government immediately gazetted new regulations which closed the loopholes exposed in the court judgement. In April Mr Justice N S Page and Mr Justice B Galgut, presiding in the Natal Provincial Division of the Supreme Court, set aside a number of important media regulations. The reimposition of the state of emergency on 11 June 1987, along with new media regulations issued on the same day, seemed to circumvent the Natal judgement and other court rulings. In August the government gazetted further amendments to the media regulations, empowering the minister of home affairs to close down a newspaper, or appoint a censor, for three months if, in his opinion, the newspaper was a threat to public safety or the maintenance of public order or would delay the termination of the state of emergency. An amendment gazetted in January 1988 limited the grounds which the minister was obliged to disclose if he intended to close down a newspaper or appoint a censor. In March 1988 *The New Nation* became the first publication to be effectively closed down in terms of

the new regulations and, at the time of writing, six other publications faced a similar threat.

1986 Regulations

Advertisements

In January 1987 the United Democratic Front (UDF), the National Education Crisis Committee (NECC) and the South African Council of Churches (SACC) issued an advertisement which commemorated the 75th anniversary of the African National Congress (ANC) and called for the ban on the organisation to be lifted. The advertisement appeared in 16 newspapers but was rejected by the pro-government English-language newspaper, *The Citizen*, and the two Afrikaans-language publishing groups, Perskor and Nasionale Pers.²⁷ [²⁷ *The Star* 8 January]

The commissioner of police, General Johan Coetzee, responded to the appearance of the advertisements by issuing Government Notices nos 101 and 102 in the *Government Gazette* on 8 January. In terms of Government Notice no 101 the commissioner of police, under the powers vested in him in terms of the definition of 'subversive statement' in Proclamation R224 of 1986 (see 1986 *Survey* Part 2 pp841–842), identified the support of any organisation which was an unlawful organisation under the Internal Security Act of 1982 as an act which had the effect of threatening the safety of the public or the maintenance of public order or of delaying the termination of the state of emergency. Government Notice no 102 prohibited the publication of advertisements or reports calculated to improve the public image or esteem of banned organisations.²⁸ [²⁸ *Government Gazette* no 10584 Government Notices no 101 and 102, 8 January] The security police with search warrants visited ten newspapers around the country and seized material relating to the advertisement from some newspapers. *Business Day*, the *Eastern Province Herald* and *The Weekly Mail* were prevented from publishing the advertisement.²⁹ [²⁹ *Cape Times* 10 January]

Giving reasons for the prohibition the deputy minister of information, Dr Stoffel van der Merwe, said that the ANC and other banned organisations could not function without publicity. 'It is our intention to deprive them of the kind of publicity that assisted them to spread their message of violence and Marxism,' he said.

Judgements

In January the two English-language publishing groups, the Argus Printing and Publishing Company and South African Associated Newspapers (now Times Media Ltd), brought an application in the Witwatersrand Local Division of the Supreme Court against the minister of law and order, Mr Adriaan Vlok, and Gen Coetzee, in an attempt to overturn Government Notice no 102. At the end of January Mr Justice H Daniels found that Gen Coetzee had exceeded his authority in issuing the order and declared it invalid. He said that Gen Coetzee derived his powers from regulation 7(1)(b) of Proclamation R109 of 1986 which gave him jurisdiction to prohibit the performing of any act in a 'particular area', but he had imposed the restrictions on the whole of South Africa (see 1986 *Survey* Part 2 p832).³⁰ [³⁰ *The Citizen* 14

January, *Sowetan* 30 January, *The Star* 2 February]

On 29 January, hours after the court's decision, the government issued a *Government Gazette* repealing Government Notice nos 101 and 102 of 1987. On the same day the government also issued Proclamation no 18 of 1987 amending Proclamation R224 of 11 December 1986. Proclamation no 18 gave the commissioner of police, for the purpose of ensuring the safety of the public, the maintenance of public order or the termination of the state of emergency, the power to prohibit the publication of advertisements. The proclamation also gave the commissioner the power to extend the definition of a 'subversive statement' so as to prohibit the support of an organisation declared unlawful in terms of the Internal Security Act of 1982.³¹ [³¹ *Government Gazette* no 10599, Proclamation no 18, 29 January, *Business Day* 21 December]

In March *The Star* was granted an interim interdict in the Witwatersrand Provincial Division of the Supreme Court by Mr Justice B O'Donovan which ordered the commissioner of police not to seize copies of the 10 March issue of the newspaper which carried an advertisement by the Detainees' Parents Support Committee (DPSC). *The Star* had brought the application after police had visited the newspaper's building and had said that they were considering seizing the newspaper in terms of the emergency regulations. Counsel for the Argus Printing and Publishing Company Mr Denis Kuny SC, had submitted that the DPSC advertisement, in its amended form, did not contravene regulation 3(1)(h) of Proclamation R224 or any other regulation contained in the emergency regulations. The advertisement in *The Star* had been amended so as not to include a call for the release of detainees.³² [³² *Business Day* 11 March]

In an application brought by the UDF and the Release Mandela Campaign (RMC) in April in the Natal Provincial Division of the Supreme Court against the state president, the government, the ministers of home affairs and of law and order and the commissioner of police, Mr Justice N S Page and Mr Justice B Galgut set aside **regulations 3(1)a, b and c of Proclamation R224** issued on 11 December 1986 (see 1986 *Survey* Part 2 p840). In terms of the judgement, restrictions on campaigning for the release of detainees and placing advertisements relating to the ANC were also set aside.³³ [³³ *The Star* 24 April] The government was granted leave to appeal.

1987 regulations

On 11 June 1987, in terms of section 3 of the Public Safety Act, the state president reimposed the state of emergency in South Africa (see chapter on *Security*). **Proclamation R97** set out new media regulations. Proclamation R97 reimposed most of the media restrictions gazetted on 11 December 1986 in **Proclamation R224** (see 1986 *Survey* Part 2 pp838–842), but amended those regulations which had either been set aside or challenged in court action.

In terms of **regulation 1 of Proclamation R97** definitions of, inter alia, 'restricted gathering', 'security action', 'subversive statement' and 'unrest' were given.

‘Restricted gathering’ was defined as any gathering which had been restricted, or, on which a condition or requirement had been imposed, in terms of the Internal Security Act of 1982 or the emergency regulations.

‘Security action’ was defined as any of the following actions by a security force or member of a security force:

- any action to terminate any unrest;
- any action to protect life or property in consequence of any unrest;
- any follow-up action after any unrest had been terminated or had ended;
- any action taken under regulation 2 of the emergency regulations (see chapter on *Security*); and
- any action involving the arrest of a person on a charge of having committed an offence under the media regulations or any other regulations made under the Public Safety Act of 1953, or an offence committed during any unrest, or under regulation 3(1) of the emergency regulations (see chapter on *Security*).

A **‘subversive statement’** was defined as a statement which discredited or undermined compulsory military service or which incited or encouraged members of the public or was calculated to have the effect of inciting or encouraging members of the public to:

- take part in any activity or to commit any act mentioned in the definition of unrest (see below);
- resist or oppose any member of the cabinet, a ministers’ council, the government or any official of South Africa, or a member of the cabinet or any official of a non-independent homeland, or any member of the security forces in the exercise or performance by them of a power or function in terms of a provision of a regulation made under the Public Safety Act or of a law regulating the safety of the public or the maintenance of public order;
- take part in a boycott action against a particular firm or against firms of any particular nature, class or kind either by not making any purchases at, doing other business with, or making use of services rendered by, that firm or any firms of that nature, class or kind, or by making purchases only at, doing business only with, or making use of services rendered only by, firms other than that particular firm or other than firms of that particular nature, class or kind (regulation 1(a)(iii)(aa));
- take part in a boycott action against any particular product or article or against products or articles of a particular nature, class or kind by not purchasing that particular product or article or any products or articles of a particular nature, class or kind (regulation 1(a)(iii)(bb));

- take part in a boycott action against any particular educational institution or against educational institutions of any particular nature, class or kind by refusing to attend classes or to participate in other activities (regulation 1(a)(iii)(cc));
- take part in acts of civil disobedience by refusing to comply with, or by contravening a provision of, or requirement under, any law, or by refusing to comply with an obligation towards a local authority in respect of rent or a municipal service (regulation 1(a)(iv));
- stay away from work or to strike in contravention of the provisions of any law or to support any such stayaway or strike action (regulation 1(a)(v));
- attend or take part in any restricted gathering (regulation 1(a)(vi));
- take part in any activities of, or to join, or support, an organisation which was an unlawful organisation in terms of the Internal Security Act of 1982, or take part in, or support, any such organisation's campaigns, projects, programmes or actions of violence or resistance against, or subversion of, the authority of the state or any local authorities, or of violence against, or intimidation of, any persons or persons belonging to any particular category of persons;
- exert power and authority in specific areas by way of structures purporting to be structures of local government and acting as such in an unlawful manner, or to establish or support such structures, or to subject themselves to the authority of such structures, or to make payment which was due to local authorities to such structures (regulation 1(a)(viii));
- prosecute, try or punish people by way of unlawful structures, procedures or methods purporting to be judicial structures, procedures or methods, or support such structures, procedures or methods, or subject themselves to the authority of these structures, procedures or methods (regulation 1(a)(ix)); or
- commit any other act or omission identified by the commissioner by notice in the *Government Gazette* as an act or omission which threatened the safety of 'the public or the maintenance of public order or delayed the termination of the state of emergency (regulation 1(a)(x)).

'**Unrest**' was defined as: (a) any gathering in contravention of an order under regulation 7(1) of the security regulations or of any other law or prohibition; (b) any physical attack on a security force or on a member of a security force or on a member of a local authority or on the house or family of a member of a security force or local authority by a group of persons; or (c) any conduct which constitutes a riot, public violence or a contravention of the Intimidation Act of 1982.

Regulation 2 prohibited the presence of media workers at the scene of unrest or security action. According to **regulation 2(1)** no journalist, news reporter, news commentator, news correspondent, newspaper or magazine photographer, operator of any television or other camera or of any television,

sound, film or other recording equipment, person carrying or assisting in the conveyance or operation of such camera or equipment, or other person covering events for the purpose of gathering news material for distribution or publication within or outside South Africa, could, without the prior consent of the commissioner of police or a commissioned officer in the security force, be at the scene of any unrest, restricted gathering or security action or at a place from where any unrest, restricted gathering or security action was within sight. According to **regulation 2(2)(a)**, the provisions of subregulation (1) would not apply to any of the abovementioned persons if they either happened to be on the scene of unrest, a restricted gathering or security action when it began or happened to arrive on that scene after any unrest, a restricted gathering or security action had begun, provided such a person immediately left the scene or removed him/herself within such time as was reasonably required under the circumstances. **Regulation 2(2)(b)** provided that subregulation (1) should not prevent a person mentioned therein from being in his/her residence or on the premises where he/she normally worked or on his/her way to or from his/her residence or any such premises.

Regulation 3 governed the publication of news, comment or advertisements. **Regulation 3(1)** prohibited the publication of news, comment or advertisements in connection with:

- (a) any security action, including any security action which occurred between 11 December 1986 and 11 June 1987;
- (b) any deployment of a security force or of vehicles, armaments, Equipment or other appliances, for the purposes of security action;
- (c) any restricted gathering insofar as such news, comment or advertisement disclosed at any time before the gathering took place the time, date, place and purpose of such gathering, or gave an account of any speech, statement or remark of any speaker who performed at the gathering in contravention of a condition, prohibition or requirement determined or imposed under a law mentioned in the definition of 'restricted gathering' (see above);
- (d) any action or boycott by members of the public which was an action or boycott referred to in regulation 1(a)(iii), (iv) or (v) of the definition of 'subversive statement' (see above) insofar as such news, comment or advertisement disclosed particulars of the extent to which such action or boycott was successful or of the manner in which members of the public were intimidated, incited or encouraged to take part in or to support such action or boycott or gave an account of any incidents in connection with such intimidation, incitement or encouragement;
- (e) any structures referred to in regulation 1(a)(viii) or (ix) of the definition of 'subversive statement' (see above) insofar as such news, comment or advertisement disclosed particulars of the manner in which members of the public were intimidated, incited or encouraged to support such structures or to subject themselves to the authority of such structures;

(f) any speech, statement or remark of a person upon whom restrictions in terms of the Internal Security Act or the emergency regulations, had been placed, insofar as such speech, statement or remark had the effect, or was calculated to have the effect, of threatening the safety of the public or the maintenance of public order or of delaying the termination of the state of emergency;

(g) the circumstances of, or treatment in detention, of a person who was or had been detained under regulation 3 of the emergency regulations; and

(h) the release of a person who was detained under regulation 3 of the emergency regulations.

Regulation 3(2) provided that no person could publish or cause to be published any publication containing an advertisement on, or in connection with, an organisation which was an unlawful organisation in terms of the Internal Security Act. In terms of **regulation 3(3)** the commissioner of police might, for the purpose of the safety of the public, the maintenance of public order or the termination of the state of emergency, issue an order prohibiting any publication, television recording, film recording or sound recording containing any news, comment or advertisement on, or in connection with, any matter specified in the order.

Regulation 3(4) provided that, subject to regulation 3(6) (see below) no person could broadcast any news, comment or advertisement on, or in connection with, a matter specified in regulation 3(1) live on any television or radio service.

In terms of **regulation 3(5)** no person could publish, or cause to be published, any publication in which a blank space or any obliteration or deletion of part of the text of a report or of a photograph or part of a photograph appeared if that blank space, obliteration or deletion was intended to be understood as a reference to the effect of a provision of these regulations.

Regulation 3(6) provided that regulation 3 could not prevent any person from publishing news, comment or advertisements in connection with any matter specified in subregulation (1) if the particulars of any such matter.

- were disclosed, announced, released or authorised for publication by a member of the cabinet or of a ministers' council, a deputy minister or a spokesman of the government;
- appeared from debates, documents or proceedings of Parliament or the President's Council; or
- appeared from judicial proceedings, excluding proceedings in which evidence was submitted or given relating to the circumstances or manner of arrest or the circumstances of, or the treatment in, detention of a person who was detained under regulation 3 of the emergency regulations, and in which the court concerned had not yet given a final judgement.

The provisions of regulation 3 would also not prevent a bona fide library from lending to a member of the public in the normal course of its activities.

Regulation 4(1) and (2), which governed the taking of photographs, video or film footage of unrest or security action, stated that no person could, without the prior consent of the commissioner of police or a commissioned officer in a security force, take any photograph or make or produce any television recording, film recording, drawing or other depiction of any unrest or security action including the damaging or destruction of property, or the injuring or killing of people, or of any damaged or destroyed property or injured or dead people, or other visible signs of violence on the scene where unrest or security action was or had been taking place, or of any injuries sustained by any person in or during unrest or security action. The making of any sound recording of any unrest or security action was also prohibited unless prior consent had been obtained.

In terms of **regulation 4(3)** no person could publish any photograph, drawing or other depiction or any television film or sound recording which was taken, made or produced in contravention of a provision of regulation 4(1) or (2) or in contravention of a regulation made under the Public Safety Act which was in force at any time during the period 12 June 1986 to 11 June 1987.

Regulation 5 governed the publication of subversive statements. According to the regulation, no person could:

- (a) either orally or in writing make any subversive statement or cause such a statement to be made;
- (b) produce a publication in which a subversive statement appeared or cause such a publication to be produced;
- (c) produce a television, film or sound recording in which a subversive statement was recorded or cause such a recording to be produced; or
- (d) publish or import into South Africa (excluding the 'independent' homelands) a publication or a television, film or sound recording containing a subversive statement or cause such a publication or recording to be published or imported.

Regulation 6 governed the seizure of certain publications or recordings. According to the subregulation (1), the minister of home affairs or the commissioner of police could order the seizure of any form of media without prior notice if it was in contravention of regulation 5(b), (c) or (d) or regulation 3(1) or (2) or 4(3) or of a provision of an order under regulation 3(3) of the media regulations.

Regulation 7 governed the prohibition of the production, importation or publication of certain

periodicals. In terms of **regulation 7(1)** the minister of home affairs might, if he deemed it necessary in the interest of the safety of the public, the maintenance of public order or the termination of state of emergency, issue a notice in the *Government Gazette* prohibiting the publication of a periodical for a maximum of three months. However, in terms of **regulation 7(2)** no order could be issued unless:

- (a) the publication contravened a provision of regulation 5(b) or (d) or 3(1) or (2) or 4(3) or a provision of an order under regulation 3(3);
- (b) the minister had by notice in the *Government Gazette* requested all people concerned in the production, importation or publication of that periodical to ensure that no further issue of that periodical was produced, imported or published in contravention of the regulations;
- (c) a further issue of that periodical was produced, imported or published in contravention of the regulations; and
- (d) the minister, after a further issue had been produced, imported or published, gave notice in writing to the publisher or importer that action under regulation 7(1) was to be considered, and gave the publisher or importer two weeks in which to make representation in writing.

Regulation 7(6) provided that if the minister of home affairs was convinced that any periodical, whether or not under another name, was a continuation of, or substitution for, any periodical the production, importation or publication of which was prohibited under regulation 7(1), he might, without notice to any person or without hearing any person, issue an order prohibiting the production, importation or publication of all issues of the periodical for such period as he might specify in the order, but not exceeding a period equal to the remaining portion of the period for which the original periodical was prohibited

Regulation 8 provided for a maximum fine of R20 000 and/or ten years' imprisonment for any person who contravened the above regulations. **Regulation 9** stated that no prosecution for an offence under these regulations could be instituted except by the express direction of the attorney general having jurisdiction in respect of that prosecution.³⁴ [³⁴ *Government Gazette* no 10772, Proclamation R97, 11 June]

In September the Release Mandela Campaign (RMC); Mr Aubrey Mokoena, chairman of the RMC; and The Weekly Mail Publications brought an application against the state president in the Natal Provincial Division of the Supreme Court challenging the media regulations. Mr Justice J J Broome and Mr Justice J A Howard upheld the state president's 'unfettered discretion' to decide whether or not to declare a state of emergency, and his 'most extensive power' in deciding on the regulations necessary to achieve public order. The judges were also not persuaded to invalidate or alter the definitions of 'unrest' or 'security action in any way. The court did, however, declare some of the regulations invalid. The power of the commissioner of police to extend the definition of a 'subversive statement' was declared invalid

(regulation 1(a)(x)), as was his power to prohibit the publication of any newspaper, sound or film recording (regulation 3(3)). The ban on encouraging people to attend a restricted gathering and the ban on advertising the gathering were also declared invalid (regulation 1(a)(vi) and 3(1)(c)). The restriction prohibiting publication of any news, comment or advertisement of security action prior to 11 June 1987 was also declared invalid (regulation 3(1)(a)).³⁵ [35 *The Weekly Mail* 25 September; Levin L, Benjamin P and Smuts D, 'Human Rights Index 17 June 1987 - 30 October 1987' in *South African Journal on Human Rights*, vol 3 part 3, November 1987]

Amendments to the regulations

On 28 August the government issued **Proclamation R123** in terms of which regulations 7A and 7B were inserted into regulation 7 of the media regulations which empowered the minister of home affairs to suspend the publication, production or importation of a periodical or to appoint a censor to the periodical for a period of up to three months. On 15 January 1988 **Proclamation R7** was issued in which an amendment to regulation 7A was made.

According to **regulation 7A(1)**, if the minister of home affairs was of the opinion, solely on examination of any series of issues of a periodical, that there was in that periodical a systematic or repeated publishing of matter, or a systematic or repeated publishing of matter in a way, which, in his opinion, had or was calculated to have the effect of:

- promoting or fanning revolution or uprisings in South Africa or other acts aimed at the overthrow of the government otherwise than by constitutional means;
- promoting, fanning or sparking the perpetration of acts referred to in (b) or (c) of the definition of unrest (see above);
- promoting or fanning the breaking down of the public order in South Africa or any area in South Africa or in any community;
- stirring up or fomenting feelings of hatred or hostility in members of the public towards a local authority or a security force, or towards members or employees of a local authority or members of a security force, or towards members of any population group or section of the public;
- promoting the public image or esteem of any organisation declared unlawful under the Internal Security Act of 1982;
- promoting the establishment or activities of structures referred to in regulation 1(a)(viii) or (ix) of the definition of subversive statement (see above); or
- promoting, fanning or sparking boycott actions, acts of civil disobedience, stayaways or strikes referred to in regulation 1(a)(iii), (iv) or (v) of the definition of subversive statement (see above);

the minister could, by notice in the *Government Gazette*, issue a warning to the people concerned in the production, importation, compilation or publication of issues of that periodical that the matter published in that periodical, was in his opinion, causing a threat to the safety of the public or the maintenance of public order or was causing a delay in the termination of the state of emergency. In terms of **regulation 7A(3)** if, after such a warning had been issued, the minister was of the opinion that there was in the said issue or series of issues a continuation of a systematic or repeated publishing of matter, or of a systematic or repeated publishing of matter in a way, which, in the minister's opinion had, or was calculated to have, an effect described above and was causing a threat to the safety of the public or to the maintenance of public order or was causing a delay in the termination of the state of emergency, he might issue an order in the *Government Gazette* prohibiting;

- the publication of any further issue of that periodical for a period not exceeding three months unless the matter to be published in any such issue and the way in which it was to be published in such issue had previously been approved for publication by a person specified in the order; or
- the production, importation into South Africa, or publication of any further issue of that periodical for a period not exceeding three months.

However, in terms of **regulation 7A(4)** of Proclamation R123 no warning under regulation 7A(1) or 7A(3) could be published unless the minister had given notice in writing to the publisher or importer of the periodical concerned of the fact that such action was being considered in respect of that periodical, stating the grounds of the proposed action, and had given that publisher or importer an opportunity of submitting to the minister in writing, within a period of two weeks, representations in connection with the proposed action. In terms of the amendment issued in Proclamation R7 on 15 January 1988 the grounds which the minister was obliged to give for considering action against a periodical were limited. According to the amendment, which was deemed to have come into operation on 28 August 1987, the minister was obliged to provide the publisher or importer only with a list indicating the reports, comments, articles, photographs, drawings, depictions, advertisements, letters and other items published and indicate why each such item was being taken into account. The amendment also provided that the minister was not obliged to state which of his powers he was considering exercising—closing the periodical down or appointing a person to censor the publication. The minister was also not obliged to give any person a hearing when considering the proposed action.³⁶ [³⁶ *Government Gazette* no 11105, Proclamation R7, 15 January 1988; Levin L, Benjamin P and Smuts D, 'Human Rights Index 1 November 1987 - 31 January 1988', *South African Journal on Human Rights*, vol 4 part I, March 1988]

Regulation 7B(1) and **(2)** of Proclamation R123 empowered the minister to order a publisher or importer of a periodical to supply free copies to the director general of home affairs within three days of a request to do so. In terms of **regulation 7B(4)** any person who failed to comply with this order would be guilty of an offence and liable, on conviction, to a fine not exceeding R500.³⁷ [³⁷ *Government Gazette* no 10880, Proclamation R123, 28 August; *The Star* 29 August]

Speaking in Parliament on 27 August, the minister of home affairs, Mr Stoffel Botha, said that the new regulations were 'necessary to curb the present flood of revolutionary propaganda' which existing legislation could not achieve.³⁸ [³⁸ *Hansard* (A) 11 cols 4683 and 4751]

Implementation of the regulations

At a meeting with newspaper editors in September Mr Botha said that a directorate of media relations, within the Department of Home Affairs, had been set up to co-ordinate the new regulations. The directorate would be headed by Mr Andries Engelbrecht, who held a master's degree in 'human motivation' from the University of Pretoria, and would also be staffed by Mr Botha's chief legal adviser, Mr Attie Tredoux, and a state legal adviser, Mr Koos de Vries. According to Mr Botha, in order to make its 'scientific evaluations' the directorate would be advised by a panel of unnamed experts which would include political scientists, psychologists, sociologists, journalists and lawyers. Mr Botha said that although, in the final instance, subjective judgements would be made by himself and his panel, they would be as objective in their approach as possible. He added that action taken by himself and his experts would be reviewable by the courts under common law and could be overturned if a court was satisfied that he had acted in bad faith or if he had subverted the procedures laid down.

Mr Botha said that he was unable to offer specific guidelines on what sort of material would be considered to be 'promoting violent revolution'.³⁹ [³⁹ *The Star* 3 September] 'If the facts are right, criticism [of government] can be published. But the moment you, at the same time, praise the existence of extra-parliamentary committees and say they do a better job [than the government], and praise an illegal committee which is part of the revolutionary process, you will be in hot water,' Mr Botha said.⁴⁰ [⁴⁰ *Business Day* 3 September] Mr Engelbrecht said that he did not see himself as 'a super censor' and added that his job 'basically revolves around establishing good media relations'.⁴¹ [⁴¹ *The Star* 4 September]

A week after his meeting with the editors, Mr Botha confirmed that a lecturer in the Department of Political Studies at Rand Afrikaans University, Dr Isaak de Vries, had been appointed as one of the experts to advise him on the implementation of the media regulations. Dr De Vries had been used by the government as an expert state witness in about 20 political trials. Also in September, the Department of Home Affairs released a reading list 'on relevant aspects of revolution, communication and social research methodology' to assist newspaper editors in understanding the basis on which the minister of home affairs would determine 'scientifically' which newspapers were 'revolutionary supporting'.⁴² [⁴² *The Weekly Mail* 11 September] The list contained only one South African study of research, that by Dr De Vries.⁴³ [⁴³ *Business Day* 15 September] It was later revealed that one of the books recommended by Mr Botha to editors, *The War of the Flea* by Mr Robert Taber, had been banned in 1977 under section 9(3) of the Publications Act of 1974.⁴⁴ [⁴⁴ *Ibid* 23 September]

In September *The Weekly Mail* reported the existence of another government committee, the interdepartmental media monitoring committee, involved in monitoring the press. According to the

newspaper, the committee pre-dated the various states of emergency declared since 1985 and fell under the jurisdiction of the Department of Home Affairs. Mr Engelbrecht said that the committee was an 'ad-hoc group' which drew together 'all state departments with monitoring functions'.⁴⁵ [⁴⁵ *The Weekly Mail* 18 September]

In September it was reported that the publications *COSATU News*, *Learn and Teach*, *South*, *The New Nation*, *The Weekly Mail*, *Upbeat* and *Work in Progress* had been instructed to supply the directorate of media relations with free copies of future issues.

In October *The New Nation* was warned in a letter from Mr Botha that articles, pictures and advertisements in three issues of the newspaper had contravened the regulations.⁴⁶ [⁴⁶ *Business Day* 7 October] Mr Engelbrecht said that he had ordered the newspaper to justify, within 14 days, the publication of reports seen to be supporting revolution. He said that if the newspaper failed to give a satisfactory explanation of its coverage, an official warning would be gazetted and if it continued to 'breach the regulations' it could be closed down for three months or subjected to the direct control of a government-appointed censor.⁴⁷ [⁴⁷ *Cape Times* 7 October] In November *COSATU News*, *Die Stem*, *South*, the *Sowetan* and *Work In Progress* were warned by Mr Botha that a gazetted warning was being considered, and in December *The Weekly Mail* received a similar warning.⁴⁸ [⁴⁸ *The Sunday Star* 15 November; *Business Day* 1 December; *The Weekly Mail* 4, 18 December]

On 27 November *The New Nation*, and on 21 December *Die Stem*, *South* and *Work in Progress* had official warnings published in the *Government Gazette*.⁴⁹ [⁴⁹ *Government Gazette* no 11049, Government Notice R2627, 27 November; *Government Gazette* no 11074, Government Notices R2790, R2827 and R2828, 21 December] Prior to the gazetting of the warnings, representations were made to the minister of home affairs by *The New Nation*, *South*, *Work in Progress* and *The Weekly Mail*, after they received warning letters.

At the end of December the Department of Home Affairs instructed the Azanian People's Organisation (AZAPO) to submit each issue of its periodical, *Azanian Focus*, to the department three days before publication.⁵⁰ [⁵⁰ *Sowetan* 31 December]

In January 1988 *Die Stem* closed down after its editor, Mr Robert van Tender, had received a telephone call from the Department of Home Affairs informing him that a censor would be appointed to the newspaper. Mr Van Tender said that it was 'clear that the government wanted to suppress all right-wing publications'.⁵¹ [⁵¹ *The Citizen* 23 January 1988] In the same month *Die Stem* was replaced by *Die Volkstem*, which was launched under the editorship of Mr Johan Pienaar.⁵² [⁵² *Business Day* 18 January 1988]

On 13 January 1988, after *The New Nation* had received a warning from the minister of home affairs that it would either be closed down or censored for three months, the Catholic Bishops' Publishing Company, the owners of *The New Nation*, brought an application in the Witwatersrand Local Division of the Supreme Court to stop this action by the minister, as well as to have certain media regulations

declared invalid. In an affidavit submitted by Mr Botha, he stated that the government had intended to close *The New Nation* for three months and to gazette the order on 15 January. However, with the institution of legal proceedings he had been advised to await the decision of the court. At the end of January the case was postponed after Mr Justice A M van Niekerk decided that the matter should be heard before a full bench. On 21 March a full bench of the Transvaal Provincial Division of the Supreme Court dismissed the Catholic Bishops' Publishing Company's application

On 22 March 1988 Mr Botha issue a notice in the *Government Gazette* in terms of Regulation 7A(3) of Proclamation R97 of 1987, as amended by Proclamation R123 of 1987 and Proclamation R7 of 1988, prohibiting the production or publication of any further issue of *The New Nation* up to and including 10 June.⁵³ [⁵³ *The New Nation* 28 January 1988; *Business Day* 2 February 1988; *Sowetan* 22 March 1988; *Government Gazette* no 11210, Government Notice no 578, 22 March; Levin L, Benjamin P and Smuts D, 'Human Rights Index 1 November 1987 - 31 January 1988', *South African Journal on Human Rights*, vol 4 part, 1 March 1988]

On 3 March 1988 the South African Council of Churches (SACC) said that it had refused to submit copies of the SACC's journal, *Ecunews*, to the Department of Home Affairs. The SACC said that it had been informed by the Department of Home Affairs in September 1987 that 'unless we complied with their request, legal steps would be taken against us in terms of regulation 7B(4) without further notice'. The executive committee of the SACC had decided in October 1987 'not to comply with the order because compliance with this state of emergency proclamation would negate and militate against the very mission of the church in South Africa'.⁵⁴ [⁵⁴ *The Citizen* 4 March 1988]

Also in March 1988 *Grassroots Publications* received a warning from the minister of home affairs that he was considering gazetting a warning against it for printing 'subversive propaganda'. A week later the Oudtshoorn-based (southern Cape) newspaper, *Saamstaan*, received a similar warning. Earlier in March 1988 three workers on *Saamstaan*, Mr Derek Jackson, Mr Mbulelo Grootboom and Mr Reggie Oliphant were served with restriction orders which prevented them from leaving the municipal area of Oudtshoorn (see *Journalists* below).⁵⁵ [⁵⁵ *The Star* 29 March 1988]

By the middle of April 1988 Mr Botha had gazetted warnings against five publications: *Grassroots*, *Out of Step* (the End Conscription Campaign's Cape Town publication), *Saamstaan*, *South* and *Work In Progress*.

On 27 April 1988 *The Weekly Mail* received a formal gazetted warning from the minister of home affairs that he was considering suspending the newspaper for three months.

Publications control

Between 1 July 1986 and 31 December 1987, a number of publications and objects were submitted to the various publications committees of the directorate of publications for review. They were submitted

either by members of the public, government departments or the directorate itself. Following a decision by a committee, either the directorate or any person with a financial interest in the publication or object could lodge an appeal before the Publications Appeal Board.⁵⁶ [⁵⁶ *S A Barometer*, vol 1 no 14, September]

During this period a total of 1 177 objects and publications were submitted. Of these, 355 were found undesirable, 675 were found not undesirable, and the remaining 147 were still under consideration at the end of the period under review. Of the total, 729 publications were submitted because they were possibly prejudicial to the security of the state.⁵⁷ [⁵⁷ Report of the Department of Home Affairs for 1 July 1986 to 31 December 1987, PR61-1988]

Commenting on views that the Publications Control Board had become more liberal, the Department of Home Affairs report for the period 1 July 1986 to 31 December 1987 stated that ‘the Publications Amendment Act of 1978 afforded recognition to dramatic, artistic and literary interests and made the imposition of conditions regarding the distribution of publications possible. These amendments, together with a verdict handed down by the Supreme Court in 1977, have formed the basis for a more reasonable and flexible arrangement’.⁵⁸ [⁵⁸ *Ibid*]

In February a student publication, *SASPU National*, and a publication focusing on alternative education, *Free Azania*, were ordered to submit copies of all future editions for pre-publication censorship to the Publications Control Board. According to *The Weekly Mail*, the only other South African publication which had had to submit copies for pre-publication censorship was *The Voice*, which used to be published by the South African Council of Churches.⁵⁹ [⁵⁹ *The Weekly Mail* 27 February]

During 1987 the Publications Control Board banned all four editions of the Azanian People’s Organisation (AZAPO) publication, *Azanian Focus*.⁶⁰ [⁶⁰ *The Star* 19 October]

In June in a letter to *The Star*, the Writers’ Forum protested against the withdrawal of Mr Ahmed Essop’s story collection. *The Hajji*, as a setwork for senior pupils at Indian schools. The Writers’ Forum claimed that this was an example of the assault on culture in South Africa.⁶¹ [⁶¹ *Ibid* 12 June]

In August two editions of a newspaper, *South*, were banned by a committee of the Publications Control Board.⁶² [⁶² *South* 10-16 September] The reasons given for the bannings were that the publication was not only critical of the present order, but promoted its replacement by another order. Because the publication was allegedly sympathetic to the African National Congress (ANC), the committee said that ‘it does not take much imagination to realize that the “other” system is one promoted by the ANC’.⁶³ [⁶³ *Cape Times* 5 September] The newspaper pointed out that this ruling contradicted a previous ruling which found that an earlier edition of *South* should not be declared undesirable because it was a ‘special newspaper’, with a ‘special responsibility to deliver a community service’.⁶⁴ [⁶⁴ *South* 10 September] In October the bannings were suspended pending a hearing in November.⁶⁵ [⁶⁵ *Ibid* 16 October] The appeal was upheld by the Publications Appeal Board in December.⁶⁶ [⁶⁶ *Ibid* 10 December]

An edition of *The New Nation* was also banned in September. According to the directorate of publications in Cape Town, the banning occurred because the publication was considered prejudicial to the safety of the state and to the maintenance of good order and public safety.⁶⁷ [⁶⁷ *Diamond Fields Advertiser* 15 September] *The New Nation* was also the first newspaper to receive a formal gazetted warning from the minister of home affairs in terms of the new media regulations (see *Media Control* above). A December edition of the newspaper was also gazetted as undesirable.⁶⁸ [⁶⁸ *Sunday Times* 13 December]

In October the 3 000-member South African Institute for Librarianship and Information Science issued a policy statement on censorship which called on librarians and information workers to promote the free flow of information. The statement, which was endorsed at the institute's annual conference in Cape Town, added that the organisation opposed censorship on ethical grounds 'where it unnecessarily curtails the full utilisation of recorded information for the benefit of all'. The conference also resolved to give everyone access to public information and services, regardless of race.⁶⁹ [⁶⁹ *Eastern Province Herald* 1 October]

In the same month, Skotaville Publishers claimed that the Central News Agency (CNA) had placed a political ban on its publications.⁷⁰ [⁷⁰ *Business Day* 28 October] The managing director of Skotaville Publishers, Mr Mothobi Mutloatse, said that the CNA had not purchased any new Skotaville products since the declaration of the state of emergency in 1986. He said that Skotaville had been informed by CNA that it would not purchase Skotaville books because they did not have bar codes. The chief executive of the CNA, Mr D Band, said that the company was investigating the allegations.⁷¹ [⁷¹ *Sowetan* 28 October]

Censorship of films and plays

All films are subject to prior approval by a publications committee. Between 1 July 1986 and 31 December 1987, 1065 films (931 new films and 134 on review) were submitted for examination. Of these, 490 were approved unconditionally, 478 were approved conditionally (with an age restriction or excisions or both), 91 were rejected outright and six were still under consideration.⁷² [⁷² Report of the Department of Home Affairs for 1 July 1986 to 31 December 1987 RP 61-1988]

In January a film producer, Mr Anant Singh, who produced the film 'A Place of Weeping', refused to participate in a South African Broadcasting Corporation (SABC) television programme 'Sundowner', after he had claimed that the corporation had broken an agreement to show clips of his film during an interview. He further claimed that the reason for this refusal to show the clippings was political, because the film was against apartheid. The SABC denied Mr Singh's allegations.⁷³ [⁷³ *Sunday Times* 25 January]

In March the ban on the documentary 'Witness to Apartheid' was lifted subject to a two-to-18 age restriction, and that it be screened at specified cinemas seating not more than 200 people.⁷⁴ [⁷⁴ *Diamond*

Fields Advertiser 27 March] The film was nominated for an Oscar award in the best documentary section.⁷⁵ [⁷⁵ *The Weekly Mail* 27 March]

In April the Baxter Theatre (Cape Town) appealed against a decision by the directorate of publications to ban the staging of the production 'Kwanele' by the Nyanga Theatre Group.⁷⁶ [⁷⁶ *Cape Times* 8 April] The ban was subsequently lifted.⁷⁷ [⁷⁷ *The Citizen* 30 April]

A film by Ms Elaine Proctor, 'The Sharpeville Spirit', a documentary that examined the different effects of protest on the Sharpeville community in 1961 and 1984, was banned in April for 'endangering state security'.⁷⁸ [⁷⁸ *The Weekly Mail* 16 April]

In September a video depicting the 'necklacing' of a man accused of being a police informer was banned by the Publications Control Board committee. The committee found that the video engendered racial hostility, and was a threat to the security of the state.⁷⁹ [⁷⁹ *Cape Times* 3 September]

In November the Publications Control Board decided not to censor 'Cry Freedom', Sir Richard Attenborough's film about the former newspaper editor, Mr Donald Woods, and Mr Steve Biko, the black consciousness leader who died in detention in 1977. They also did not impose an age restriction on the film. This action was condemned by the Conservative Party, the Herstigte Nasionale Party and the Blanke Bevrydingsbeweging.⁸⁰ [⁸⁰ *The Citizen* 28 November] However, in January 1988 the attorney general of the Witwatersrand, Mr Klaus von Lieres, threatened to prosecute newspapers which carried advertisements for 'Cry Freedom'. The warning said that it was an offence to publish anything by a banned person. This led to speculation that the film would not be allowed to be screened in South Africa.⁸¹ [⁸¹ *Business Day* 14 January 1988] In March 1988 the president and chief executive officer of United International Pictures, Mr Michael Williams-Jones, said that the release of the film in South Africa had been delayed indefinitely pending approval from the South African government.⁸² [⁸² *The Citizen* 29 March 1988]

Copies of the film were seized and its banning ordered on the day it was due to be screened in mid year.

Journalists

Prosecutions

In March the editor-in-chief of the *Eastern Province Herald*, *Evening Post* and *Weekend Post*, Mr J C Viviers; a former *Eastern Province Herald* reporter, Miss Jo-Ann Bekker; and an *Eastern Province Herald* reporter, Miss Debbie March, faced a charge under Section 27(b) of the Police Act of 1958 in the Cradock magistrate's court (eastern Cape). The case resumed in the Port Elizabeth Regional Court during June. The three journalists were alleged to have been involved in publishing statements relating

to police action in Cradock during February 1985, without reasonable grounds for believing them to be true. They were alleged to have published untrue statements which claimed that:

- police had fired a teargas canister into a church building while a service had been in progress;
- policemen travelling in a Hippo had thrown stones at a house and/or;
- such an allegation was reported to a Lieutenant H J Gouws at the Cradock Police Station and/or;
- Lt Gouws had told policemen in the room not to throw stones;
- the Rev R M Obose had arrived at the police station and had said that teargas had been fired into his church; and
- Mr Richard Rasmeni had told the *Eastern Province Herald* that one teargas canister had been fired through the kitchen door of the manse.

Acting for the three journalists, Mr W Trengrove told the court that there had existed an agreement between the police and the Newspaper Press Union (NPU) that, provided a newspaper put the sequence of alleged events to a designated police spokesman and published his reaction, the newspaper would not be prosecuted. Mr Trengrove said that the procedure had been followed in the instance before the court.⁸³ [⁸³ *Eastern Province Herald* 27 February; *Cape Times* 10, 11 June] In June the charge against Miss March was dropped owing to lack of evidence against her. Mr Trengrove asked the court for the acquittal of both Miss Bekker and Mr Viviers on the grounds that the report contained no untruths but merely reported claims or allegations made by identified sources and that these were true or substantially true. Miss Bekker's reports of the conflict in Cradock during 1984 and 1985 had won her the Stellenbosch Farmers' Winery Award for excellence in the category of best investigative reporting under pressure of time or circumstance.⁸⁴ [⁸⁴ *The Weekly Mail* 3 April, *The Citizen* 12 June, *Eastern Province Herald* 19 June, *The Star* 19 June]

The court convicted Miss Bekker and sentenced her to a R200 fine or one month's imprisonment suspended for three years, while Mr Viviers, who represented the owners of the *Eastern Province Herald*, South African Associated Newspapers (SAAN), was fined R100. The president of the regional court, Mr G Steyn, said that the defence had failed to prove that Miss Bekker had had reasonable grounds for believing the allegations to be true. He also found that Miss Bekker had regarded herself on the side of the oppressed and saw it as her duty to expose police conduct. The agreement between the NPU and the police did not constitute a defence as immunity from prosecution could be given only by the attorney general. Mr Viviers said that 'the mere fact of the conviction presents problems for any newspaper intent on doing its job of informing the public fully and objectively'. 'We carried the police comment prominently and the first seven paragraphs of the article were based entirely on information from the police, yet we were still prosecuted,' he said.⁸⁵ [⁸⁵ *The Citizen* 20 June, *The Star* 24 June]

In March a reporter on *The Star*, Ms Jo-Anne Richards, appeared in the Johannesburg magistrate's court after being subpoenaed under Section 205 of the Criminal Procedure Act of 1977 to give the names and addresses of doctors whose information she had used in a report on detainees during 1986. Ms Richards had written about the findings of doctors who had been asked to examine released detainees who had alleged that they had been assaulted while in detention. The case was postponed to 10 April (see chapter on *Security*).⁸⁶ [⁸⁶ *The Star* 26 April] A hearing scheduled for 24 April was cancelled after a doctor came forward releasing her from her obligation.

In May the deputy news editor of the *Cape Times*, Mr Tony Weaver, faced a charge under section 27(b) of the Police Act in the Parow Regional Court. Three other charges, also under section 27 of the act, against Mr Weaver, which arose from a report in the *Cape Times* on the killing of seven alleged African National Congress (ANC) guerrillas in conflict with police in Guguletu (Cape Town), were withdrawn. The remaining charge arose from an interview Mr Weaver had had with the British Broadcasting Corporation (BBC) Africa Service concerning the gun battle. The state alleged that Mr Weaver had unlawfully published untrue matter by claiming in the interview that there had been allegations that some of the men had been shot 'in cold blood' and that the police had then 'planted' weapons on the deceased, claiming that they were guerrillas to justify the fact that they had been shot.⁸⁷ [⁸⁷ *Cape Times* 15 May] Medical experts gave evidence that six of the seven alleged ANC guerrillas were shot at 'very close range'. Dr Johan van der Spuy testified that eyewitness accounts of the shootings, which claimed that the men had been shot in 'cold blood', were 'certainly more compatible with the medical evidence than the police accounts'.⁸⁸ [⁸⁸ *The Star* 4 August]

In September Mr Weaver was acquitted by the court and the attorney general, Mr N Rossouw, called for a full transcript of the case so that he could investigate 'all the questions raised'. 'The medical and forensic evidence led at my trial, not even challenged by the state in cross-examination, shows conclusively that some of these police witnesses had lied and that several of the deceased had been shot at point blank range. For the same reason, charges of murder, attempted murder, perjury and defeating the ends of justice are already being investigated at the highest level by the South African Police,' Mr Weaver said.⁸⁹ [⁸⁹ *Cape Times* 18 September]

In the same month Mr Weaver served notice on the minister of law and order, Mr Adriaan Vlok, for R115 000 in damages for 'wrongful and malicious prosecution'.⁹⁰ [⁹⁰ *The Citizen* 22 September]

In May Mr Humphrey Joseph, a former reporter on the Oudtshoorn-based newspaper, *Saamstaan*, was convicted in the Mitchell's Plain Regional Court under Section 27(b) of the Police Act and fined R100 or 25 days' imprisonment suspended for three years. The case followed a story in *Saamstaan* in July 1985 about the police shooting of two youths outside the home of a security policeman in Oudtshoorn's Bhongolethu township. The magistrate, Mr A Beyers, said that the report in *Saamstaan* was based on the evidence of one witness. The South African Police (SAP) had denied the witness's statement that policemen had placed a container of petrol next to one of the bodies and had bragged about their

marksmanship.⁹¹ [⁹¹ *The Natal Witness* 9 April, *The New Nation* 7 May]

In May a Durban press photographer, Mr Billy Paddock, launched an application in the Durban and Coast Local Division of the Supreme Court in a bid to force the SAP to return to him spools of film which they had confiscated, on two occasions, when he had covered student protests near the University of Natal.⁹² [⁹² *The Weekly Mail* 15 May] Mr Paddock had also been arrested on the grounds that, according to the SAP, it was an offence under regulation 3 of Proclamation R224 to take photographs of 'unrest' or 'security action'. Mr Paddock withdrew the case and was awarded costs, after the legal representatives of both parties had agreed that this was no longer an offence as regulations 3(1)(a), (b) and (c) had been declared invalid on 24 April by Justices N S Page and B Galgut in the Durban and Coast Local Division of the Supreme Court (see *Media Control* above). The SAP continued to hold his film in terms of the Criminal Procedure Act of 1977 and charges against Mr Paddock in the Durban magistrate's court had not been dropped. However, a member of the legal profession said that one of the implications of the agreement was that 'photographers cannot be prosecuted under the December curbs for taking pictures and their newspapers cannot be prosecuted for publishing them'.⁹³ [⁹³ *Ibid* 29 May]

In October a cameraman for Worldwide Television News (WTN), Mr Craig Matthew, was acquitted in the Cape Town magistrate's court on charges of resisting arrest and obstructing a policeman in the course of his duties at the funeral of Mr Ashley Kriel, an alleged ANC insurgent killed by the police.⁹⁴ [⁹⁴ *The Citizen* 1 October] Also in October an *Eastern Province Herald* reporter, Ms Juliette Saunders, lost an appeal in the Eastern Cape Division of the Supreme Court against her conviction under Section 27(1)(b) of the Police Act, after being fined R100 in April 1986 for allegedly reporting untrue statements about police action in Grahamstown (eastern Cape).⁹⁵ [⁹⁵ *The Star* 16 October]

In March 1988 the Appellate Division of the Supreme Court upheld a conviction for contempt of court against the co-editor of *The Weekly Mail*, Mr Anton Harber, and a reporter for the newspaper, Miss Jo-Ann Bekker. Mr Harber and Miss Bekker had been convicted by Mr Justice K van Dijkhorst in the Transvaal Provincial Division of the Supreme Court on 7 May 1987, after the judge had objected to a report on the Delmas treason trial. Mr Harber was fined R750 or three months' imprisonment and ordered to publish a correction and Miss Bekker was fined R200 or one month's imprisonment suspended for two years.⁹⁶ [⁹⁶ *The Weekly Mail* 31 March 1988]

Action involving journalists

In January the managing editor of *Press Trust*, Mr Marimuthu Subramoney, had his passport withdrawn by the Department of Home Affairs.⁹⁷ [⁹⁷ *The Natal Mercury* 6 January] In the same month the vice president of the International Federation of Journalists (IFJ), Mr Thami Mazwai, was refused a visa to travel to Lesotho to attend the IFJ southern African regional meeting. Mr Mazwai said that on previous occasions he had been told to furnish details of who was financing his trip or he would receive a passport or visa

when conferences were nearly over (see chapter on *Security*).⁹⁸ [⁹⁸ *Post Natal* 7 January.]

Also in January, a reporter on *Business Day*, Mr Sipho Ngcobo, was detained under Section 29 of the Internal Security Act (ISA) of 1982. The SAP said that it had reason to believe that Mr Ngcobo had contravened Sections 54(1) and 54(4) which related to his 'contact with terrorists locally and abroad'. The SAP also turned down a request by Mr Ngcobo's lawyers for a legal consultation and refused to allow his family to visit him.⁹⁹ [⁹⁹ *Business Day* 1 January]

In March it was reported that there were five journalists in detention. They were: the editor of *The New Nation*, Mr Zwelakhe Sisulu; two journalists from the *Veritas News Agency*, Mr M J Fuzile and Mr Phila Ngqumba; an eastern Cape freelance journalist, Mr Brian Sokutu; and a journalist from *Saamstaan*, Mr Clive Stuurman.¹⁰⁰ [¹⁰⁰ *The Star* 20 March]

In June an inquest magistrate in Lebowa, Mr M B Mabusa, found that ten Lebowa policemen were responsible for the death in detention of a journalist, Mr Lucky Kutumela, on 5 April 1986. In finding the ten policemen guilty of actions and omissions which led to Mr Kutumela's death, Mr Mabusa said that the actual cause of death was, in his opinion, an open matter. He added that his findings would be handed to the attorney general (see chapters on *Security* and *The Homelands*).¹⁰¹ [¹⁰¹ *Ibid* 9 June]

In August an inquest magistrate in Cape Town, Mr W JP Marais, found that a television cameraman, Mr George De'Ath, had been killed in June 1986 by 'a person or persons unknown to the state'. Mr De'Ath had been attacked with pangas near the KTC squatter camp (western Cape) while filming clashes between vigilantes known as 'witdoeke' and the younger 'comrades' (see 1986 *Survey* Part 2 pp550–552). Mr J J Gauntlett, acting for Mr De'Ath's family, said that he had collected 17 affidavits from people including doctors, ministers of religion, journalists and members of the public which gave the overwhelming impression that the 'witdoeke' had been operating in complicity with the SAP. He added that there were also allegations that the SAP and 'witdoeke' had fired on journalists and that there had been some delay before Mr De'Ath had received medical attention. Mr De'Ath's sound man, Mr Andile Fosi, had suggested in an affidavit that one of Mr De'Ath's video tapes, confiscated by the SAP after the assault, had been partly obliterated. He said that the entire tape consisted of a freeze-frame, which was an effect that could have been achieved only by an editing machine.¹⁰² [¹⁰² *Ibid* 14 August]

In September two journalists from the *Veritas News Agency*, Mr M J Fuzile and Mr Phila Ngqumba, who were detained on 12 June 1986, brought an application in the Eastern Cape Division of the Supreme Court, together with four other detainees, to have the emergency regulations governing detention declared invalid. In an affidavit filed in opposition to the journalists' application, the branch commander of the security police in King William's Town, Major André Nel, said that he had received information that *Veritas News Agency* had undertaken to publish and distribute a publication that contained 'the viewpoints and strategies of all radical political organisations in the eastern Cape and Border area' and 'would also be used to give prominence to and to propagate the consumer boycotts and civil unrest in the eastern Cape area' and would have led 'to a breakdown of public order'. Mr Fuzile denied that there

had been an intention to use his planned 'Inyaniso Media Skills and Research Project to propagate consumer boycotts, civil unrest or any ideas or ideologies'. He said that its aim had been to 'uplift members of the community by educating them in matters such as the development of skills relating to the gathering of news, the organisation thereof and the production of a newsletter'. Mr Fuzile added that the project had not been launched because of a lack of support and that the police could have taken action to prevent publication other than detaining him and Mr Ngqumba. The court turned down their application but the two journalists were granted leave to appeal.¹⁰³ [¹⁰³ *The Weekly Mail* 30 October] In November, two weeks before the appeal was to be heard, Mr Fuzile and Mr Ngqumba were freed after nearly 17 months in detention.¹⁰⁴ [¹⁰⁴ *Sowetan* 12 November]

In October Mr Sisulu launched an urgent application in the Witwatersrand Local Division of the Supreme Court asking for the state of emergency and his arrest to be declared unlawful because the promulgation of the state of emergency had not fulfilled the requirements of the Public Safety Act. In an application brought against the state president, the minister of law and order, the minister of justice and the officer commanding the Johannesburg Prison, Mr Sisulu also argued that his detention was unlawful because the reason given by the authorities for it was that he was a member of the National Education Crisis Committee (NECC) while he had only had a slight connection with it. Mr Sisulu also asked the court to prohibit the minister of law and order and the commissioner of police from taking any steps which might impede his release.¹⁰⁵ [¹⁰⁵ *The Star* 11 November]

In a 37-page memorandum submitted to Mr Justice L T C Harms, Mr Sisulu said that he had never been an active member nor an executive member of the NECC. He said he was 'still prepared to use his standing in the community to ensure peaceful and just conditions in this country'. Mr Sisulu criticised groups of people who set up 'kangaroo courts'. Mr Ismail Mahomed SC, acting for Mr Sisulu, said that 'this is no low-key citizen... He is someone who may have a considerable amount to lose by making a public stand against violence and thuggery and this is something the minister of law and order must hear'.¹⁰⁶ [¹⁰⁶ *The Citizen* 13 November] Judge Harms dismissed the application and said that there were no legal grounds for Mr Sisulu's release from detention. However, the judge expressed his 'indignation at the failure to apprise the minister of law and order of the existence of a lengthy memorandum written by Mr Sisulu'. (The SAP had reportedly been given legal advice that the memorandum was irrelevant because it referred to Mr Sisulu's previous arrest under the state of emergency which had lapsed at the time of writing.) Judge Harms said that he found it difficult to believe that the advice was genuine and added that the memorandum was of extreme importance. He said that Mr Sisulu could reasonably have expected the minister of law and order to take notice of what he had said when he had protested that he had not been an active member of the NECC. However, Judge Harms pointed out that he was bound by a legal precedent (*Omar v the Minister of Law and Order*, 1987) which stated that the minister's failure to consider representation by a detainee could have no legal consequences.¹⁰⁷ [¹⁰⁷ *The Citizen* 18 November, *The Weekly Mail* 20 November] Mr Sisulu was granted leave to appeal.¹⁰⁸ [¹⁰⁸ *The Citizen* 1 December]

In March 1988 an urgent application was being brought for the release of a freelance journalist, Mr Themba Khumalo, who had been in detention for over a year. His attorney, Miss Kathleen Satchwell,

said that a detainees' review board had recommended that he be released by 22 February. The application, brought by Mr Khumalo's mother, Mrs Lena Lebelo, would ask the court either to bring her son before a court, grant access to his lawyer or release him as he 'could not possibly still be interrogated' after almost a year in detention.¹⁰⁹ [¹⁰⁹ *The Weekly Mail* 4 March 1988]

Action against foreign journalists

Between June 1986, when the state of emergency was declared, and the end of December 1986 the government ordered four foreign journalists to leave the country. They were a *Newsweek* correspondent, Mr Richard Manning; a CBS television cameraman, Mr Wim de Vos; an Israeli reporter, Mr Dan Sagir; and a West German television correspondent, Mr Heinrich Buettgen. During 1987 the government expelled eight foreign journalists, bringing the total to 12 expulsions in 18 months.

In June, answering a question in the House of Assembly, Mr Stoffel Botha said that a total of 238 foreign journalists had been refused new or renewed visas for South Africa between 1 July 1986 and 31 May 1987. He said that 445 applications had been granted over the same period.¹¹⁰ [¹¹⁰ *Cape Times* 24 June]

In January the government refused to renew the work permit of the Johannesburg bureau chief of *The New York Times*, Mr Alan Cowell, and refused a visa to his designated successor, Mr Serge Schmemann. The executive director of *The New York Times*, Mr Max Frankel, said that he was 'deeply disappointed' but the newspaper would do what it could to reopen the Johannesburg bureau. 'In the meantime we will use all available resources to continue to give our readers as complete and balanced an account of events in southern Africa as we can,' he said. *The New York Times* reported that American news organisations which maintained bureaus in South Africa were ABC News, Associated Press, CBS News, *Los Angeles Times*, NBC News, *Newsweek*, *The Christian Science Monitor*, *The Wall Street Journal*, *The Washington Post*, *The Washington Times*, *Time* and United Press International.¹¹¹ [¹¹¹ *The New York Times* 9 January]

Also in January the minister of home affairs, Mr Stoffel Botha, reversed his decision to refuse to renew the work and residence permit of the *Los Angeles Times*'s correspondent, Mr Michael Parks. Mr Botha said that 'in view of assurances and undertakings' from the newspaper, he would renew Mr Parks's work permit for three months. The newspaper's editor-in-chief, Mr William Thomas, said that 'the assurances that I gave the minister are that the *Los Angeles Times* will strive for the fair and balanced coverage it promised when the South African government allowed it to open the bureau in Johannesburg 15 years ago'.¹¹² [¹¹² *Ibid* 16 January]

In February an American television journalist, Mr Walter Cronkite, visited South Africa after receiving a visa that restricted his professional activities in the country. Mr Cronkite, a former anchorman for CBS News, said that the visa restrictions on his work appeared to be aimed at preventing CBS from filming his interviews and his travels.¹¹³ [¹¹³ *The Natal Witness* 17 February]

In March *The New York Times* reported that coverage by major American newspapers on South African political conflict had decreased since new media regulations had been gazetted in December 1986.

In May two journalists from the Australian Broadcasting Corporation, Mr Richard Carleton, and his assistant, Miss Jennifer Ainge, were expelled from South Africa. According to a spokesman for the Department of Home Affairs, they were expelled after conducting a satellite-transmitted interview from a South African Broadcasting Corporation (SABC) studio. The director general of the SABC, Mr Riaan Eksteen, said that the SABC had made its studio and satellite feed facilities available to Mr Carleton on a commercial basis but ‘when these facilities are used as was done by Mr Carleton to vent his spleen on South Africa and to spread venom and distortions, no commercial transaction which was concluded in good faith can be sustained’.¹¹⁴ [¹¹⁴ *The Natal Mercury* 7 May]

In the same month the British-born editor of *South African Labour Bulletin*, Dr Jon Lewis, had his work permit withdrawn and was told to leave the country within 30 days.¹¹⁵ [¹¹⁵ *The Weekly Mail* 15 May] Dr Lewis went to Bophuthatswana. (See also chapters on *Labour Relations* and *Security*.)

Also in May Mr Stoffel Botha refused to renew the work permits of three foreign journalists: the television correspondent of the British Broadcasting Corporation (BBC), Mr Michael Buerk; the correspondent for Independent Television News (ITN), Mr Peter Sharp; and a correspondent for *Business Week* and *Elseviers*, Mr Steven Mufson. The director general of home affairs, Mr Gerrie van Zyl, said that the BBC and ITN were free to apply for work permits for other correspondents. He refused, however, to give reasons for the expulsions of Messrs Buerk and Sharp.¹¹⁶ [¹¹⁶ *Sunday Tribune* 17 May]

The chairman of the Foreign Correspondents’ Association (FCA), Mr Andy Torchia, said that ‘we believe that both Sharp and Buerk, widely experienced and professional reporters, have in fact acted within South African law [which] is why the government resorted to expelling them when their current work permits expired—a process that allows no appeal, that does not have to be justified in court and for which the government need give no reasons’.¹¹⁷ [¹¹⁷ *The Citizen* 15 May]

The ITN’s editor and chief executive, Mr David Nicholas, said that ‘South Africa’s action would seem to be designed to silence the voice of British television in South Africa’. The BBC’s editor, Mr Ron Neil, said that the decision made it ‘virtually impossible to cover properly one of the world’s most important stories’. The British ambassador to South Africa, Sir Patrick Moberly, met Mr Stoffel Botha to discuss the minister’s decision, which, however, remained unchanged. The American embassy also protested to the government over its refusal to renew Mr Mufson’s work permit.¹¹⁸ [¹¹⁸ *The Star* 18 May] Mr Buerk had reported from South Africa since 1983.¹¹⁹ [¹¹⁹ *Cape Times* 15 May] He said that his replacement had applied for a work permit.¹²⁰ [¹²⁰ *The Star* 19 May]

In June Mr Justice Michael Stegmann, presiding in the Witwatersrand Local Division of the Supreme

Court, ordered the SAP to return film it had confiscated from ARD, the West German television network. ARD had intended to share the film with the American network, CBS, and the British network, ITN. The film contained scenes of the visit made to Mozambique by the Archbishop of Cape Town, the Most Rev Desmond Tutu.¹²¹ [¹²¹ *The Natal Witness* 18 June]

Also in June the head of the Bureau for Information, Mr David Steward, said that the foreign media had seriously undermined international, political and financial confidence in South Africa (see *Bureau for Information* below).¹²² [¹²² *Cape Times* 16 June]

In November the government refused to extend the work permit of the *Detroit Free Press* photographer in South Africa, Mr David Turnley. A spokesman for the Department of Home Affairs alleged that Mr Turnley had sent 'biased photo material' overseas.¹²³ [¹²³ *The Star* 21 November] A spokeswoman for the United States embassy in South Africa, Ms Elizabeth Prior, said that Mr Turnley had not violated the press restrictions laid down by the government, but that 'the decision seems to have been an arbitrary one based on discomfort over the "image" his photographs displayed'.¹²⁴ [¹²⁴ *The Citizen* 21 November]

Litigation involving the press

In July *City Press* apologised to the president of Inkatha, Chief Mangosuthu Buthelezi, for reports at the time of violence at the University of Zululand in 1983. The former proprietor of the newspaper, Mr Jim Bailey, said he was satisfied that Chief Buthelezi had not been in any way involved. The apology followed an action instituted in the Supreme Court.¹²⁵ [¹²⁵ *City Press* 19 July]

The magazine *Frontline* was ordered to pay R12 000 in damages to Chief Buthelezi when the Supreme Court found that it had defamed him. The magazine, which said that it would appeal, was also ordered to pay costs.¹²⁶ [¹²⁶ *The Citizen* 9 December]

Bureau for Information

Answering a question in the House of Assembly during May the deputy minister of information, Dr Stoffel van der Merwe, said that the Bureau for Information had distributed over 1,8m copies of the two pamphlets it had printed shortly before the 6 May general election for the white House of Assembly. According to Dr Van der Merwe the purpose of the two pamphlets, which cost nearly R40 000, was both to 'assure members of the various black communities that the elections did not exclude their interests and in fact the results of the election were of importance to the peaceful negotiation process' and to 'inform' these communities of 'the meaningful reforms that have been implemented' and that they were 'also included in the peaceful negotiation process'. The first pamphlet was distributed in four major centres and the second in 13 major centres.¹²⁷ [¹²⁷ *Hansard* (A) 2 q cols 7-8, 26 May]

In February Dr Van der Merwe said that the Bureau for Information's song, 'Together We'll Build a Brighter Future', had been translated into Afrikaans and seven African languages by Adveraid and the linguistic bureau of the South African Broadcasting Corporation (SABC).¹²⁸ [¹²⁸ *Hansard* (A) 4 q cols 515-516, 23 February] In August Dr Van der Merwe apologised in the House of Assembly, on behalf of the Bureau for Information, for giving Parliament incorrect statistics on the cost of the bureau's song. The cost of the bureau's communication programme for the 1986/87 financial year, which included the cost of the song, had been R8,7m and not R7,4m as stated by Mr P W Botha earlier in the month, he said. The deputy minister explained that the bureau had been involved in two 'subprojects' and that the song was part of a 'subproject' which had cost R4,3m. He added that the second subproject, which dealt with a publicity campaign to encourage township residents to pay rent, had cost 'over R4,3m'. 'The second subproject, which has been continued during 1987/88, will take up approximately 80% of the bureau's budget for outdoor advertising ... The remainder will be allocated to the continuation of outdoor advertising for the 'Together We'll Build a Brighter Future' project,' Dr Van der Merwe said

Dr Van der Merwe denied suggestions by members of the parliamentary opposition parties that the Bureau for Information was an organ of the National Party (NP) and claimed that 90% of the bureau's work was the provision of 'cool and objective' information which had nothing to do with NP policies.¹²⁹ [¹²⁹ *Business Day* 19 August]

In October Dr Van der Merwe said that the cost of the Bureau for Information's advertising campaign to promote the government's new group areas policy was 'immaterial'. Responding to criticism by the leader of the Labour Party, the Rev Allan Hendrickse, who said that the government was spending 'hundreds of thousands of rands' of taxpayers' money to promote NP policy, Dr Van der Merwe said that it was government policy, not just party policy, which the government was promoting.¹³⁰ [¹³⁰ *The Star* 13 October]

In January 1988 the bureau's press censorship body, the Interdepartmental Press Liaison Committee (IPLC), refused to grant the *Cape Times* permission to publish details of an academic report on detainees and township children which had been delivered at the national congress of the Society of Psychiatrists of South Africa in Cape Town. The report dealt with the physical and psychological effects of detention on 28 former detainees and on the psychological problems encountered by a group of 40 adolescents forced to flee from their township homes because of political violence.¹³¹ [¹³¹ *Eastern Province Herald* 29 January]

In a reply to a question by Mr David Dalling (Progressive Federal Party) in the House of Assembly during February, the minister of law and order, Mr Adriaan Vlok, said that between 12 June 1986 and 6 February 1987 there had been 246 requests for permission to publish articles dealing with matters covered by the emergency regulations. Mr Vlok said that permission to publish had been refused on 75 occasions.¹³² [¹³² *Hansard* (A) 3 q cols 102-103, 17 February]

In May the Bureau for Information announced that it would no longer prepare 'daily unrest reports' for

the media or deal with inquiries about unrest after 15 May. The statement said that these functions would revert to the public relations division of the South African Police (SAP). The bureau would continue to provide long-term analysis of unrest-related statistics'. The bureau said that the number of unrest incidents had declined 'during the past six months' and it had 'become clear that most of these incidents fell within the sphere of police responsibility'. The bureau added that the media could either follow advice from their own legal advisers or ask for clearance directly from the government department concerned when wishing to publish articles dealing with matters covered by the emergency regulations.¹³³ [¹³³ *The Star* 15 May]

In March 1988 Dr Van der Merwe was appointed the new minister of information, broadcasting services and the film industry, in the office of the state president, with special responsibility for the SABC and the film industry. He said that the government's constitutional plans would feature strongly in any future communications programme by the Bureau for Information.¹³⁴ [¹³⁴ *Cape Times* 22 March) 1988]

Television

South African Broadcasting Corporation

According to *The Sunday Star*, surveys had shown that South African Broadcasting Corporation (SABC) television was 'the most important source of information for 59% of whites and 44% of blacks'.¹³⁵ [¹³⁵ *The Sunday Star* 28 June] In August the minister in the state president's office entrusted with administration and broadcasting services, Mr Alwyn Schlebusch, said that according to a survey conducted by an 'independent team of researchers in October/November 1986', 58% of whites and coloured people believed what was said on SABC television.¹³⁶ [¹³⁶ *Hansard* (A) 11 cols 4507-4508, 26 August]

With regard to SABC coverage of the general election of 6 May for the white House of Assembly, all opposition political parties in the election accused the SABC of bias in favour of the National Party (NP) throughout the election campaign.¹³⁷ [¹³⁷ Stewart G M, *Political News on South African Television During the 1987 (White) General Election*, Unpublished paper, Rhodes University]

In the early stages of the election campaign, the Progressive Federal Party (PFP) commissioned a survey by Rhodes University. The PFP intended that the survey should form the basis of legal action against the corporation if news reporting was found to be biased.¹³⁸ [¹³⁸ *Business Day* 2 March] However, this was later considered not to be viable, as legal advisers considered the case almost impossible to prove. Two senior counsel appointed to the PFP found that although existing legislation clearly stated that the SABC must be committed to 'factual and impartial' news coverage, the corporation's critics had little recourse to the law in their pursuit of unbiased news coverage.¹³⁹ [¹³⁹ *Ibid* 28 August]

On 9 March the 'Network' programme featured an interview with two Randburg election candidates, Mr Wynand Malan (Independent) and Mr Olaus van Zyl (NP). The interview was alleged to be biased in

favour of Mr Van Zyl. The SABC later conceded that the interview had been offensive.¹⁴⁰ [¹⁴⁰ *Cape Times* 11 March]

Dr Worrall criticised the SABC for having given extensive coverage to the minister of law and order, Mr Adriaan Vlok, who, he claimed, had quoted selected African National Congress (ANC) statements ‘as a smear tactic against the Independents in the election’. Dr Worrall said that the SABC had given saturation coverage to the ANC statements in news bulletins broadcast on radio and television without approaching Independent candidates for comment.¹⁴¹ [¹⁴¹ *Ibid* 17 March]

In mid-March, Mr Colin Eglin, leader of the PFP, and Mr Dave Dalling, PFP spokesman on the media, met Mr Riaan Eksteen, director general of the SABC and other senior SABC staff. The PFP wished to express its ‘strong concern’ over allegedly biased election coverage. No agreement was reached at the meeting, but Mr Eksteen promised the corporation would give the PFP ‘fair treatment’.¹⁴² [¹⁴² *The Star* 18 March]

In the wake of allegations that the Bureau for Information influenced the SABC news department on which stories to carry, SABC staff members allegedly leaked accusations about SABC bias to the press.¹⁴³ [¹⁴³ *Sunday Tribune* 22 March] The chief of the bureau, Mr David Steward, denied that it prescribed news content of broadcasts (see *Bureau for Information* above).¹⁴⁴ [¹⁴⁴ *Cape Times* 10 March]

Mr Dalling claimed that the SABC itself increasingly became an election issue. He claimed that ‘never in the past’ had there been such ‘dissatisfaction within the SABC with political dictatorship’.¹⁴⁵ [¹⁴⁵ *Sunday Times* 22 March] The *Sunday Times* claimed that it and other newspapers had received letters from discontented staff members detailing grievances at the SABC. Specific issues of concern included:

- biased commentary about the Independent candidates;
- the purported reprimand of a senior economics reporter at the SABC, Mr Jerry Schuitema, following his criticism in a staff meeting of the effective SABC demand to toe the party line;
- the removal of ‘Network’ anchorman, Mr John Bishop, from doing political interviews. This was in line with policy to have election issues dealt with by political staff;
- tension between senior staff members over the handling of political news; and
- the resignation of the SABC’s only Indian reporter because, it was claimed in the *Sunday Times*, he saw little future for blacks in the corporation.¹⁴⁶ [¹⁴⁶ *Ibid*]

News staff at the SABC later distanced themselves from anonymous letters to the press about large-scale

dissatisfaction in the SABC. *The Star* reported that ‘news staff identified themselves wholeheartedly with the election guidelines of the SABC, reconfirmed their loyalty to the corporation, and rejected press allegations in their entirety’.¹⁴⁷ [¹⁴⁷ *The Star* 24 March] However, Mr Dailing claimed that ‘the staff of the SABC were given the choice by Mr Eksteen to toe the line or leave’.¹⁴⁸ [¹⁴⁸ *The Daily News* 24 March]

In May Mr Schlebusch ‘rejected with contempt’ any suggestion that the NP was favoured by the SABC during the election campaign. Mr Schlebusch went onto quote official SABC figures on political broadcast time covering the period 1 January to 5 May. The NP had received 40% of political broadcast time, the PFP 21%, the CP 19%, the Herstigte Nasionale Party (HNP) 6,5%, the New Republic Party (NRP) 5,5% and the Independents 2,5%. Mr Schlebusch then asked whether this looked ‘like any particular party was advantaged’.¹⁴⁹ [¹⁴⁹ *The Citizen* 23 May]

The Rhodes University survey indicated that the NP had been favoured in SABC election coverage. It had received 23,5% of the total time devoted to the election. In contrast, the PFP/NRP alliance had received 12% of the total time. When the NP figure was combined with government, security forces and other pro-government representatives, NP/government time was 53,7%. The CP, HNP and other supporters of the ultra-right, such as the Afrikaner Weerstandsbeweging (AWB), had received 13,4% of the total election coverage. The PFP, New Republic Party (NRP), Independents and other pro-opposition representatives were given 15,4% of election viewing time. Groupings that opposed the election, including the Azanian People’s Organization (AZAPO) and the United Democratic Front (UDF) were not given any time. Black officials, and other black interviewees were given 5,1% of total election time. Other political and election issues took 12,4% of the total time.¹⁵⁰ [¹⁵⁰ Stewart G M, *Political News on South African Television During the 1987 (White) General Election*, Unpublished paper, Rhodes University, *S A Barometer*, vol 1 no 8, May]

In late August the state president, Mr P W Botha, telephoned Mr Eksteen to inform him that he was dissatisfied with the way in which the SABC had covered the resignation of the leader of the Labour Party and chairman of the ministers’ council in the House of Representatives, the Rev Allan Hendrickse, from the cabinet (see chapter on *Political Organisations*).

It was reported that Mr Botha was annoyed that the SABC had presented Mr Hendrickse’s resignation as an action on his own part, rather than an initiative from the state president.¹⁵¹ [¹⁵¹ *The Star* 28 August] It was reported that Mr Eksteen was in disfavour with the state president because the SABC had allowed Mr Hendrickse to explain on television news why he had left the cabinet.¹⁵² [¹⁵² *Ibid* 27 August] The objection raised by Mr Botha resulted in Mr Freek Robinson, an SABC political correspondent, making a sudden appearance immediately after the weather report, to read in full the correspondence between Mr Botha and Mr Hendrickse, as well as a statement by the Office of the State President. This was repeated twice in the next 12 hours.

Only the SABC board has the right to hire or fire its director general, and Mr Eksteen was not dismissed.¹⁵³ [¹⁵³ *The Citizen* 28 August] He was supported by the chairman of the board, Mr Brand Fourie,

who resisted a demand by Mr Botha that he be fired. The incident was followed by a major staff shuffle at the SABC.¹⁵⁴ [¹⁵⁴ *Business Day* 16 September]

In April 1988 Mr Eksteen was effectively dismissed, and received a ‘golden handshake’ estimated to be R650 000, as well as a pension.¹⁵⁵ [¹⁵⁵ *The Star* 21 April 1988] Professor Terreblanche rejected suggestions that Mr Eksteen’s departure was owing to financial losses by the SABC while he was director general. He alleged that the cabinet could have reversed the deficit at any stage by increasing the licence fee, an option that was not exercised because it was politically unpopular.¹⁵⁶ [¹⁵⁶ *The Weekly Mail* 22 April 1988] Although the SABC ran at a loss of R13,2m in 1987, this was considerably less than in 1986, and was well below the R42m loss budgeted for 1987.¹⁵⁷ [¹⁵⁷ *The Citizen* 31 March 1988; *Business Day* 20 April 1988]

Professor Terreblanche voiced the possibility that the resignation of Mr Eksteen was linked to the ‘Hendrickse incident’ in 1987.¹⁵⁸ [¹⁵⁸ *The Weekly Mail* 22 April 1988] Mr S C Jacobs MP (CP) said that the resignation was a direct consequence of the clash in 1987 between Mr Botha and Mr Eksteen.¹⁵⁹ [¹⁵⁹ *The Citizen* 21 April 1988]

Mr Botha admitted in Parliament that he had telephoned the SABC to demand that it change the news broadcast about Mr Hendrickse’s resignation.¹⁶⁰ [¹⁶⁰ *Business Day* 16 September] Mr Botha said that if he believed it necessary, he would do the same thing again under similar circumstances, ‘in the interests of truth’.¹⁶¹ [¹⁶¹ *The Star* 16 September] Opposition parties accused Mr Botha of ‘misusing’ his office and said that the incident showed the SABC’s willingness to obey government instructions.¹⁶² [¹⁶² *The Citizen* 16 September] Mr Dalling commented that Mr Botha ‘pretends what happened was merely a request from him to the SABC to change its broadcast. We all know that presidential requests in these circumstances are nothing short of a command. Had that command been ignored, there is no doubt that the heads of the entire parliamentary staff of the SABC would have rolled. There is no doubt that the president misused the office of the presidency in manipulating news in this instance—what is astounding is that he seems to be proud of it’.¹⁶³ [¹⁶³ *Eastern Province Herald* 16 September]

M-Net

The Electronic Media Network (M-Net) is the first and only independent, privately owned pay television service in South Africa.¹⁶⁴ [¹⁶⁴ *Sowetan* 12 September 1988] M-Net’s licence conditions, issued in terms of section 7(2)(b) of the Radio Act of 1952, by the minister responsible for the implementation of the Broadcasting Act of 1976 on 17 October 1985 and as amended by the cabinet on 14 May 1985, included the following:

- it would televise programmes for entertainment or relaxation only. No news bulletins or politically controversial programmes would be allowed. However, if the minister responsible for implementing the act requested M-Net to broadcast any matter of national importance, M-Net would have to comply

without charging a fee;

- it would have to comply with a series of ‘moral norms’ which include prohibitions on anything that ‘could upset race relations’ or that ‘is aimed at damaging the Republic’s image abroad’. This would also apply to advertisements; and
- transmission would have to include both official languages.¹⁶⁵ [¹⁶⁵ *Hansard* (A) 3 q cols 93-97, 17 February]

By September 1987, when M-Net had been operating for one year, it had 50 000 subscribers and anticipated signing up 10 000 new subscribers per month.¹⁶⁶ [¹⁶⁶ *Business Day* 28 September]

Between July 1986 and December 1987 publications committees examined 91 films for M-Net.¹⁶⁷ [¹⁶⁷ Report of the Department of Home Affairs for the period 1 July 1986 to 31 December 1987, RP61-1988]

Bophuthatswana television

In May Bophuthatswana television (Bop TV) announced that it had reconsidered its intentions to broadcast the British Broadcasting Corporation series, ‘The Africans’, for the second time. This is because certain viewers complained that it was biased towards the African National Congress (ANC).¹⁶⁸ [¹⁶⁸ *The Star* 25 and 26 May]

In July Bop TV claimed that ‘it was an unwitting victim of the Equity ban imposed by British actors as an anti-apartheid statement’. It stated that there were no apartheid laws in Bophuthatswana, and therefore the ban which included that country was both ‘flawed and discriminatory’.¹⁶⁹ [¹⁶⁹ *The Citizen* 18 June]

THE HOMELANDS

General Policy Matters

In July the minister of development aid, Dr Gerrit Viljoen, said that the government ‘remains convinced that the policy of self-governing states within South Africa and the possibility for them of accepting independence, must continue to comprise an extremely important and fundamental contribution to the overall constitutional pattern in South Africa’.¹ [¹ *Hansard* (A) 7 col 2563-2564, 29 July]

Dr Viljoen said that a multilateral system comparable to that developed between the government and the ‘independent’ homelands was being developed ‘in miniature’ between the central government

(represented by the Department of Development Aid) and the six non-independent homelands. Joint ministerial conferences were already being held in spheres such as education, health and agriculture.² [Ibid col 2570]

He said that the government would continue to adhere to the 'preservation of the division-of-power component of its policy, which finds expression in detached, geographically separate political systems for the various self-governing territories and for the independent territories'. Secondly, he said, the government was prepared to give the non-independent homelands additional powers to enhance their autonomy. Legislation to replace the National States Constitution Act of 1971 would make provision for greater autonomy for the non-independent homelands (see *Legislation* below). Dr Viljoen said further that it was the government's declared policy that it would not stand in the way of non-independent homelands that wished to take 'independence'. Voters had accepted this 'overwhelmingly' in the (white) election of 6 May, Dr Viljoen added. The government had also to a large extent, through legislation, made it possible for non-independent homelands to form co-operation agreements with each other or with the provincial administrations without surrendering their autonomy. Provision would be made for the representation of these homeland leaders on the proposed national council (see chapter on *Government and Constitution*).³ [Ibid cols 2641-2643]

The National Party declared in its election manifesto that it recognised the right of non-independent homelands to voluntary 'independence'. Those that did not opt for 'independence' were accepted in a South Africa with one citizenship for all and 'the right to participate in processes and institutions of government'.⁴ [*The Citizen* 17 February]

On 11 September a revised version of the National Council Bill was introduced in Parliament by the minister of constitutional development and planning, Mr Chris Heunis. The 30-member council would include the chief minister of each of the six non-independent homelands or a cabinet member designated by him. No African person whose ordinary place of residence was in one of these homelands would be entitled to vote for any of the elected members of the national council, according to the draft bill (see chapter on *Government and Constitution*).

The chief minister of Gazankulu, Professor Hudson Ntsanwisi, said that his administration was prepared to participate if the council's objective was to give Africans the opportunity to participate as equals with other groups in the negotiating process. The chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said that he continued to reject 'anything other than the full inclusion of blacks in Parliament'. Furthermore, he said that he would participate only if there was freedom of movement, speech and political association for Africans and if certain prisoners were released.⁵ [*South African Digest* 18 September]

The chief minister of QwaQwa, Chief Kenneth Mopeli, expressed his doubts in June about the council, saying that 'the principle of white domination is still entrenched in it'. His administration had not yet decided whether to take part but would consider doing so on certain provisos.⁶ [*Business Day* 29 May]

Responding to the revised National Council Bill in October, the QwaQwa administration rejected the

proposed council because it would be an advisory body which would merely make recommendation to the tricameral Parliament.⁷ [⁷ Ibid 13 October]

In terms of the Extradition Act of 1962, the central government, Bophuthatswana, the Ciskei and Venda signed an extradition convention on 20 November 1986. Extradition could be refused if the offence in respect of which it was requested was regarded by the requesting party as a political offence.⁸ [⁸ *Government Gazette* no 10586, Proclamation no 10, 23 January]

On 24 April the central government and the Transkei administration signed an extradition agreement since 'extradition between international states in the absence of an agreement was a lengthy and involved process', according to a statement by the Secretariat for Multilateral Co-operation in Southern Africa (SECOSAF). The treaty was similar to that signed with the other three 'independent' homelands.⁹ [⁹ *Government Gazette* no 10778, Proclamation no 99, 19 June; *The Citizen* 24 April]

The deputy minister of development aid, Mr Hennie Tempel lost his parliamentary seat in the election of 6 May.

Schedule one of the National States Constitution Act, which lists the items in respect of which non-independent homeland legislative assemblies may pass legislation, was amended by a number of proclamations during 1987. Item 2, which gives homelands legislative powers over education for Africans, was amended by Proclamation R20 in February to remove the reference to Africans. Item 21A, which gives homelands legislative powers over various security matters (see 1986 *Survey* Part 2 p599), was amended by the same proclamation. The amendment removed various central government restraints on the exercising of these powers.¹⁰ [¹⁰ *Government Gazette* no 10601, Proclamation R20, 6 February]

These amendments took effect in all non-independent homelands on 27 March.

Proclamation R64 amended schedule one by adding a new item 32, 'the provision and distribution of electricity' (subject to conditions and from a date stipulated by the central government's minister of economic affairs and technology). It also added item 32A, 'meteorological services'. (The old items 32 and 33 became items 33 and 34 respectively.) Item 32 came into effect on 11 December in Gazankulu, KwaZulu, Lebowa and QwaQwa.¹¹ [¹¹ *Government Gazette* no 10704, Proclamation R64, 16 April; *Government Gazette* no 11063, Government Notice no 2708, 11 December]

Item 20A of schedule one, 'civil defence', was to come into operation in the various non-independent homelands at different times. In 1987 it was brought into effect in Lebowa on 30 January and in KaNgwane on 20 March.¹² [¹² *Government Gazette* no 10594, Proclamation R163, 30 January, *Government Gazette* no 10665, Proclamation R584, 20 March]

Citizenship

A total of 2 909 citizens of the 'independent' homelands regained their South African citizenship in 1986 in terms of the National States Citizenship Amendment Act of 1978 by becoming citizens of other homelands. Of these, 257 were formerly citizens of Bophuthatswana, 2 127 of the Ciskei, 396 of the Transkei and 129 of Venda.¹³ [¹³ *Hansard* (A) 4 q col 349, 23 February]

The following table shows the number of citizenship certificates issued in the non-independent homelands by the end of 1986, the number issued during 1986 and the estimated number which remained to be issued by the end of 1986:¹⁴ [¹⁴ *Ibid* col 349]

Citizenship certificates issued in non-independent homelands

Issued during 1986

Total number issued by end of 1986

Still to be issued at end of 1986

Gazankulu

571

98 400

400 115

KaNgwane

8

4 574

519 373

KwaNdebele

4 358

35 404

324 007

KwaZulu

8 146

1 602 154

1 480 576

Lebowa

1 677

277 854

1 118 723

QwaQwa

4 299

163 642

841 088

Total

19 059

2 182 028

4 683 882

Of the 32 362 people ‘deported’ or ‘repatriated’ during 1986 after being arrested on suspicion of being illegal immigrants, one was sent to the Ciskei, 143 to the Transkei and two to Venda. The vast majority were repatriated to foreign countries. They were ‘repatriated’ in terms of the Blacks (Urban Areas) Consolidation Act of 1945 (before it was repealed on 1 July 1986) and section 16 of the Admission of Persons to the Republic Regulation Act of 1972. In addition 11 people were ‘deported’ to the Transkei in terms of sections 43 and 45 of the Admission of Persons to the Republic Regulation Act.¹⁵ [¹⁵ *Hansard* (A) 13 q cols 827-828, 10 September; *Hansard* (A) 4 q cols 323-324, 23 February]

In 1987 there were 37 423 repatriations under the 1972 act, none of which were to 'independent' homelands. Seventy-two percent were to Mozambique. Of the 155 'deportations' in 1987 under the 1972 act, 87 (56%) were to 'independent' homelands. Most of them (73) were to the Tran

The minister of home affairs, Mr Stoffel Botha, said in June that no statistics were being kept by his department of the number of 'independent' homeland citizens who had regained their South African citizenship in terms of the Restoration of South African Citizenship Act of 1986.¹⁷ [¹⁷ *Hansard* (A) 6 q cols 271-272, 23 June]

In a letter to *The Star* in April the president of Bophuthatswana, Chief Lucas Mangope, said that when Bophuthatswana had become 'independent', it had negotiated a pre-independence agreement with the central government in terms of which anyone who became an automatic citizen of the homeland in terms of existing central government legislation could renounce Bophuthatswana citizenship and revert back to his/her former position. The central government had then passed legislation stipulating that anyone renouncing citizenship of any of the 'independent' homelands would have to take on the citizenship of another homeland.

Chief Mangope added that Bophuthatswana had attained its 'successes without any help from those "Tswana", that is South African Batswana, who are opposed to our existence. We have never thought of them as anything but South African'. He said that there was a procedure for them whereby they filled in a form renouncing their Bophuthatswana citizenship. 'We need to know those people who do not identify with us because there are many of them who, while denigrating us have the best of both worlds ... We are interested in knowing exactly who is throwing their lot in with us and who is not. We are not interested in those who choose to be foreigners and use us from afar.'¹⁸ [¹⁸ *The Star* 15 April]

According to statistics supplied by the Bophuthatswana administration 142 718 applications for Bophuthatswana citizenship certificates had been received by the end of 1986. Of these, 62 257 (44%) had been approved and 7 558 (5%) rejected, while the remainder were being considered. Bophuthatswana said that 'great care is exercised when considering applications for citizenship, to ensure that only applicants who qualify and meet the requirements are granted this priceless document'. A total of 54 people had renounced their citizenship.

A breakdown by district of the 147 218 applications received indicated that all of them came from districts of Bophuthatswana. except for 1 235 that came from elsewhere in South Africa.

The Bophuthatswana authorities gave the following breakdown of the 'nationality' of the 62 257 applicants who had been successful in obtaining Bophuthatswana citizenship from 1979 to 1986 inclusive:

Xhosa

13 430

North Sotho

10 519

South Sotho

10 000

Ndebele

9 637

Shangaan

8 076

Zulu

6 116

Swazi

1 947

Venda

928

South Africa

535

Botswana

431

Malawi

192

Zimb

The remainder, all of whom numbered fewer than 100 each, were Namibians, Europeans, and a few from elsewhere.¹⁹ [¹⁹ 1986 annual report on citizenship supplied to the South African Institute of Race Relations (SAIRR) by the Bophuthatswana foreign ministry]

Mr Botha gave the following figures of the number of citizens of the 'independent' homelands who were permanently resident in 'South Africa':²⁰ [²⁰ *Hansard* (A) 3 q cols 164-165, 19 February]

'Independent' homeland citizens permanently resident in 'South Africa'

Adults

Children

Bophuthatswana

361 532

237 336

Ciskei

195 592

140 222

Transkei

552 203

181 154

Venda

66 268

28 444

Total

1 175 595

587

Refugees

According to official sources, there were some 300 000 Mozambicans in South Africa: 80 000 legal workers, 70 000 refugees and 150 000 illegal workers scattered throughout the country, mainly in the Pretoria/Witwatersrand/Vereeniging area.²¹ [²¹ *The Star* 10 February]

The Department of Home Affairs was issuing provisional permits to Mozambican refugees entitling them to a six-month stay in a defined area and access to short-term assistance. Refugees caught en route were repatriated and the permits were being given only to those who reached their destination. The permits were renewable. Local government authorities were giving the refugees short-term assistance, and they were also being assisted by relief organisations such as Operation Hunger, the International Committee of the Red Cross, the South African Red Cross Society, the Salvation Army and the churches.²² [²² *Ibid*]

Opening the Gazankulu legislative assembly in March, the minister of national health and population development, Dr Willie van Niekerk, said, 'The illegal comings and goings between Mozambique and South Africa will not be permitted and offenders will be punished and deported.' There was evidence, he said, that the homeland was being used as a stepping stone to enter South African cities where people had become part of the 'illegal alien workforce'. Their presence worsened 'our already troublesome unemployment problem', Dr Van Niekerk said. He said that 19 358 refugees had been registered and issued with temporary permits to remain in South Africa and Gazankulu. He said that it was accepted that short-term assistance should be given on humanitarian grounds.²³ [²³ *The Citizen* 28 March]

Opening the KaNgwane legislative assembly on 29 April, the deputy minister of constitutional development and planning, Mr Ben Wilkens, said that almost 20 000 Mozambican refugees had fled to KaNgwane since late 1984. He said that South Africa was 'not under the obligation to import poverty'. Referring to the electrification in May of the fence between KaNgwane and Mozambique, the chief minister of KaNgwane, Mr Enos Mabuza, said that it was 'a Berlin Wall' and inhumane. He said that it would divide people who should not be divided and kill people who should not be killed. 'These people are not part of the war. They seek only safety from their friends and relatives on this side of the border,' he said. By June there were more than 15 000 registered Mozambican refugees in KaNgwane, settled in villages such as Putini ('Little Mozambique') or Pumula Mangwane ('Rest and forget the Rename').²⁴ [²⁴ *The Weekly Mail* 5 June]

In July the minister of development aid, Dr Gerrit Viljoen, said that Mozambican refugees in the homelands were 'foreigners and illegal immigrants'. The Department of Home Affairs, the Department of Manpower and the security forces had a working team which dealt with the entire matter. It was being monitored 'very carefully from a security as well as a health point of view' and was under full control. 'We are receiving the best co-operation of the chief ministers of both the national states and their governments'; Dr Viljoen added.²⁵ [²⁵ *Hansard*(A) 7 col 2649, 29July]

In October the Lebowa administration called on the central government to help Mozambique in its 'political and economic dilemma' to prevent refugees from settling in South Africa. Lebowa objected to plans to incorporate 100 000ha of land into Gazankulu for the resettlement of the refugees. The chief minister of Lebowa, Mr M N Ramodike, said that the land should rightfully have been incorporated into Lebowa. The administration also complained that the influx of refugees was being exploited by white farmers as the refugees were prepared to 'work for nothing', which had led to increasing unemployment in Lebowa.²⁶ [²⁶ *Business Day* 29 October]

Multilateral co-operation

On 16 June Mr Botha and the secretary general of the Secretariat for Multilateral Co-operation in Southern Africa (SECOSAF), Mr Albert van Niekerk, said that the central government was to build permanent headquarters for the secretariat near Midrand (between Johannesburg and Pretoria) to house permanent committees which would meet up to 250 times a year. A statement from SECOSAF said. 'The South African government's decision to donate the land and buildings for SECOSAF's headquarters further underlines the high priority which the government is according to multilateral co-operation.'²⁷ [²⁷ *The Citizen* 17 June] SECOSAF anticipated taking occupation of its new headquarters within three years.²⁸ [²⁸ South African Press Association 17 June]

On 23 November ministers from the 'independent' homeland and the central government met in Pretoria to discuss multilateral and regional co-operation and to formulate policy for 1988. They reviewed multilateral structures, such as the multilateral economic and finance committee, the strategy planning committee and the regional liaison committees. They also discussed financing commercial farming, Promoting private investment, technical career-directed education and the informal implementation of a norms and standards model of government expenditure and the possibility of strengthening the strategic planning capabilities of the five administrations involved.²⁹ [²⁹ *The Citizen* 24 November]

Numerous other meetings of the various multilateral committees were held during 1987.

Legislation

General legislation

Constitutional Laws Amendment Act

The Constitutional Laws Amendment Act of 1987 amended numerous acts. Those of relevance to the homelands are discussed below.

Amendments to the Promotion of Black Self-Government Act of 1959

The Promotion of Black Self-Government Act of 1959 was amended to restrict the powers, functions and duties of commissioners general and to provide for the appointment of representatives of the non-independent homelands.

The preamble to the principal act was repealed by the amendment act because the preamble had become redundant. The act was also amended to replace references to 'national units' (such as 'the North Sotho unit') with references to the various non-independent homelands, which were referred to in the amendment act as 'self-governing territories'.

Section 3 of the principal act had listed the powers of commissioners general. The new section 3 stated simply, 'A commissioner general shall represent the government of the Republic in the self-governing territory in respect of which he has been appointed.' The minister would entrust powers to them from time to time. The deputy minister of development planning, Mr P J Badenhorst, said that the old section 3 had created the impression that the commissioners general had authority over the administration of the non-independent homelands. He said, 'The self-governing territories are in complete control of the functions transferred to them. Interference by the commissioners general may lead to confusion and negative feelings.'

The amendment act repealed section 14 of the 1959 act which had empowered the state president to make regulations regarding the powers of commissioners general. No such regulations had ever been made and the section was regarded as unnecessary.

The Constitutional Laws Amendment Act replaced sections 4 and 5 of the 1959 act to enable a non-independent homeland to appoint a representative and assistant representative to represent it in 'South Africa' to its citizens resident there. This representative would advise the homeland administration about matters affecting the interests of its citizens and constitute boards to assist him/her in his/her duties. Previously non-independent homelands had been able to nominate only urban representatives and assistants in the areas of jurisdiction of black local authorities. Such appointments had been subject to approval by the state president and had had to be made in consultation with the minister. The state president had also been able to withdraw recognition after consultation with the administration that nominated the representative. Mr Badenhorst said that this amendment was because 'the government has full confidence in the governments of the self-governing territories ...'. The requirements of consultation and approval were 'regarded as paternalistic and are therefore being dropped'.

The 1959 act was renamed the Representation between the Republic of South Africa and Self-Governing Territories Act of 1959.

Amendments to the National States Constitution Act of 1971

The Constitutional Laws Amendment Act amended section 29 of the National States Constitution Act of 1971 to provide for the chief ministers of non-independent homelands to appoint deputy ministers. Various homelands had specifically requested this power, Mr Badenhorst said.

The 1971 act was also amended to allow the state president to withhold his assent to legislation passed by the non-independent homelands' legislative assemblies if he thought that it was inconsistent with the constitution.

The schedule to the 1971 act, which lists the items in respect of which homeland legislative assemblies may make laws, was amended to allow them to make laws regarding pension funds for assembly members. Previously they had been able to do so only in regard to officials employed by the homeland.³⁰ [³⁰ *Hansard* (A) 4 cols 1024-1030, 8 June; *Government Gazette* no 10823, 8 July]

Self-Governing Territories Bill

On 11 August the minister of constitutional development and planning, Mr Chris Heunis, met representatives of Gazankulu, KwaNdebele, Lebowa and QwaQwa in Cape Town to discuss the Self-Governing Territories Bill. (No representatives of KaNgwane or KwaZulu attended, government officials denying that their absence amounted to a boycott of the talks.) Mr Heunis said that the bill sought to give the non-independent homelands legislative authority over 'all matters, excluding matters normally exercised by regional authorities'. According to Mr Heunis, the bill aimed to further the process of decetralisation of decision-making; to replace the National States Constitution Act, which, Mr Heunis said, was drafted 'in different circumstances and for different purposes, and in this process also to remove unnecessary limitations and irritations contained in the act'; and to rationalise and reform the law under which the 'self-governing territories form part of the Republic as regional authorities of a particular kind'. Mr Heunis described the Cape Town meeting as the culmination of a two-year Period of in-depth negotiations aimed at increasing the internal Autonomy of the non-independent homelands as regional authorities.

The bill sought to extend the legislative powers of the non-independent homelands to include:

- the establishment of their own state departments;
- the establishment of Supreme Courts;
- the negotiation of agreements with other governments with the consent of the minister of foreign

affairs;

- the raising of loans from the Development Bank of Southern Africa and the Land Bank;
- control over provincial roads within their territories; and
- the entering into agreements with provincial authorities or any other non-independent homeland to promote co-operation on a regional basis.³¹ [³¹ *The Natal Witness* 12 August, *The Star* 12 August, *Cape Times* 12 August]

Existing legislative powers would be retained.

Mr Heunis stressed that when passed, the act would not automatically apply to all non-independent homelands, as provision had been made for each to request that it apply.³² [³² *Eastern Province Herald* 12 August]

Particular legislation

Bophuthatswana

The Bophuthatswana administration amended the Bophuthatswana Electoral Act of 1979 twice in 1987 in preparation for the October elections (see *Political Developments* below). The **Electoral Amendment Act** of 1987, passed in June, replaced section 16 of the principal act (which dealt with the registration of political parties) with a new section 16 as well as adding a new section 16A which allowed for the refusal of registration to parties.

The new section 16 imposed additional requirements on parties wishing to register: the application had to be accompanied by an original copy of the party's deed of foundation and this had to state as one of the party's objectives the election to the national assembly of its candidates. The new section also required registered political parties to notify the electoral officer of any changes to their constitutions and allowed for two or more parties to register as one under a new name.

The new section 16A set out conditions under which a political party could be disqualified from being registered or remaining registered. Some of these were:

- if the party's name or the abbreviation was prejudicial to the safety of the state, general welfare, peace or good order;
- if its constitution approved, propagated, encouraged or had as its object 'a doctrine hostile to the

state' (as defined in section 1 of the Internal Security Act of 1979) or encouraged or approved the breach or non-observance of any of the homeland's laws;

- if it was an unlawful organisation;
- if it encouraged or assisted anyone to do anything prejudicial to public safety, national security, the maintenance of law and order or anything that was a security offence; or
- if its constitution or election manifesto was calculated to violate the dignity of the homeland's residents; was harmful to relations between any sections of the population; or was prejudicial to state safety, public security or the maintenance of order.

A new subsection 16C(1) stipulated a registration fee of R500 and an annual renewal fee of R100. A new section 16D provided that the electoral officer could cancel the registration of a political party if it abandoned as one of its objects the election to the national assembly of its candidates, if it had become disqualified in terms of section 16A or if it failed to pay registration fees.³³ [³³ *Bophuthatswana Government Gazette* vol 16 no 81, 5 June]

The **Second Electoral Amendment Act** of 1987 made only technical changes to the principal act.³⁴ [³⁴ *Bophuthatswana Government Gazette* vol 16 no 124, 31 July]

The **Republic of Bophuthatswana Constitution Amendment Act of 1987** provided, inter alia, that the 72 elected MPs would be deemed ex officio councillors of the regional authority under whose jurisdiction their electoral division fell.³⁵ [³⁵ *Bophuthatswana Government Gazette* vol 16 no 123, 31 July]

The **Land Control Amendment Act** of 1987 relaxed the restrictions on land acquisition in Bophuthatswana contained in the Land Control Act of 1979. Section 12A of the principal act, which had restricted the acquisition of land in Mafikeng and Thaba 'Nchu, was repealed. A new section 12C was substituted for the old one. The original section had prohibited non-citizens from acquiring, leasing, subleasing or occupying any land or premises for residential or business purposes unless they had a temporary or permanent residence permit. The new section, while retaining the prohibition on physical occupation, omitted those on acquisition, lease and sublease. An amendment to subsection 12(1) provided for people other than citizens or permanent residents to acquire one residential site and a business site or any additional site, (For more than one of each, they needed ministerial approval.) The amendment allowed citizens or permanent residents to acquire more than one residential and one business or other site without ministerial approval. A new subsection 12C(3) stated that a person would, unless the contrary was proved, be presumed to be an 'alien' if he/she failed to produce proof of citizenship or temporary or permanent residence rights when seeking to occupy land or premises.³⁶ [³⁶ *Bophuthatswana Government Gazette* vol 16 no 110, 24 July]

Ciskei

The **Arms and Ammunition Amendment Act** of 1987 amended the Arms and Ammunition Act of 1984 by adding a stipulation that the commissioner of the Ciskeian Police should not be competent to grant any application for a licence to possess a machine gun, a machine rifle, a machine pistol or a cannon. The amendment act inserted a definition of ‘cannon’, which included ‘any apparatus from which a projectile or missile’ could be discharged or launched. Section 20 of the principal act was amended so that it stipulated that no licensed arms dealer could use his licence to deal in machine guns, pistols or rifles, cannons, or ammunition manufactured solely for use with such weapons. Section 38 of the principal act was amended so as to prohibit the unauthorised importation, supply or possession of any ammunition manufactured solely for use in any machine gun, rifle or pistol. The amendment act raised the penalty for anyone convicted of certain serious offences in terms of the act from ten to 15 years.³⁷ [³⁷ Republic of Ciskei, *Government Gazette* vol 15 no 83, 16 October]

The **Land Use Regulation Act** of 1987 provided for the establishment of a Land Use Planning Board and the regulation and control of land use rights and the subdivision of land in the Ciskei. It repealed numerous central government laws and ordinances relating to land use control.

The Land Use Planning Board would be composed of the director of planning, the directors general of the departments of works and agriculture and forestry, the surveyor general, the registrar of deeds and three other members appointed for their particular expertise. The board’s functions included investigating and making recommendations on township planning and on the need for the establishment of any township. The Land Use Regulation Act stipulated that local authorities should open a register of all land units within their area of jurisdiction showing, inter alia, who their owners were; the extent of land units; and the purpose for which each land unit was being used, or if not being used, the use permitted by the title deed.

The act empowered the director of planning to draw up plans (called structure plans) for the future development of land areas. No person could use land in any area for which there was a structure plan for a purpose other than that in effect immediately prior to the adoption of a plan or for which it was zoned in the plan. The act gave local authorities the power to zone land in the area of jurisdiction for specific purposes or to restrict land use. The act also set out a system of control over the subdivision of land. It enabled the minister of urban affairs and land tenure to establish townships on state land set aside for this purpose and to authorise the planning and construction of the township.³⁸ [³⁸ Republic of Ciskei, *Government Gazette* vol 15 no 77, 9 October]

Gazankulu

The **Gazankulu Civil Protection Act** of 1987 provided for civil protection in a state of emergency or a state of disaster. The definition of ‘disaster’ was amended to include the influx of refugees into Gazankulu.³⁹ [³⁹ *Gazankulu Government Gazette* vol 14 no 93, Government Notice no 36, 18 December 1987]

The **Gazankulu Police Amendment Act** of 1986 amended the Gazankulu Police Act of 1980 to give further duties and powers to members of the police.

KwaNdebele

The **KwaNdebele Traditional Authorities Amendment Act** of 1987 amended the KwaNdebele Authorities Act of 1984 to make it possible for the administration to remove members of a tribal or community authority from office if it thought that their finances had become unsound and they failed to take the necessary steps to rectify this. It enabled the administration to direct how the vacancies should be filled and designate people to manage and control the tribal or community authority's affairs.⁴⁰ [⁴⁰ *Official Gazette of KwaNdebele* no 31, 30 April]

On 27 February 1987 KwaNdebele gazetted the **KwaNdebele Police Act** of 1986 which provided for the establishment of the KwaNdebele Police Force. Apart from many technical provisions, the act provided, in subsection 7(9), that if the commissioner of the KwaNdebele police deemed it necessary, he could, with the approval of the homeland's minister of law and order, direct any member of the police force 'to perform services at any place outside KwaNdebele'. (The actions of the KwaNdebele police outside of the homeland and a successful legal challenge to such activities are discussed in *Security* below.) The act also stated that civil actions against the police had to begin within six months of the cause of such actions. It stipulated that anyone publishing any 'untrue matter' in relation to police actions without having reasonable grounds to do so could be sentenced to a fine of up to R10 000 or to imprisonment for up to five years.⁴¹ [⁴¹ *Official Gazette of KwaNdebele* no 10, 27 February]

The **KwaNdebele Public Service Amendment Act** of 1987 gave the cabinet the exclusive authority to transfer, demote, reduce the salary of, or discharge any official or employee without hearing his/her representations or giving him/her any reason if the reason was of such a sensitive nature that disclosure could prejudice the interests of KwaNdebele or endanger public order.⁴² [⁴² *Official Gazette of KwaNdebele* no 41, Government Notice no 9, 22 May]

The **KwaNdebele Public Safety Act** of 1987 provided that for the purposes of maintaining public safety, public peace, order or good government, the minister of law and order could:

- order the removal of any tribe, community or person from any one place to another within KwaNdebele;
- restrict anyone to a particular place or area within KwaNdebele;
- prohibit any organisation and the furtherance of the objects or membership of a prohibited organisation; and

- prohibit the publication or dissemination of the contents of any Speech, utterance, writing or statement.⁴³ [⁴³ *Official Gazette of KwaNdebele* no 75, Government Notice no 15, 4 September]

(The National States Constitution Act was amended in 1974 to give the homelands jurisdiction over the security matters referred to in this act—see 1974 *Survey* p69—and in 1986 Proclamation 38 expanded these powers by removing various central government restraints over the use of them and extending the homeland administrations’ jurisdiction in this regard to all race groups—see 1986 *Survey* Part 2 pp599–600. The 1974 legislation had restricted their jurisdiction to Africans.)

KwaZulu

Employment matters

The **KwaZulu Wage and Basic Conditions of Employment Act** of 1985 came into effect on 30 April 1987.⁴⁴ [⁴⁴ *KwaZulu Official Gazette* vol 11 no 15, Government Notice no 28 of 1986; *KwaZulu Official Gazette* vol 11 no 17, 10 April 1987] The act regulated conditions of employment of employees in KwaZulu (excluding farmworkers, domestic workers and civil servants) and provided for the establishment of a wage board. It set out, inter alia, limits on working hours (46 hours a week maximum for most categories of employees); overtime limits and rates of pay; rules for annual leave; rules regarding termination of employment contracts; and forbade victimisation of employees on certain grounds, including trade union membership. The act provided for the minister of the interior to exempt any employer or category of employer on conditions determined by him from one or more or all of the provisions of the act. The act also established a wage board which would make recommendations to the minister of the interior on various matters, including minimum wage determinations. It repealed the Wage Act of 1957 and various sections of the Factories, Machinery and Building Work Act of 1941.

The **KwaZulu Machinery and Occupational Safety Act** of 1985, published in 1987, was to come into effect on a date determined by the minister of the interior. It provided for workplace safety and established an advisory council for occupational safety.⁴⁵ [⁴⁵ *KwaZulu Official Gazette* vol 11 no 22, 15 May 1987]

The **KwaZulu Establishment of Labour Day Act** of 1986 established 1 May as a public holiday in substitution for Founders’ Day (6 April) in KwaZulu. It was also to be regarded as a paid holiday for the purposes of the KwaZulu Wage and Basic Conditions of Employment Act.

The **KwaZulu Labour Regulations Repeal Act** of 1986 repealed the Black Labour Regulations (Black Areas) of 1968 and was to come into operation on a date determined by the minister of the interior.⁴⁶ [⁴⁶ *KwaZulu Official Gazette* vol 11 no 11, 6 March 1987]

Welfare matters

The **KwaZulu National Welfare Act** of 1986 provided for the consolidation and amendment of laws relating to welfare programmes and the registration of welfare organisations in KwaZulu.⁴⁷ [⁴⁷ *KwaZulu Official Gazette* vol 11 no 35, 24 July 1987]

The **KwaZulu Social and Associated Workers Act** of 1986 provided for the registration of social and associated workers and for control over the profession of social work and associated professions.⁴⁸ [⁴⁸ *KwaZulu Official Gazette* vol 11 no 37, 7 August 1987]

Detention

The **KwaZulu Act on the Tracing and Detention of Offenders** of 1987 gave the KwaZulu Police and South African Police the power to detain without warrant, for the purposes of interrogation for a period of up to 90 days, any person if the police had reason to believe that this person 'has committed theft or a crime of which violence is an element, or a crime with respect to the illegal possession or use of firearms or ammunition, or has or had the intention to commit such crime, or participated in, or has or had the intention to participate in, the commission of such a crime'. Anyone believed to be withholding information in regard to such offences could be likewise detained. The act stipulated that the commissioner of the KwaZulu Police had to be informed of the reasons for such detentions and given reasons monthly for the continued detention of suspects. He could also order the release of such detainees. The act repealed Proclamation R103 of 1973 and was deemed to have come into effect on 26 February 1981.⁴⁹ [⁴⁹ *KwaZulu Official Gazette* vol 11 no 55, Government Notice no 330, 9 October 1987] (Proclamation R103 had been applicable only to the Msinga area and had been introduced to stop 'faction fighting' in the area. In 1978 the penalties under the proclamation had been increased and the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said at the time that he had refused the extension of the powers of the proclamation to include 'political offenders'. In 1977 KwaZulu's minister of justice, Mr J Mtetwa, had requested an extension of these powers to all KwaZulu districts but this was turned down by the central government. Chief Buthelezi said that 'many policemen had worried him [Mr Mtetwa] with requests to have the same powers as Msinga'.)⁵⁰ [⁵⁰ SAIRR, 1977 *Survey of Race Relations* p355; 'Repression in/through the bantustans', in *'Homeland' Tragedy: Function and Farce*, SARS/DSG Information Publication 6, August 1982]

Deregulation

The **KwaZulu Temporary Removal of Restrictions of Economic Activities Act** of 1986 empowered the chief minister of KwaZulu to temporarily suspend laws or conditions, limitations or obligations regarding certain businesses and occupations or to grant temporary exemption from their provisions, if in his opinion, there were circumstances under which these conditions impeded 'to an improper extent' the economic progress of those businesses or impeded competition or job creation.⁵¹ [⁵¹ *KwaZulu Official Gazette* vol 11 no 20, Government Notice no 46, 20 March 1987]

Civil Defence

The **KwaZulu Civil Defence Act of 1984** was brought into effect on 2 October 1987.⁵² [⁵² *KwaZulu Official Gazette* vol 11 no 53, 2 October 1987] In terms of the act, the minister of the interior, Dr Dennis Madide, declared on the same day that a state of disaster existed in KwaZulu.⁵³ [⁵³ *Ibid*] (KwaZulu/Natal had been affected by serious floods.)

Law commission

The **KwaZulu Law Commission Act of 1986** was to come into operation on a date fixed by the minister of justice. It established a KwaZulu law commission to do research into all branches of KwaZulu law and to make recommendations for the development, improvement, modernisation or reform of such law. The commission was empowered to prepare draft legislation.⁵⁴ [⁵⁴ *KwaZulu Official Gazette* vol 11 no 8, 6 March 1987]

QwaQwa

The **QwaQwa Ombudsman Act of 1987** established the office of an ombudsman for QwaQwa. His powers, functions and duties were to investigate any matter relating to the administration either in response to a complaint or on his own initiative. He could start his own investigation if he had reason to suspect that there had been inefficiency, irregularities, dishonest or fraudulent acts; or if anything done by a department was contrary to law, unjust, unreasonable, oppressive or discriminatory in terms of any legislation, was based on a mistake of fact or law, or was 'wrong'. He could not undertake investigations into any actions by any officer or staff member of the office of the chief minister, the cabinet office or the Department of Justice.⁵⁵ [⁵⁵ *QwaQwa Official Gazette* vol 14 no 20, 14 September]

Transkei

The **Licences Control Act of 1987** replaced the Licences Control Act of 1985 (see 1985 *Survey* p102 and p265). Its stated object was 'to provide for the increased participation by citizens in the economic life of Transkei'. With effect from 14 January 1989 it withdrew all certificates of registration (certificates entitling the holder to take out a licence in terms of the Licences Act of 1978) issued to non-Transkeians other than partnerships, companies, corporations or close corporations or those who obtained special exemption.⁵⁶ [⁵⁶ *Transkei Government Gazette* vol 12 no 59, 2 October]

The **Indemnity (Civil Claims) Act of 1987**, passed in August, indemnified the Transkei administration against claims arising out of the contract entered into between itself and a company called Security Services Transkei or arising from the 'deportation' or removal from the Transkei of any person employed in terms of this contract. Any proceedings brought prior to the act were to lapse and be deemed void.⁵⁷ [⁵⁷ *Transkei Government Gazette* vol 12 no 47, 14 August]

The **Intelligence Service and State Security Council Act** of 1987 repealed a 1977 act of the same name. It provided for the organisation and control of the Transkei Intelligence Service; defined the powers, functions and duties of its members; provided for an Intelligence Service Special Account; and established a State Security Council and defined its functions.⁵⁸ [⁵⁸ *Transkei Government Gazette* vol 12 no 67, 6 November]

Venda

The **Republic of Venda Constitution Amendment Act** of 1987 had the effect of making Venda a one-party administration. It added to section 24(1) of the Republic of Venda Constitution Act of 1979 the following paragraph: 'Every member of the Venda Parliament must be and remain a member of the Venda National Party.' The act also empowered the state president of Venda to summon the national assembly during the period following the day of its dissolution up to the day preceding the day of election, in cases of emergencies; and enabled the state president to nominate anyone to any newly created nomination seat in the assembly whenever he deemed it expedient.⁵⁹ [⁵⁹ Republic of Venda, *Government Gazette* vol 15 no 49, Government Notice no 15, 30 March]

The **Electoral Amendment Act** of 1987 amended the Electoral Act of 1979 by deleting the provisions regarding the registration of political parties, deleting the definition of 'political party' and stipulating that no person could be nominated as an election candidate unless that person was a registered member of the Venda National Party.⁶⁰ [⁶⁰ Republic of Venda, *Government Gazette* vol 15 no 57, 14 April]

The **Republic of Venda Constitution Second Amendment Act** of 1987 amended section 20 of the 1979 act to create a President's Advisory Committee. This would consist of two senior ministers and three 'experts' appointed by the state president and would investigate and report on all matters of national importance submitted to it.⁶¹ [⁶¹ Republic of Venda, *Government Gazette* vol 15 no 121, Government Notice no 72, 18 September]

The **Payment and Privileges of Ministers and Deputy Ministers of State Second Amendment Act** of 1987 Fixed the annual salaries of Venda cabinet ministers at R55 217 and those of deputy ministers at R50 366 from 1 July. Their annual non-taxable allowances were fixed at R24 354 and R21 037 respectively.⁶² [⁶² Republic of Venda, *Government Gazette* vol 15 no 120, 18 September]

Finance

Homeland revenue

According to their estimates of revenue, the homelands were to derive the following amounts from their own revenue, loans and the central government in the 1987/88 financial year:⁶³ [⁶³ Republic of

Bophuthatswana, *Estimate of the Revenue for the Year Ending 31 March 1988; Republic of Ciskei, Estimates of Expenditure to be Defrayed from the Ciskei Revenue Fund During the Year Ending 31 March 1988; Estimate of Expenditure to be Defrayed from the Revenue Fund of the Gazankulu Government Service During the Financial Year ending 31 March 1988; Estimate of the Expenditure to be Defrayed from the Revenue Fund of the KaNgwane Government During the Year Ending 31 March 1988; Estimates of the Expenditure to be Defrayed from the Revenue Fund of the KwaNdebele Government Service During the Year Ending 31 March 1988; Estimate of the Expenditure to be Defrayed from the Revenue Fund of the KwaZulu Government During the Year Ending 31 March 1988; Lebowa, Estimate of the Revenue to be Collected and Expenditure to be Defrayed During the Year Ending 31 March 1988; Estimates of the Expenditure to be Defrayed from the Revenue Fund of QwaQwa During the Financial Year Ending 31 March 1988; Estimate of Expenditure to be Defrayed from the Transkeian Revenue Fund During Year Ending 31 March 1988; Republic of Venda, Estimates of Expenditure to be Defrayed from the Revenue Fund of the Venda Government During the Financial Year Ending 31 March 1988]*

Estimated sources of homeland revenue: 1987/88

From central government

From loans

From internal revenue +

R

R

R

Bophuthatswana

295 000 000

328 116 000

887 540 000

Ciskei

628 200 000

—

136 800 000

Gazankulu

257 346 000

—

119 311 000

KaNgwane

146 800 150

10 780 000

43 821 000

KwaNdebele

120 915 000

15 630 000*

28 000 000

KwaZulu

903 063 000

41 793 000

335 244 300

Lebowa

638 414 000

—

151 631 000

QwaQwa

126 509 000

12 500 000

95 000 000

Transkei

450 000 000

—

840 706 000

Venda

220 500 000

63 680 000**

146 362 500

Total

3 786 747 150

472 499 000

2 784 415 800

*

Loans from Development Bank of Southern Africa (DBSA)

**

Development aid in grants or loans from the central government, the Industrial Development

Corporation and DBSA

+

This includes transfer payments from the central government which are difficult to separate from internal source of revenue. For example, R81m of the R95m raised by QwaQwa fell into a category called 'general tax' which is an amount transferred to QwaQwa from central government to compensate QwaQwa for the estimated taxes paid to the central government by QwaQwa citizens. Of the R840,7m classified as internal revenue of the Transkei, R382m was a customs union payment from the central government. Similarly, Bophuthatswana included its customs union payments of R411,6m in the category 'revenue from

Central government allocations

Central government funds for the ten homelands are mainly channelled through the budget votes of the Department of Development Aid for the non-independent homelands, and the Department of Foreign Affairs for the 'independent' homelands (although the latter also receive assistance via the development aid vote).

In the 1986/87 and 1987/88 budget estimates, the following amounts were allocated for the 'development of black areas towards self-determination' in the vote of the Department of Development Aid:⁶⁴ [64 Republic of South Africa, *Estimate of the Expenditure to be Defrayed from State Revenue Account during the Financial Year ending 31 March 1988*, Second and final print, RP2& 4-1987]

Development aid vote

1986/87

1987/88

R

R

Consolidation of black areas

Administration

3 000 000

3 000 000

Grants-in-aid to SADT* for

purchase of land

127 000 000

39 575 000

settlement

30 000 000

25 000 000

(Less: estimated funds from own sources)

(5 000 000)

(6 000 000)

Total

155 000 000

61 575 000

Development towards self-determination

Planning and administration

8 123 000

13 778 000

Grant-in-aid to SADT* for

land planning and conservation

9 500 000

11 990 000

settlement of population

239 946 000

154 975 000

employment creation and income generation

44 719 000

69 255 000

human development

40 170 000

36 266 000

rendering social services

45 163 000

60 158 000

government planning and administration

20 552 000

23 524 000

physical infrastructure

104 556 000

54 654 000

(Less: estimated funds from own sources)

(18 000 000)

(68 000 000)

Total

494 729 000

356 600 000

Grand total

649 729 000

418 175 000

*

South African Development Trust

The department also made provision for the following assistance to non-independent homelands:⁶⁵ [65
Ibid]

Budgetary assistance to non-independent homelands

Statutory grant

Additional amount

Total

Total

1987/88

1987/88

1987/88

1987/88

(including allocation for administrative and technical assistance and project aid)

R

R

R

R

Gazankulu

63 976 000

243 574 000

319 680 000

189 303 000

KaNgwane

41 505 000

107 099 000

157 349 000

110 550 000

KwaNdebele

33 340 000

108 765 000

147 940 000

91 502 000

KwaZulu

199 999 000

785 645 000

1 027 207 000

744 580 000

Lebowa

101 423 000

581 798 000

712 260 000

421 381 000

QwaQwa

18 602 000

100 037 000

123 925 000

77 775 000

Total

458 845 000

1 926 918

Department of Development Aid also allocated R3,56m to the South African Development Trust (SADT) for subsidising the fares of commuters travelling within the non-independent homelands, and R20m and R68m respectively for the purchase of properties and for the establishment of townships and

infrastructure in the 'independent' homelands.⁶⁶ [⁶⁶ Ibid]

The Department of Foreign Affairs allocated the following amounts to the 'independent' homelands under the programme 'foreign aid and development co-operation':⁶⁷ [⁶⁷ Ibid]

Budgetary assistance to the 'independents' homelands

1986/87

1987/88

R

R

Manpower provision

47 407 000

49 343 000

Budgetary aid: TBVC* countries

714 086 000

1 375 300 000

Project aid (contribution to economic Co-operation Promotion Loan Fund)

75 000 000

119 000 000

Technical and other assistance

incentive scheme for industries

48 000 000

57 400 000

flour subsidy

17 000 000

16 300 000

action programme: job creation

32 600 000

29 000 000

ad hoc grants

3 333 000

3 480 000

Tax compensation

192 000 00

212 000 000

Distress relief in foreign countries

1 000

1 000

Amounts forming a direct charge on the State Revenue Fund Salaries and allowance of judges

788 000

1 023 000

Total

1 130 215 000

1 862 847 000

*

Transkei, Bophuthatswana, Venda, Ciskei

The Department of Finance allocated R35,4m in 1987/88 in rand monetary area 'foreign transfer payments' to Lesotho, Swaziland and the four 'independent' homelands, compared with R39m in 1986/87.⁶⁸ [⁶⁸ Ibid]

The central government paid the following actual amounts to the 'independent' homelands during the 1986/87 financial year:⁶⁹ [⁶⁹ *Hansard* (A) 16 cols 1277-1290, 7 October]

Actual payments to 'independent' homelands: 1986/87

Bophuthatswana

Ciskei

Transkei

Venda

Direct assistance

R

R

R

R

Foreign affairs vote

154 764 000

221 789 034

352 400 000

164 200 000

Technical assistance

302 201

243 572

755 205

641 579

Loan fund

17 809 072

8 875 546

34 745 270

4 945 222

Incentive scheme for industries

6 000 000

29 871 423

17 000 000

4 036 473

Transfer payments*

Income tax

43 716 309

24 385 346

115 719 753

7 595 057

Customs union

293 833 000

107 291 000

292 446 000

57 658 000

Rand monetary area

5 306 773

2 999 893

11 078 720

1 518 933

Grants**

11 625 412

14 770 105

13 051 295

4 092 999

Total

533 356 767

410 225 919

837 196 243

244 688 263

*

Regarded as sources of own income and revenue

**

These grants were for job creation and/or relief of distre

The central government was to pay the following estimated amounts to the 'independent' homelands in terms of agreements during 1987/88:⁷⁰ [⁷⁰ Ibid]

Estimated payments to 'independent' homelands: 1987/88

Bophuthatswana

Ciskei

Transkei

Venda

R

R

R

R

Budgetary assistance

336 000 000

299 666 000

517 622 000

221 200 000

Incentive scheme for industries

5 500 000

33 000 000

17 400 000

1 500 000

Income tax

48 000 000

26 800 000

128 600 000

8 600 000

Share in customs union revenue pool

411 569 000

156 117 000

350 516 000

67 070 000

Common monetary area

6 570 000

3 740 000

14 570 000

1 900 000

Action programme: creation of job opportunities

8 500 000

10 800 000

7 200 000

2 500 000

Technical aid

1 495 000

1 200 000

1 190 000

424 000

Total

817 634 000

531 323 000

1 037 098 000

303

Homeland budgets

The ten homelands budgeted for a total expenditure of R7,65bn in 1987/88, a 28% increase on 1986/87. The following table compares the homeland budgets of 1986/87 and 1987/88 and shows the percentage change:

Homeland expenditure

1986/87

1987/88

Change

R

R

Bophuthatswana

1 410 767 011*

1 517 506 000

8%

Ciskei

615 715 000

859 000 000

40%

Gazankulu

268 980 000

376 657 000

40%

KaNgwane

143 905 270

230 138 690

60%

KwaNdebele

100 763 900

180 545 500

79%

KwaZulu

1 039 557 100

1 295 862 836

25%

Lebowa

550 172 000

865 045 000

57%

QwaQwa

178 804 289

231 922 800

30%

Transkei

1 312 719 000

1 604 435 000

22%

Venda

373 138 100

492 041 600

32%

Total

5 994 521 670

7 653 154 426

28%

*

Includes additional appropriation

The following tables show the budgets of the non-independent homelands

Non-independent homeland budgets: 1987/88

Gazankulu

KaNdwane

KwaNdebele

R

R

R

Chief minister (and economic affairs)

32 345 000

5 862 000

3 383 000

Interior

10 900 000

21 000 000

2 037 000

Works

74 221 000

67 130 180

51 285 000

Education (and culture)

128 962 000

65 122 340

59 511 500

Agriculture (and forestry)

32 683 000

20 354 730

7 941 000

Justice

3 772 000

1 157 680

2 536 000*

Health (and welfare)

65 628 000

22 999 000

28 406 000

Finance

19 783 000

20 507 290

18 267 000**

Police

8 363 000

4 539 700

4 327 000

Citizen liaison and information

—

—

1 230 000

Statutory amounts +

—

1 465 770

1 622 000

Total

376 657 000

230 138 690

180 545 500

Non-independent homelands budgets: 1987/88 (continued)

KwaZulu

Lebowa

QwaQwa

R

R

R

Chief minister (and economic affairs)

68 905 500

24 369 000

6 839 900

Interior

8 135 780

10 542 000

17 754 700

Works

186 981 480

59 394 000

105 054 700

Education (and culture)

450 811 056

341 448 000

56 654 700

Agriculture (and forestry)

44 768 780

59 280 000

4 904 700

Justice

10 398 280

13 303 000

1 004 700

Health (and welfare)

452 405 780

214 625 000

16 054 700

Finance

55 340 180

112 987 000

20 054 700

Police

18 116 000

—

3 600 000

Law and order

—

29 097 000

—

Total

1 295 862 836

865 045 000

231 922 800

*

KwaNdebele's law and order allocation is included here.

**

KwaNdebele's economic affairs budget is included here.

+

Refer to amounts budgeted for salaries and in all budgets, except KaNgwane's and KwaNdebele's, these are incorporated within each department vote

The budgets of the 'independent' homelands are given below:

Bophuthatswana budget: 1987/88 ⁷²

President

25 084 877

National Assembly

1 035 500

Auditor General

1 220 000

Public Service Commission

2 401 000

Defence

41 111 233

Economic Affairs

90 318 109

Finance

52 622 887

Education

218 663 173

Foreign Affairs

10 094 233

Transport

51 138 233

Works

209 169 109

Post and Telecommunications

21 613 463

Agriculture and Forestry

60 154 109

L

Bophuthatswana budget: 1987/88 ⁷² (continued)

Internal Affairs

79 573 233

Justice

6 418 876

Police

48 794 876

Prisons

9 227 000

Health and Social Welfare

103 561 876

Manpower

13 881 233

Land and Rural Development

11 148 233

Broadcasting

25 299 000

Water Affairs

500 000

Statutory Amount

414 593 514

Total

1 517 506 000

72 [⁷² Republic of Bophuthatswana, Estimate of the *Expenditure to be Defrayed from the Revenue Account During the Year Ending 31 March 1988*]

Ciskei budget: 1987/88 ⁷³

Current account

R

Presidency

10 324 000

Defence Force

25 483 000

Auditor General

1 107 000

Education

128 358 000

Agriculture and Rural Development

27 936 000

Justice

42 754 000

Health

89 300 000

Finance

92 397 000

Internal Affairs and Land Tenure

24 627 000

Manpower Utilisation

3 537 000

Transport

20 313 000

Public Works

40 576 000

Foreign Affairs

6 191 000

Posts and Telecommunications

8 384 000

Social Welfare and Pensions

52 410 000

Youth Affairs, Sports and Recreation

1 027 000

Tourism and Aviation

7 376 000

73 [73 Republic of Ciskei, *Estimates of Expenditure to be Defrayed from the Ciskei Revenue Fund During the Year Ending 31 March 1988*]

Development account

Presidency

23 953 000

Education

1 600 000

Agriculture and Rural Development

18 809 000

Finance

37 472 000

Public Works

57 751 000

Posts and Telecommunications

11 415 000

Statutory amount

125 900 000

Total

859 000 000

Transkei budget: 1987/88 ⁷⁴

R

Prime minister

12 400 000

Agriculture and Forestry

113 915 000

Auditor General

3 070 000

Defence

40 695 000

Education

343 462 000

Finance

259 034 000

Foreign Affairs and

Transkei budget: 1987/88⁷⁴ (continued)

Interior

5 817 000

Justice

15 742 000

Local Government and Land Tenure

10 535 000

Commerce, Industry and Tourism

59 353 000

Police

36 711 000

Posts and Telecommunications

25 123 000

Prisons

17 991 000

Public Service Commission

6 269 000

Transport

48 581 000

Works and Energy

194 023 000

Welfare and Pensions

214 437 000

Manpower Planning and Utilisation

26 302 000

Total

1 604 436 000

74 [*74 Estimate of Expenditure to be Defrayed from the Transkeian Revenue Fund During Year Ending 31 March 1988*]

Venda budget: 1987/88 ⁷⁵

R

Office of the State President

1 561 200

National Assembly and Local Government

8 245 000

Public Works

97 514 600

Education

104 759 800

Agriculture and Forestry

26 591 800

Justice

2 117 800

Health

28 921 700

Finance

19 597 200

Foreign Affairs

1 899 700

Urban Affairs and Land Tenure

2 279 700

Venda Police

18 105 200

Public Service commission

1 307 800

Information and Broadcasting

4 073 900

Auditor General

978 200

National Intelligence

1 136 600

Posts and Telecommunications

8 702 700

Internal Affairs

2 877 100

Defence Force

27 781 700

Prisons

3 174 200

Water Affairs

26 350 700

Social Welfare and Pensions

48 916 300

Transport

14 373 000

Improvement of Conditions of Service

20 174 400

Commerce, Industry and Tourism

18 034 200

Statutory am

General comments on financing

The budget of the Department of Development Aid in 1987/88 was 26% more than the amount budgeted in 1986/87 (an increase of R626m). The 36% decrease in the amount budgeted for the 'development of black areas towards self-determination' over the 1986/87 budget was due to a reduction in the amount budgeted for homeland consolidation (in response to an appeal by the minister of finance to effect savings in government expenditure wherever possible) and the transfer of power over towns and township development and all land matters previously exercised by the department and the South African Development Trust in the cases of Gazankulu, KaNgwane, KwaZulu and Lebowa to their administrations. The funds for this purpose were now being budgeted for under the programme 'assistance to governments of self-governing national states'.⁷⁶ [⁷⁶ *Hansard* (A) 7 cols 2564-2566, 29 July]

The 62% increase in the programme 'assistance to governments of self-governing national states' was due in part to an increase in social pensions of R59m and an additional amount of R288m for education.⁷⁷ [⁷⁷ *Ibid* cols 2565-2567]

The minister of development aid, Dr Gerrit Viljoen, said in July that the non-independent homelands 'display a predominantly development-oriented focus, rather than a merely administrative or bureaucratic expenditure pattern'. He said that the budgets of these homelands amounted to R2 280m in 1986/87. Of this, 27% was spent on pensions, health and welfare; 30% on education and culture; 19% on works (for township and infrastructural development) and 6% on agriculture and forestry. The remaining 18% was spent on matters such as justice, police, prisons and administration. Dr Viljoen added that these homelands generated a 'considerable amount of their own revenue to supplement the parliamentary appropriation for the financing of their budgets'. The budgets of the six non-independent homelands would total R3239m in 1987/88 and they would generate R853m in revenue and in loans raised by their administrations. The amount of 'own' revenue varied from R43m in the case of KwaNdebele to R377m in the case of KwaZulu.⁷⁸ [⁷⁸ *Ibid* cols 2568-2569] On average they generated 26% of their own income.⁷⁹ [⁷⁹ *Ibid* col 2569]

Mr W J Heine MP (National Party) said that the six non-independent homelands had received R588m less than they had requested, which meant that they had to achieve a cutback in expenditure of 15%. Of the total R3,2m budget, Gazankulu received about 13%, KaNgwane 6%, KwaNdebele 6%, KwaZulu

42%, Lebowa 26% and QwaQwa 7%. Loans made up about 4% of their budgets, Mr Heine said.⁸⁰ [⁸⁰ Ibid col 2598]

The Progressive Federal Party's spokesman on finance, Mr Harry Schwarz, asked in Parliament in September what percentage of the homelands' budgets was financed by bank loans guaranteed by the central government, whether there was any prospect of these loans ever being paid back, and whether this could 'possibly be regarded as sound budgeting'.⁸¹ [⁸¹ *Hansard* (A) 12 cols 5240-5241, 4 September] In reply the minister of finance, Mr Barend du Plessis, said that the treasury was not prepared merely to make appropriations when deficits arose in the homelands. It would extend a helping hand in a real crisis, but on the basis that the homeland concerned accepted responsibility for that debt and that the servicing of the debt became a part of the homeland's budgeting process. 'We are not prepared to support the principle that any deficit can simply be made good by way of appropriation by the treasury. We believe it must be done on the basis that there be a liability and a responsibility to work off that debt,' Mr Du Plessis said. He said that this was not the best way of financing a budget, but did include the necessary responsibility and liability. This was how the treasury dealt with a difficult situation in an ad-hoc way, he said. Simultaneously, the way the homelands were financed was being restructured, he said.⁸² [⁸² Ibid cols 5287-5288]

The Development Bank of Southern Africa (DBSA) said in a statement in September that bilateral joint financial adjustment committees between the central government and each 'independent' homeland had been functioning since 1986. All were chaired by the chief executive of the bank, Dr Simon Brand, and had been established in the wake of concern at reports of misuse of funds in these homelands. The committees had played a role in preparing the 1987/88 budgets of these homelands. The DBSA's statement said that 'the continuing adverse cash flow position of the TBVC states [Transkei, Bophuthatswana, Venda and the Ciskei] led them in 1987 to take the initiative in consultation with South Africa for the institution of financial adjustment programmes'. The committees were set up to investigate the financial problems of these homelands and to make recommendations. They would also draw up 'multi-year adjustment programmes with a view to reinstating sound financial management', the statement said.⁸³ [⁸³ *Eastern Province Herald* 24 September]

Finances in individual homelands

Bophuthatswana

Bophuthatswana frequently argues that it should receive international recognition as an 'independent' country and says, in support of this claim, that it receives very little aid from the central government. In December the president of Bophuthatswana, Chief Lucas Mangope, was reported to have said that his homeland received 'only 10% aid from South Africa', aid which would not be needed if his country was recognised internationally.⁸⁴ [⁸⁴ *The Citizen* 7 December] In a speech marking Bophuthatswana's tenth anniversary of 'independence', he said, 'Whereas we acknowledge that we receive grants and aid from South Africa, this is, in relation to our total budget, not an appreciable amount and if it is seen in

comparison to what has been received by other southern African state ... the amount that we receive from South Africa is not that much at all.’⁸⁵ [*The Star* 21 December] Using official figures, however, it is apparent that of Bophuthatswana’s budgeted expenditure in 1986/87 (R1 007m) 53% (R533,4m) was provided by the central government. In 1987/88, the comparable figure was 54%.

The eight-year-old Bophuthatswana National Provident Fund had 300 000 members and assets of R120m by the end of 1987. The fund administers the homeland’s compulsory pension fund contributions. The fund was established to relieve the Bophuthatswana administration of the burden of paying old-age pensions, to provide retirement security for workers and to create a source of ‘indigenous’ development capital for the homeland. The administration was investigating integrating the fund with the Unemployment Insurance Fund and the Workmen’s Compensation Fund. In addition to the contributions of its members, the fund also controlled portfolios of nearly R600m, including the government pension fund of some R300m.⁸⁶ [*Business Day* 4 December]

In April Chief Mangope said of mining rights and options granted before ‘independence’, ‘We have come to a stage where we cannot recognise their validity. Our legal experts will, during the foreseeable future, attend to this matter.’ He said that the homeland was not getting value for what was being taken from it and referred to ‘precious resources that ought at the very least translate in value into schools, food, housing and so forth’. He said that after ‘independence’ the mining houses had relied on contracts entered into beforehand and which had given them rights to mine and continue to do so, often in perpetuity. The chief said that the contracts were seen more and more as unacceptable in view of inflation and the rise in the value of minerals which were becoming scarcer.⁸⁷ [*Ibid* April]

The central government’s Department of Foreign Affairs granted loans to the Bophuthatswana administration between 1983/84 and 1987/88 of R69m. It also guaranteed overdraft facilities of R272m in 1986/87 and R179m in 1987/88.⁸⁸ [*Hansard* (A) 16 q cols 1334-1336, 7 October]

Ciskei

By the end of February the Development Bank of Southern Africa (DBSA) had either approved or was considering 114 loans to the Ciskei valued at R355m for projects with a total investment value of R514m. About 40% of the assistance was for urban development in the Bisho, Dimbaza and Mdantsane areas and 20% for industrial support.⁸⁹ [*Business Day* 27 March]

The assets of the Ciskei Building Society increased by R22m during 1986/87 to a total of R54m. During that period the society assisted in the financing of the building of more than 1000 homes.⁹⁰ [*Sunday Tribune* 17 May]

In September an exiled Ciskei politician, Chief Lent Maqoma, withdrew an application he had brought in the Supreme Court of Ciskei seeking an investigation into alleged misappropriation of funds by the

president of the Ciskei, Chief Lennox Sebe. He withdrew it because the Ciskei national assembly had passed the Validation of Certain Expenditure Act on 4 August. The act retroactively legalised expenditure of R4,3m from the Ciskeian Revenue Fund between 1 August 1982 and 4 August 1987. The expenditure had allegedly enriched Chief Sebe's personal estate. According to the act, the money had been spent on the president's farm and residence and had been justified because experimental farming had been practised there to the benefit of the homeland.⁹¹ [⁹¹ *Financial Mail* 28 August] The Ciskei administration agreed to cover the costs of Chief Maqoma's application. In his application Chief Maqoma had detailed expenditures of about R593 000 by the president, and his documents showed that most expenses at three of his five homes had been met by the administration.⁹² [⁹² *Sunday Times* 6 September]

Between 1983/84 and 1987/88 the Department of Foreign Affairs-granted the Ciskei administration loans totalling R57,5m. It also. guaranteed overdraft facilities of R227m in 1986/87 and R214m in 1987/88.

KwaZulu

Presenting KwaZulu's 1987/88 budget in the KwaZulu legislative assembly in April, the homeland's minister of finance, Mr H Madonsela, said that the R1,29bn budget fell drastically short of KwaZulu's needs and would lead to greater hardship. Most of the budget had been allocated to education but at the expense of four other departments. For the third year in a row, he said, no ordinary maintenance work had been done on KwaZulu roads and buildings and no capital projects, except those funded by the DBSA, could be started.⁹³ [⁹³ *The Daily News* 14 April] Speaking at the close of the budget debate, he said that the administration would be forced to make drastic cuts in its medical services and retrench staff because of insufficient funds. The lack of funds would give rise to unemployment. Mr Madonsela said that the way to solve this 'financial quagmire' was for the central government to abolish apartheid and introduce one parliament and one budget for the whole country.⁹⁴ [⁹⁴ *The Natal Mercury* 23 April]

The floods in KwaZulu/Natal in September caused damage estimated at R406m, according to a special cabinet committee chaired by the central government's minister of national health and population development, Dr Willie van Niekerk. Damage to infrastructure was estimated at R260m, to agriculture at R82m and to housing at R64m.⁹⁵ [⁹⁵ *Business Day* 19 November]

Lebowa

Lebowa's minister of finance, Mr Kgoshi Mothiba, said in his budget speech in May that Lebowa had been given too little money by the central government. The highest single allocation was for education. Mr Mothiba said that the central government would have to provide R75m to cover Lebowa's deficit and it should also grant an additional R101m for Lebowa's building programme.⁹⁶ [⁹⁶ *Sunday Times* 24 May]

Transkei

The central government's Department of Foreign Affairs granted loans to the Transkei between 1983/84 and 1987/88 totalling R144,3m and guaranteed overdraft facilities of R217m in 1986/87 and R158m in 1987/88.⁹⁷ [⁹⁷ *Hansard* (A) 16 q cols 1337-1338, 7 October]

During 1987/88 two commissions investigated the misuse of public funds in the Transkei (see *Political Developments* below).

Venda

The Department of Foreign Affairs granted Venda loans between 1983/84 and 1987/88 totalling R37,1m and guaranteed overdraft facilities of R62,5m in 1986/87 and R61,5m in 1987/88.⁹⁸ [⁹⁸ *Ibid* cols 1343-1344]

Development Bank of Southern Africa

The Development Bank of Southern Africa (DBSA) has provided loans for development projects in the ten homelands since 1 February 1984. It also supplies technical assistance, training, and agricultural and industrial advisory services. The minister of development aid, Dr Gerrit Viljoen, said in July that by means of project aid, the DBSA was taking over a large proportion of the funds that were formerly made available as budgetary aid. He said that project aid was a very important form of rendering 'controlled assistance' as there was prior selection and continuous monitoring of implementation.⁹⁹ [⁹⁹ *Hansard* (A) 7 col 21645, 29 July]

During 1986/87 the total number of DBSA projects, in various phases of the project cycle, increased by 35% from 452 to 611. These 611 projects involved a total expected investment of R5,2bn of which the bank's loan contribution would be R3,88bn. Of the 611 projects, 68 involved fully disbursed loans and were in the bank's evaluation phase, 287 were in the Preparation or appraisal phases, and 256 were being finally negotiated or implemented. The DBSA approved 105 new projects in 1986/87, entailing 185 loans valued at R604,6m (compared to 99 projects entailing 139 loans valued at R383,1m in 1985/86).

The 611 projects included 126 agricultural projects (involving a total investment of R711,8m), 38 industrial projects (R918,7m), 55 water resource development projects (R1,09bn), 71 transportation projects (963,1m), and 127 urban development projects (R524,7m).

The bank had an initial authorised and subscribed share capital of R2bn. Of this, R200m was being paid to the bank in its first five years of existence by the central government and the 'independent' homelands. Of this R200m, a total of R128m had been paid by 31 March 1987. The remaining R1,8bn was callable share capital which stood as a liability of these homelands and the central government

against which loans could be raised in the capital markets. The central government, in addition, had paid R919,8m into the bank's development fund since the bank's establishment. It was still committed to contributing a further R821,2m.

Region D (Eastern Cape/Ciskei/southern Transkei) had the largest relative share of the total investment value (32%) of the bank's projects by 31 March 1987. This share of the bank's resources was declining, however. The share of Region F (eastern Transvaal and KaNgwane) rose from 0,5% to 9% during 1986/87. The relative share of Region E (Natal/KwaZulu/northern Transkei) declined.¹⁰⁰ [¹⁰⁰ The Development Bank of Southern Africa (DBSA), 1986/87 annual report]

Land

Land purchases and consolidation

By 31 December 1986 a total of 5 434 109ha had been bought in terms of the Development Trust and Land Act of 1936 at a cost of R1,22bn for the purposes of homeland consolidation. The following table shows the, area of land bought in each province during 1986, and the total bought up to the end of 1986:

Land bought for homeland consolidation

Bought in 1986

Total area bought up to end of 1986

Ha

Ha

Cape Province

15 002

1 570 805

Natal

2 618

504 013

Orange Free State

68 003

186 592

Transvaal

37 130

3 172 699

Total

122 753

5 434 109

The following table shows the amount of land added to each homeland during 1986 and the size of each homeland as at the end of 1986:¹⁰¹ [¹⁰¹ *Hansard* (A) 4 q cols 275-276, 415-416, 23 February]

Sizes of homelands

Extent of land added in 1986

Size at 31 December 1986

Ha

Ha

Bophuthatswana

23 348

4 187 796

Ciskei

nil

747 000

Gazankulu

20 086

764 656

KaNgwane

52 784

438 221

KwaNdebele

131 893

235 263

KwaZulu

14 796

3 189 796

Lebowa

nil

2 212 897

QwaQwa

nil

62 000

Transkei

nil

4 287 000

Venda

20 513

707 513

Total

263 420

16 832 142

Given that the total area of South Africa, including the ten homelands, is 122 104 200ha, the ten homelands constitute 13,8% of the country's total surface area.

Mr A E Nothnagel MP (National Party) said in Parliament in June, If we want to be honest with ourselves, we have to admit that the [Black] Land Act of 1913, the [Development] Trust and Land Act of 1936 and the Group Areas Act [of 1966] were of great advantage to us as a white community and a great disadvantage to other groups in this country. We should look one another straight in the eye and ask ourselves how we can recti

The divisional manager of agricultural development at the Development Bank of Southern Africa (DBSA), Mr Johan van Rooyen, called for the two land acts to be examined as they hampered the growth of 'emerging' African farmers. 'Regardless of the political sensitivity of the issue, one must look at the economic implications of black farmers being denied access to agricultural resources. Land issues will receive increasing attention in the future, and should be placed on the agenda,' he said. To allow emerging African farmers to compete effectively in the market place, Mr Van Rooyen said, the present distribution of land had to be looked at within a sound economic framework and not solely in terms of political considerations.¹⁰³ [¹⁰³ *Business Day* 12 November]

By 31 December the South African Development Trust (SADT) held 6,77m hectares of which approximately 4,2m hectares had been transferred in ownership to the homelands.¹⁰⁴ [¹⁰⁴ *Hansard* (A) 4 q cols 415-416, 23 February] Mr A Odendaal MP (NP) said in July that between 1936, when the Development Trust and Land Act was passed, and 31 December 1986 the government had purchased roughly 6,7m hectares of land for the consolidation of the homelands. This exceeded the quota established by the 1936 act by 665 000ha or 10%. While the target date for the completion of the purchase of land had been 31

March 1987, about 347 000ha remained to be purchased at an estimated cost of R405m in respect of QwaQwa, KwaZulu and KaNgwane.¹⁰⁵ [¹⁰⁵ *Hansard* (A) 7 cols 2617-2618, 29 July]

The Borders of Particular States Extension Amendment Act of 1986, which provided for the transfer of 230 000ha to the four 'independent' homelands (see 1986 *Survey* Part 2 pp609–611), came into effect on 30 April 1987.¹⁰⁶ [¹⁰⁶ *Government Gazette* no 10723, Proclamation R74, 30 April]

During 1987 land was excised from the released area (land set aside for African occupation in terms of the Development Trust and Land Act) by government proclamation in the following Transvaal districts: Brits, substituted with land in the Rustenburg district (13 March); Coligny (the farm Holgat), substituted with land in the Marico district (4 September); Marico and Rustenburg (27 November); and Soutpansberg and Letaba (11 December). Land was also excised in the Natal districts of Impendle, Pietermaritzburg and Vryheid (27 November).¹⁰⁷ [¹⁰⁷ *Government Gazette* no 10656, Proclamation R36, 13 March; *Government Gazette* no 10882, Proclamation R125, 4 September; *Government Gazette* no 11045, Proclamation R166, 27 September; *Government Gazette* no 11063, Proclamation R177, 11 December; *Government Gazette* no 11045, Proclamation R166, 27 September]

Land in the following districts was declared as released areas for the purpose of acquisition by the SADT during 1987: in the Ingwavuma district (Natal) in January and in the Marico district (Transvaal) in October.¹⁰⁸ [¹⁰⁸ *Government Gazette* no 10579, Proclamation no 9, 16 January; *Government Gazette* no 10957, Proclamation no 136, 2 October]

Bophuthatswana

In January Bophuthatswana's minister of land and rural development, Mr D Mokale, said that the borders of Bophuthatswana had been extended by more than 25 000ha. Farms west of Lichtenburg totalling 20 000ha had been incorporated into the Molopo region and farms originally owned by white farmers in the Brits and Thabazimbi districts were ceded to the Odi and Madikwe regions. Mr Mokale said that land consolidation would result in the corridor between Lehurutshe and Madikwe being closed by mid-1987.¹⁰⁹ [¹⁰⁹ *The Natal Witness* 3 January]

The Borders of Particular States Extension Amendment Act of 1986 came into effect on 30 April 1987.¹¹⁰ [¹¹⁰ *Government Gazette* no 10723, Proclamation R74, 30 April] Various land additions to Bophuthatswana contained in the act were controversial as they affected some 50 000 people in the Transvaal (see 1986 *Survey* Part 2 pp609–611). Residents of Braklaagte, one of the areas incorporated, said that they had been warned that if they took out South African identity documents they could be ordered to leave the area within 24 hours, as they would be judged to have renounced Bophuthatswana citizenship.¹¹¹ [¹¹¹ *The New Nation* 2 July]

Proclamation R137 transferred land in the Pretoria district to Bophuthatswana on 1 October.¹¹² [¹¹² *Government Gazette* no 10948, Proclamation R137, 25 September]

Ciskei

On 1 May land in the districts of Fort Beaufort and Stutterheim (eastern Cape) was transferred to the Ciskei.¹¹³ [¹¹³ *Government Gazette* no 10722, Proclamation no 75, 30 April] On 1 July land in the King William's Town, Queenstown and Tarka districts (eastern Cape) was transferred to the Ciskei in terms of the Borders of Particular States Extension Act of 1980.¹¹⁴ [¹¹⁴ *Government Gazette* no 10789, Proclamation no 101, 26 June] On 1 October further land in the Stutterheim district was passed to the Ciskei in terms of the 1980 act.¹¹⁵ [¹¹⁵ *Government Gazette* no 10948, Proclamation R139, 25 September]

The MP for King William's Town, Mr R J Radue (NP), said in July that subject to minor adjustments, the boundary of the Ciskei would be finalised shortly. Because 'black spots' in the corridor between the Ciskei and the Transkei were no longer to become part of the Ciskei (see 1986 *Survey Part 2* p631), the central government and the Ciskei administration were busy finalising a 'package deal' in which compensatory land would be provided on a hectare-for-hectare basis in place of the 10 000ha in the corridor.¹¹⁶ [¹¹⁶ *Hansard* (A) 7 cols 2602-2604]

From 30 January hundreds of people fled from Potsdam (Ciskei) and set up a camp on the old King William's Town/East London road, just beyond the Ciskei border, following police action in the area allegedly directed against squatters. A spokesman for the squatters said that he thought this was because the squatters had refused to join the ruling Ciskei National Independence Party (CNIP). The police had harassed squatters by asking for identification and Ciskei development tax receipts but had left alone those in the area with houses who were mostly party members. The squatters had originally been relocated from Blue Rock in 1983.

The South African ambassador to the Ciskei, Mr C van Aardt, said that he had no sympathy with the refugees. 'As far as I am concerned,' he said, 'what they need is a nice damn thunderstorm to wash them back to the Ciskei. The whole thing is politically motivated—you just can't have people deciding to leave their country and going to another.' On 5 February they were told that they could safely return as the central government had been assured by the Ciskei administration that they were welcome. The Ciskei administration said that houses would be built for the squatters and that a full programme of infrastructure and upgrading of housing by the administration was being planned.¹¹⁷ [¹¹⁷ *Eastern Province Herald* 6 February, *The Weekly Mail* 13 February] Three weeks after the group first arrived in 'South Africa' the South African Police (SAP) and South African Defence Force arrived in a pre-dawn raid and moved the 2 342 squatters the 12km back to Potsdam in trucks, telling them that if they resisted they would be forcibly moved. The SAP later destroyed the remains of their camp.¹¹⁸ [¹¹⁸ *The Weekly Mail* 6 March; Flanagan L, 'On the road again'. *Work in Progress* no 48, July] Of the 2 342 people, 1 322 were born in South Africa, 562 in

the Ciskei and 458 in the Transkei. The last faced removal to the Transkei in terms of the Ciskei's decision to 'repatriate' all Transkeians by 31 August.¹¹⁹ [¹¹⁹ *The Weekly Mail* 6 March]

On 2 September some squatters at Potsdam again began moving from the settlement to Arnoldton, outside the homeland, between Mdantsane and East London and near Blue Rock from where they originally came. They claimed that the situation had worsened since they had been returned to Potsdam in March. A vigilante group had allegedly been set up, which residents claimed had worked closely with the Ciskei police and which they dubbed 'Inkatha'. A community leader, Mr Zola Nozewu, had been killed by vigilantes in August.¹²⁰ [¹²⁰ *City Press* 6 September] Those who moved were taken back to the Ciskei in trucks by the central government.

A Postdam resident, whose son had allegedly been killed by vigilantes, and two other residents brought an urgent application in the Eastern Cape Division of the Supreme Court asking for an interim order which would interdict the South African government and the minister of home affairs from forcibly removing them, and which would declare that they had the right of permanent residence in South Africa. The application was postponed by the presiding judge, Mr Justice M P Jennett. Judge Jennett ordered, however, that an undertaking given by the respondents (both on their own behalf and on behalf of their employees and those acting for them) to the applicants and the court be recorded. The undertaking was that neither the applicants nor their immediate families would be the subject of forced removals from South Africa, nor would their dwellings be dismantled or destroyed.¹²¹ [¹²¹ *The Weekly Mail* 11 September, *Eastern Province Herald* 19 November]

At the end of 1987, the Postdam refugee issue remained unresolved.

The central government and the Ciskei signed a 'free gift contract' in March to the value of R6,1m. The money was to be used for the resettlement of landowners from Tyutyu, Skobeni and Balasi in Braunschweig (10km outside King William's Town) and would largely be for agricultural purposes.¹²² [¹²² *The Citizen* 21 March] Residents of the three villages were being moved to make way for the expansion of Bisho, the Ciskei capital. Residents had been given the option of remaining where they were on condition that they upgraded their houses to the same standard as the rest of Bisho. Few of them, however, were able to afford this. While villagers in Tyutyu and Skobeni were resigned to the move to Braunschweig, those in Balasi had decided at a number of meetings to fight the move. Some residents had title deeds dating back to 1869, issued by the governor of the Cape at the time, Sir P E Wodehouse. There was also concern about the fate of non-titleholders, who were in the majority at Balasi. The Ciskei administration had said that no provision was made for them and that they would have to build houses there at their own expense. In October the Ciskei administration said that the future of the three villages was still under consideration.¹²³ [¹²³ *The New Nation* 29 October] By November some 105 families from Tyutyu had moved to Braunschweig.¹²⁴ [¹²⁴ *Daily Dispatch* 28 November]

A spokesman for the Ciskei administration, Mr Headman Somtunzi, said in November that the Balasi community's 'aggressive opposition' to removal had developed only recently under the influence of

‘minority members of the community’. The Ciskei administration, he said, had sought to provide fair compensation and had thus approached the central government which had bought the Braunschweig enclave of 2 200ha for the three communities.¹²⁵ [¹²⁵ *The New Nation* 19 November]

In December the central government announced that it was to expropriate 40 properties in the Stockenström farming district for the purposes of handing them over to the Ciskei. The 3 000ha involved were the last of the privately owned sections of land in what had once been a 7 000-strong farming community dating back 150 years. The government said that the expropriation was occurring because the owners or their legal representatives could not be traced.¹²⁶ [¹²⁶ *Daily Dispatch* 19 December] The six remaining families in the district had applied to become citizens of the Ciskei.¹²⁷ [¹²⁷ *Eastern Province Herald* 19 December]

KaNgwane

Consolidation proposals were announced for KaNgwane on 29 June. These were to serve as a basis for negotiation with all affected parties. In terms of the proposals, KaNgwane would receive an additional 130 000ha from the Transvaal. The major portions of land to be added were 38 000ha situated east of Barberton and five portions of land bordering the Nsikazi region. Barberton was not proposed for inclusion. The plans made the addition of 12 000ha in the Carolina district to KaNgwane conditional upon Chief Dlamini and his followers and ‘other illegal squatters’ moving ‘voluntarily’ from their homes near Badplaas and resettling on some of the land to be allocated to the homeland. Chief Dlamini intended to resist the removal and said that the government refused to reply to his claim that the land of the Embhuleni Valley had been the site of one of the Swazi royal kraals for more than a century.¹²⁸ [¹²⁸ *The Star* 12 August, *The Citizen* 30 June, *Transvaler* 30 June] The chief and villagers wrote a memorandum to the Commission for Co-operation and Development describing the proposal that they move voluntarily as ‘perplexing’ considering that the community had ‘frequently and persistently objected to resettlement’. Their lawyers objected to the government’s use of the term ‘squatters’ in relation to a settlement which had existed since the middle of the 19th century and was the site of the Swazi royal kraal. The memorandum highlighted various objections raised by the residents to moving and added that the chief had no objection to the incorporation of Embhuleni Valley into KaNgwane.¹²⁹ [¹²⁹ *The Star* 20 August]

Reacting to the proposals, the Transvaal Rural Action Committee (TRAC) said that the Commission for Co-operation and Development had recommended in the KaNgwane proposals that Daggakraal, Driefontein and KwaNgema, three ‘black spots’ previously under threat of removal, should all remain African areas within South Africa. TRAC said that much of the credit for the areas’ being kept out of KaNgwane was due to the homeland’s chief minister, Mr Enos Mabuza, who had said that he would not allow the resettlement of those communities in KaNgwane or their incorporation because residents there wished to remain outside a homeland. While the government had reprieved Driefontein and KwaNgema in 1985 (see 1985 *Survey* pp341–342), residents had remained fearful that the government would simply redraw KaNgwane’s boundaries to incorporate them. TRAC ‘congratulated’ the government for

‘keeping its word’ and said, ‘The government has publicly shown in the KaNgwane proposals that it has given up on its aim of getting all the blacks in rural white areas into the homelands. It accepted this in one area, and so should give up in other areas.’¹³⁰ [¹³⁰ Ibid 30 June]

Paragraph one of the KaNgwane constitution proclamation (Proclamation 148 of 1984) was amended on 5 June to include land in the Nsikazi Reserve (White River district).¹³¹ [¹³¹ *Government Gazette* no 10759, Proclamation R82, 5 June]

KwaNdebele

The minister of development aid, Dr Gerrit Viljoen, said in February that 764 families from Moutse had been resettled in the Immerpan/Saliesloot area by the Department of Development Aid ‘at the request of the heads of the families themselves’. Immerpan/Saliesloot was later to be incorporated into Lebowa, he said.¹³² [¹³² *Hansard* (A) 4 q col 305, 23 February] For further details on Moutse, see *Land disputes* below.

The KwaNdebele constitution proclamation (Proclamation R205 of 1979) was amended by government proclamation on 30 April and 27 November to include various SADT properties.¹³³ [¹³³ *Government Gazette* no 10729, Proclamation R77, 30 April; *Government Gazette* no 11045, Proclamation R165, 27 November]

On 1 December 410ha of land in the African township of Ekangala (near Bronkhorstspuit) were set aside for exclusive African residential, business and industrial purposes. Existing houses in the area could be bought for between R11 845 and R20 617. Serviced and unserviced residential sites were also to be sold for self-building.¹³⁴ [¹³⁴ *Business Day* 2 December] Ekangala and Ekandustria (the adjacent industrial area) were incorporated into KwaNdebele on 2 December (see below).

The minister of constitutional development and planning, Mr Chris Heunis, said in June that the government intended to purchase 13 farms around and including the Rust de Winter irrigation scheme with a view to incorporating them into KwaNdebele. The area concerned totalled 34 300ha. This would happen as soon as approval had been granted by Parliament to proclaim the area a released area, the properties had been valued and funds had been voted.¹³⁵ [¹³⁵ *Hansard* (A) 4 q cols 93-94, 9 June]

KwaZulu

By November consolidation plans for KwaZulu had been completed by the Commission for Co-operation and Development and had been forwarded to the cabinet for approval. The plans proposed the addition of 400 000ha to KwaZulu. Preliminary consolidation plans published for KwaZulu in 1985 (see 1985 *Survey* pp281–283) would have involved the removal of up to 241 000 people and the addition of 381 000ha to the homeland. These plans were subsequently amended following evidence from interested parties, including those threatened by removal. In drawing up the new proposals, the commission said that it had tried to avoid removals, but said that ‘badly situated areas’ and ‘badly developed areas’ would

be 'encouraged to move'. 'Everything is being done in co-operation with the people and the main object is to improve their living conditions,' the chairman of the commission, Mr Jurie Mentz, said. He added that there would be no forced removals.¹³⁶ [¹³⁶ *The Natal Witness* 5 November] Mr Mentz said on 4 November that there was no longer consolidation in the sense of trying to make KwaZulu into one unit. The aim was to transfer additional land to the homeland. The proposals were based on meeting the commitment in the Development Trust and Land Act to transfer 400 000ha to KwaZulu.¹³⁷ [¹³⁷ *Diamond Fields Advertiser* 5 November]

Prior to the completion of the new proposals, the Inkatha Institute for South Africa had undertaken a mapping survey which had shown that Zulu settlements were spread throughout 'white' Natal in numerous localities. The institute's director, Mr Gavin Woods, said that researchers working on the map had discovered a sometimes chaotic overlapping of Natal and KwaZulu magisterial districts and that vast areas of 'white' Natal were 'flecked' with black settlement. Mr Woods said that the map was a 'breakthrough' and showed that KwaZulu/Natal was an 'integrated demographic unit. No one will ever unscramble it. They can forget about homeland consolidation'. Mr Mentz said that the maps were 'very good' and were 'hard evidence of what has happened'. There were 'squatter areas all over Natal because there is no land available for orderly development'.¹³⁸ [¹³⁸ *Ibid*]

The final proposals were to be announced after cabinet approval had been obtained.

In April the government approved the addition to KwaZulu of several hundred hectares of land as compensation for people who would have to move to make way for the Inanda Dam.¹³⁹ [¹³⁹ *The Natal Witness* 24 April]

In December Dr Viljoen announced that control of the central portion of the Makhatini Flats (Maputaland) would soon be passed to the KwaZulu administration.¹⁴⁰ [¹⁴⁰ *The Star* 10 December]

Lebowa

Nine members of a northern Transvaal community lost an application in the Transvaal Provincial Division of the Supreme Court (Pretoria) in May for an order compelling, inter alia, the minister of constitutional development and planning, Mr Chris Heunis, and the chief minister of Lebowa, Dr Cedric Phatudi, to halt the incorporation of land belonging to the community into Lebowa. The land was situated at Beauty in the northern Transvaal district of Valwater. In their application they had said that they should not have been incorporated without their consent as they regarded themselves as Tswanas and that the farm Beauty was private property owned by them. Lawyers for the applicants said that they had been instructed to lodge another application for the incorporation proclamation to be declared null and void.¹⁴¹ [¹⁴¹ *The Weekly Mail* 22 May]

Transkei

On 27 April the government announced final border adjustments for the Transkei. They had still to be approved by Parliament. Mr Heunis and the minister of development aid, Dr Gerrit Viljoen, referred in a statement to the Transkei consolidation proposals of 1986 (see 1986 *Survey* Part 2 pp634–635) and said that the Transkei had found unacceptable the proposal that the Weza Forest and adjoining properties be added to the Transkei if ‘mutually acceptable’ arrangements could be made for the resettlement of African residents of two nearby farms on land which had already been set aside for the purpose in the Transkei. Consequently this undertaking of the central government fell away and the two farms concerned, Waterval and Melk Spruit, would ‘remain a black area within the jurisdiction of the Republic of South Africa’ and would be upgraded. The final proposals included an adjustment to permit a Queenstown farmer to reach his land without having to cross Transkei territory.¹⁴² [¹⁴² *Eastern Province Herald* 28 April ...]

Venda

In March residents of Vleifontein, which was incorporated into Venda on 1 April 1986 (see 1986 *Survey* Part 2 p635), were told that the official handover ceremony of the township to Venda would take place on 1 April 1987.¹⁴³ [¹⁴³ *Sowetan* 1 April]

Land disputes

During 1987/88 two appeals were heard involving the Moutse district of the central Transvaal: the first involved its 1980 excision from Lebowa; the second, its 1985 incorporation into KwaNdebele.

On 29 September 1987 the Lebowa administration lost its appeal against the dismissal in June 1986 of its application for an order to have the proclamation excising Moutse from Lebowa (Proclamation R210 of 1980) declared null and void (see 1986 *Survey* Part 2 p638). Mr Justice E M Grosskopf said in his judgement on behalf of the Appellate Division (AD) of the Supreme Court in Bloemfontein that section 16 of the Laws on Co-operation and Development Amendment Act of 1983 served to excise Moutse from Lebowa and section 9 of the 1985 act of the same name provided a legislative interpretation of the area of Lebowa, which again, in effect, ordained that Moutse was to be regarded as excluded (see 1983 *Survey* p325 and 1985 *Survey* p263). Judge Grosskopf said that it seemed ‘remarkable’ that the dispute about Moutse should still be open for debate when the legislature had twice, in 1983 and 1985, sought to determine it.¹⁴⁴ [¹⁴⁴ *Ibid* 30 September]

Lawyers for the Lebowa administration had argued that the National States Constitution Act of 1971 made no provision for the amendment of the area of a self-governing territory. Alternatively, if the state president’s powers survived Lebowa’s evolution to self-governing status, then Proclamation R210 had amended the wrong proclamation—R156 of 1971 instead of R225 of 1972. The KwaNdebele administration and the central government, against whom the application was brought, argued that R156

of 1971, the proclamation that was amended by R210, was the correct proclamation for determining the area of Lebowa.¹⁴⁵ [¹⁴⁵ *Business Day* 8 September]

On 7 March 1988 the AD heard Chief Gibson Mathebe's appeal against the dismissal of his application on 3 December 1986 for an order to declare Proclamation R227 of 31 December 1985 invalid (see 1986 *Survey* Part 2 p638). This proclamation had incorporated Moutse into KwaNdebele. Chief Mathebe was chairman of the Moutse Regional Authority. Five judges heard the appeal, including Judge Grosskopf. The lawyers for Chief Mathebe, Professor John Dugard and Mr Edwin Cameron, argued that the National States Constitution Act of 1971 did not expressly or by necessary implication authorise the incorporation of a substantially sized territory, predominantly occupied by members of one recognised national unit into the territory of another recognised national unit. The act. Professor Dugard argued, was one of a number of constitutional instruments designed to give effect to the policy of separate development in terms of which certain national units recognised by statute were intended to exercise their right to self-determination. Further, they argued, there had been an invasion of fundamental rights relating to language, franchise, citizenship and self-determination. The consequences of the proclamation were therefore unreasonable, and the proclamation should therefore be declared null and void. It was also submitted that Moutse residents were strongly opposed to incorporation and that the proclamation had brought disorder, unrest and violence to a previously peaceful and harmonious community.¹⁴⁶ [¹⁴⁶ *The Citizen* 8 March 1988]

On 29 March judgement was delivered, the AD finding that the incorporation proclamation was invalid. Speaking for the court. Judge Grosskopf found that the state president had used his powers in terms of the act for a purpose which was not intended. The judge said that incorporation for the sake of administrative convenience disregarded the ethnic origins of the majority of the inhabitants. He said that the case was judged on special facts. He stated, 'Here was a large group of North Sothos in a fixed and traditional area where they formed the majority and where an attempt had been made to add the area to the South Ndebele's national state. It was consequently easy to conclude that this attempt clashed with the whole object for which the constitution of the national states had been created. Clearly, the same conclusion would not necessarily follow where the facts were different.'¹⁴⁷ [¹⁴⁷ *Business Day* 30 March 1988]

Mr Heunis said in response to the judgement that Moutse would again fall under central government control.¹⁴⁸ [¹⁴⁸ *Ibid* 31 March 1988] He said that the necessary steps were being taken to take over the administration of the area from KwaNdebele.¹⁴⁹ [¹⁴⁹ *The Star* 2 April 1988] On 26 April Mr Peter Soal MP (Progressive Federal Party) asked Mr Heunis whether he intended taking any further action regarding the incorporation of Moutse into KwaNdebele in the light of the judgement. Mr Heunis said in reply that legislation would be introduced in the 1988 session of Parliament.¹⁵⁰ [¹⁵⁰ *Hansard* 12 q col 1153, 26 April 1988] This fuelled fears in various quarters that the government planned to override the AD ruling by incorporating Moutse into KwaNdebele in terms of an act of Parliament. The legislation subsequently tabled (on 27 June 1988), however, sought to circumvent the problem of the illegality (in terms of the judgement) of the KwaNdebele administration's actions in Moutse between the dates of incorporation and the judgement. Called the Moutse (Validation of Actions) Bill, it validated any action taken in

respect of Moutse, in terms of KwaNdebele law, during this period. An attached memorandum said that the bill would prevent the existence of a vacuum in the administration of Moutse.¹⁵¹ [¹⁵¹ *The Natal Witness* 28 June 1988]

On 20 May 1988 the Lebowa cabinet held talks with Mr Botha on the Moutse affair.¹⁵² [¹⁵² *The Citizen* 20 May 1988] Lebowa's chief minister, Mr M N Ramodike, said afterwards that the state president had told the delegation that he would not reincorporate Moutse into Lebowa. Mr Botha, he said, had given Lebowa 14 days to start negotiations with KwaNdebele on the possible amalgamation of KwaNdebele and Lebowa.¹⁵³ [¹⁵³ *Sowetan* 27 May 1988] Mr Botha said that he would provide a forum for such talks.¹⁵⁴ [¹⁵⁴ *Ibid* 6 June 1988]

On 2 June 1988 Mr Heunis announced that the constitutional future of Moutse would be determined by a one-man commission of inquiry headed by Mr Justice F L H Rumpff. This followed the government's consideration of the position of Moutse after the AD judgement and consultations with the chief ministers of Lebowa and KwaNdebele. Mr Heunis said, 'It soon became clear that Moutse is a many-faceted problem, having so many men, so many minds.' He said that there were aspects such as ethnic, geographic and economic considerations which could not be ignored in the consolidation of the homelands. The commission would investigate and make recommendations regarding constitutional and related matters, as well as the constitutional future of the Moutse district; and the 'politically correct procedure to determine the boundaries of self-governing territories'.¹⁵⁵ [¹⁵⁵ *The Star* 3 June 1988, *Cape Times* 3 June 1988]

Incorporation of Ekangala and Botshabelo

On 2 December the African township of Ekangala and the adjacent industrial area, Ekandustria (Bronkhorstspuit), were incorporated into KwaNdebele in terms of Proclamation R170. The African township of Botshabelo (55km from Bloemfontein) was incorporated into QwaQwa in terms of Proclamation R169 on the same day.¹⁵⁶ [¹⁵⁶ *Government Gazette* no 11051, Proclamations R169 and R170, 2 December]

In terms of the incorporations the homeland administrations acquired administrative and executive control of the townships. In a joint statement the ministers of development aid and of constitutional development and planning, Dr Gerrit Viljoen and Mr Chris Heunis, said that the development of the areas and the rights of residents to work in South Africa, their freedom of movement and their South African citizenship would not be affected. As interim measures, the central government would continue to render public services on behalf of both homelands. These included development and management of the townships, education and health, administration of pensions, industrial development, registration of births and marriages, licensing of vehicles, and police services. Residents were to be properly informed before the transfer of services took place. Officials and teachers working in the townships remained under the jurisdiction of the central government.¹⁵⁷ [¹⁵⁷ *The Citizen* 3 December]

The Progressive Federal Party said in reaction that the government was ‘stupid and obstinate’ for pushing the incorporations through.¹⁵⁸ [¹⁵⁸ *Cape Times* 3 December]

Ekangala

Dr Viljoen expressed his conviction in July that ‘the moment Ekangala is incorporated into KwaNdebele there will be an influx of people into that area’.¹⁵⁹ [¹⁵⁹ *Hansard* (A) 7 cols 2654-2655, 29 July]

Opening the KwaNdebele legislative assembly, Dr Viljoen said that Ekangala would be incorporated into KwaNdebele. In response property owners living there sent a memorandum to the Transvaal Provincial Administration protesting against the plan. In it they said that they feared being forced to take KwaNdebele citizenship as a prerequisite for owning fixed property in the homeland; that there was no guarantee that their property would not be nationalised by the homeland; that they would be killed by the Mbokotho (a vigilante group operating in KwaNdebele); and that they would lose their South African citizenship. They also asked that they be compensated to the full for their properties should they wish to leave the area as a result of the incorporation and that those who did leave the area should be provided with alternative sites in ‘South Africa’.¹⁶⁰ [¹⁶⁰ *The Star* 15 May]

Botshabelo

The 11 021ha central Orange Free State (OFS) township of Botshabelo, which was originally known as Onverwacht, is situated 330km from the homeland (QwaQwa) into which it was incorporated on 2 December. Botshabelo falls under the Bloemfontein Regional Services Council. (It has an estimated population of about 500 000.) The population of Botshabelo included thousands of people evicted from white-owned farms and deproclaimed townships in the OFS in the previous eight years.

Rumours that incorporation was imminent flared in both February and May. On both occasions schoolchildren came out on boycott and scores were detained.

On 3 February Mr Heunis, Dr Viljoen and the chief minister of QwaQwa, Chief Kenneth Mopeli, issued a statement denying that the settlement was to be incorporated into QwaQwa on 18 February. Answering a question in Parliament on 17 February, Mr Heunis said, ‘It has been decided in principle that Onverwacht (Botshabelo) will eventually be incorporated into QwaQwa. A decision when to include the area will be taken after further consultation and discussions.’¹⁶¹ [¹⁶¹ *Hansard* (A) 3 q col 106, 17 February] By June no further consultations or discussions had taken place. Mr Heunis said that the QwaQwa administration had made no representations to the central government regarding ‘independence’.¹⁶² [¹⁶² *Hansard* (A) 4 q cols 99-100, 9 June]

On 20 February residents said that 130 people had been arrested while preparing action against the incorporation. The Bureau for Information said that they had been arrested for intimidating pupils at a

Botshabelo high school. The arrests sparked off school boycotts in the area. There was a general security force presence in the township, and all pupils stayed away from school on 18 February.¹⁶³ [¹⁶³ *The New Nation* 26 February]

At a meeting in February of QwaQwa's ruling Dikwankwetla Party in Excelsior (OFS) Chief Mopeli was reported by those attending the meeting to have threatened to 'act mercilessly' against anyone opposing incorporation. He said that he was not interested in 'independence' for QwaQwa because 'we are also South Africans'.¹⁶⁴ [¹⁶⁴ *Ibid*]

The Transvaal Rural Action Committee (TRAC) said that as the incorporation was geographically absurd, 'it makes sense only in the light of rumours that QwaQwa is next in line for independence after KwaNdebele'.¹⁶⁵ [¹⁶⁵ *The Weekly Mail* undated]

In April large numbers of unemployed Botshabelo men were recruited for training as police. Further rumours that incorporation would happen on 15 May set off a series of protest actions in the area. A decision by Botshabelo youths to launch a school boycott in protest against the possibility of incorporation was followed by a number of incidents of violence and rioting. Buses were damaged and a schoolteacher who tried to prevent pupils from demonstrating was stabbed. A large contingent of special constables was introduced into the township and a number of students were arrested.¹⁶⁶ [¹⁶⁶ *Ibid* 22 May]

In July the Dikwankwetla Party organised a 'secret ballot' in which old people were asked to sign a petition slating, 'We, the residents of Botshabelo want to be incorporated into QwaQwa homeland of peace this year'. Those who signed said that they were given to understand that if they did not sign their pensions might be jeopardised. Party members had allegedly warned signatories not to tell township youth about the exercise. High school students boycotted school in protest. A few days later Chief Mopeli claimed that 11 000 people had signed a petition in favour of incorporation.¹⁶⁷ [¹⁶⁷ National Committee Against Removals (NCAR), *Botshabelo. Incorporation Now, Independence Next?*]

The National Committee Against Removals (NCAR) said that since September a new opponent of incorporation had emerged, namely the leader of the National Democratic Alliance (NDA), Mr Pepenene Khola. Mr Khola had been canvassing support from civil servants, teachers and churches. He said that he planned to set up the NDA as an opposition party registered within QwaQwa. The party's objectives, he said, would be to oppose separate development and incorporation, and to act as the mouthpiece of Botshabelo residents in their daily grievances. The party would consist of a parent-teacher-student committee, a workers' committee, a youth league and a woman's committee.¹⁶⁸ [¹⁶⁸ *Ibid*]

During the days preceding and following the incorporation there was a police presence in the township and numerous armed special constables. One community worker in Botshabelo claimed that even Chief Mopeli's supporters were divided in their support, saying that civil servants knew that central government administration of salaries and pensions was far better than that of the homeland administration.¹⁶⁹ [¹⁶⁹ *The Star* 14 December]

Residents were informed by means of pamphlets dropped from helicopters that they had been incorporated.¹⁷⁰ [¹⁷⁰ *The Natal Witness* 4 December] While the QwaQwa authorities claimed that most residents favoured incorporation, some community workers claimed that most residents were opposed. A Human Sciences Research Council (HSRC) survey found that Botshabelo residents did not want incorporation but had been moved so many times that they were unlikely to leave the area if they were incorporated.¹⁷¹ [¹⁷¹ *The Weekly Mail* 27 November] The general secretary of the South African Council of Churches, the Rev Frank Chikane, claimed after a visit that surveys conducted in the area by Mr William Cobbett, a researcher, and by the Department of Sociology at the University of the OFS had indicated that between 74% and 90% of residents opposed incorporation. Mr Chikane further maintained, 'It is also clear that the majority of people of Botshabelo were not consulted about the president's proclamation to incorporate Botshabelo into QwaQwa except through confusing pamphlets which were dropped by helicopter announcing "Botshabelo will finally be incorporated into QwaQwa". Residents were confused as to whether actual incorporation had happened. The pamphlets also threatened that opposition would be dealt with severely.'¹⁷² [¹⁷² *Business Day* 24 December]

Security

Detentions in homelands

According to the Detainees' Parents Support Committee (DPSC), the following numbers of people were detained under security legislation in the 'independent' homelands in 1986 and 1987:

'Independent' homeland detentions

1986

1987

Bophuthatswana

8

2

Ciskei

116

69

Transkei

368

197

Venda

28

18

Total

520

286

During 1987 there were at least nine court applications by detainees for restraining interdicts or other action relating to allegations of assault and torture of security and emergency detainees in the homelands: two in the Ciskei, one in KwaNdebele and six in the Transkei. There were also several applications for the release of detainees in the homelands, including two in the Ciskei (involving two detainees), four in the Transkei (12 detainees) and 14 in the Pretoria area (29 detainees), of which the majority of cases were from KwaNdebel

Bophuthatswana

Incidents involving opposition parties

On 3 April the Supreme Court of Bophuthatswana declared null and void a section of Bophuthatswana's Internal Security Act of 1979 requiring permission from the minister of law and order for the holding of meetings of more than 20 people (see 1984 *Survey* p512). The National Seoposengwe Party (NSP) had taken the minister of law and order and Bophuthatswana president, Chief Lucas Mangope, to court to challenge this section of the act Chief Mangope lodged an appeal against the Judgement in the Appellate Division of the Supreme Court of Bophuthatswana. The NSP had taken the action to court because it claimed that the section had prevented the party from holding rallies in preparation for the October election in the homeland (see *Political Developments* below). In the application the NSP had said that Chief Mangope's banning of their meetings contradicted the homeland's constitution and was aimed at

making the party ineffective during the coming elections. ‘Mangope fools the world by calling Bophuthatswana a multiparty state, which it is not,’ the NSP’s leader, Mr Victor Sifora, said.

The People’s Progressive Party (PPP) was still, by June, awaiting registration, after having been formed three years previously.¹⁷⁴ [¹⁷⁴ *The New Nation* 4 June] In October the PPP claimed that members of the Bophuthatswana security police were intimidating Ditsobotla residents who attended its election campaign meetings. Residents had told the PPP candidate in Ditsobotla that the police always followed them home after meetings.¹⁷⁵ [¹⁷⁵ *City Press* 25 October] The secretary general of the PPP, the Rev John Lamola of Mafikeng, was arrested in late 1986 for being an illegal resident of Bophuthatswana. In October 1987 Chief Mangope paid him R3 500 in an out-of-court settlement of a legal action brought for wrongful arrest.¹⁷⁶ [¹⁷⁶ *The New Nation* 15 October]

Allegations of police assault

In February the liaison officer for the Bophuthatswana Police, Colonel David George, said that the attorney general had refused to prosecute in the case of a Winterveld man, Mr Klaas Sema, who claimed that he had sustained permanent brain damage during an assault by the homeland’s police while in their custody in August 1985. Col George claimed that Mr Sema had been injured during an assault by an ‘angry mob’.¹⁷⁷ [¹⁷⁷ *The Star* February]

During the funeral of a former Azanian Youth Organisation president, Mr Tshikedi Seema, at Marapyane on 20 September, three people were allegedly kicked and trampled after being stopped at a roadblock. They also alleged that they had been put into a police van and assaulted with rifle butts. About 200 policemen surrounded the cemetery and set up roadblocks at all entrances to the village during the funeral.¹⁷⁸ [¹⁷⁸ *Sowetan* 21, 24 September]

Attacks on individuals

In October the Mabopane home of the former northern Transvaal chairman of the Congress of South African Trade Unions (COSATU), Mr Jerry Thibedi, was destroyed by a powerful explosion. The National Union of Metalworkers of South Africa (NUMSA) claimed that it had information that Mr Thibedi had been on a ‘death squad list’. He had been living in fear of his life after unknown men had inquired after his whereabouts at his home a week previously. Mr Thibedi evidently disappeared shortly after the blast. According to COSATU statements, Mr Thibedi had been detained. Mystery surrounded his location, the Bophuthatswana police denying that he was in their custody (see chapter on *Labour Relations*).¹⁷⁹ [¹⁷⁹ *Sowetan* 23 October, *Business Day* 23 October, *The Citizen* 22 October]

Commission of inquiry into shootings

The one-man commission of inquiry chaired by Mr Justice E A T Smith into the shootings at Winterveld on 26 March 1986 (see 1986 *Survey* Part 2 pp643–646 and p523) handed its report to Chief Mangope in October. Chief Mangope's secretary said in mid-November, however, that 'the president will only release the report in his own time'.¹⁸⁰ [¹⁸⁰ *The New Nation* 19 November]

Trials

In July 32 youths appeared in the Pampierstad magistrate's court on charges of arson and malicious damage to property relating to events in Maboloka village (Odi district) when 43 buses were set alight and the house of an MP, Mr J M Mongaula, was set alight (see 1986 *Survey* Part 1 pp201–202). On 15 July charges against 23 of the accused were dropped and the date for the new trial was set for 30 October.¹⁸¹ [¹⁸¹ *The Star* 16 July]

A trial was due to begin in December in the township of Itsoseng. The 12 accused were charged with public violence and damage to property. The case had been postponed six times since their detention on 29 May 1986 because a key state witness had not been available. The charges related to sporadic unrest following the killing of a trade unionist, Mr William Olifant. Many attending Mr Olifant's funeral had been charged and an MP, Mr Rocky Malebane-Metsing (see also *Political Developments* below), had been accused of attending and addressing a 'communist' funeral.¹⁸² [¹⁸² *The New Nation* 17 December] No further information was available.

Explosions

Three people were killed in an explosion on 17 July in the Odi district near Jericho. Police said that they had probably been killed while handling a landmine. Three weeks previously, two people had died in an explosion near Makapanstad in the Moretele region.¹⁸³ [¹⁸³ *Sowetan* 20 July, *The Citizen* 21 July]

Ciskei

Trials

On 22 May judgment was passed in the Supreme Court of Ciskei in Bisho in the terrorism trial of the Border region general secretary of the United Democratic Front (UDF), the Rev Arnold Stofile, and three others. They were sentenced on 25 May. All were found guilty on the main charge of terrorism and Mr Stofile, Mr Gladwell Gqibitole and Mr Nelson Ndlela were found guilty, in addition, on charges of possessing arms. Mr Stofile was sentenced to 11, Mr Ndlela to 15, and Messrs Linda Stofile and Gqibitole to eight years in prison respectively for the terrorism convictions. Shorter sentences for the

arms counts were to be served concurrently. The men were granted leave to appeal. Two people were jailed for four years each for refusing to give evidence for the state in the trial. One of them was a French citizen, Mr Pierre Albertini, who was jailed on 20 March but released and flown back to France in a prisoner exchange on 7 September (see chapter on *Security*).¹⁸⁴ [¹⁸⁴ Various press reports; *Work in Progress* no 48, July]

On 23 January all charges against the Ciskei's former minister of transport, Mr Ray Mali, were dropped in a Ciskei regional court in Zwelitsha. He had been arrested on 9 December 1985 and charged with theft and fraud. He had been suspended from his position as minister of transport (see 1985 *Survey* p301).¹⁸⁵ [¹⁸⁵ *Eastern Province Herald* 24 January]

Detentions

There were 69 security detentions in the Ciskei in 1987 according to the DPSC. They included that of Mr Ronnie Watson of Port Elizabeth, who was detained on 20 March under section 26 of the Ciskei's National Security Act of 1982 along with his employee, Mr Archie Mkele, after they had attended the terrorism trial of Mr Stofile and others (see above). They were released on 24 March after representations by the central government's ambassador to the Ciskei and Mr John Malcomess, MP (Progressive Federal Party) for Port Elizabeth Central. Mr Watson said that he had been extensively interrogated every day during his detention and that he had been asked repeatedly to make a false statement about his activities. He had been interrogated at length by a member of the South African security police, he claimed.¹⁸⁶ [¹⁸⁶ *Ibid* 25, 26 March]

On 23 January Mrs Nambitha Stofile, the wife of Mr Arnold Stofile, was detained under section 26 by the Ciskeian Police.¹⁸⁷ [¹⁸⁷ *The Natal Witness* 24 January.] She was released a few days later within hours of bringing an application for a court interdict restraining the police from further assaulting her.¹⁸⁸ [¹⁸⁸ *The New Nation* 29 January] In November she was believed to have again been detained.¹⁸⁹ [¹⁸⁹ *The Citizen* 25 November]

Court action involving detainees and the Ciskeian Police

In June Mrs Nellie Nozewu brought an urgent application on behalf of her detained son, Zola, for protection from assault in custody. He was released in terms of an out-of-court settlement.¹⁹⁰ [¹⁹⁰ *The New Nation* 11 June]

In October the Supreme Court of Ciskei in Bisho declared unlawful the detention under section 26 of a fieldworker for the Border Council of Churches, Mr Boyce Soci, and ordered his immediate release. He had been detained in July and the application had been brought by his wife. He was, however, immediately redetained in terms of the Criminal Procedure Act of 1977.¹⁹¹ [¹⁹¹ *The Weekly Mail* 23 October]

In November lawyers were preparing to bring a civil action against the Ciskei minister of justice, police and prisons on behalf of two women who alleged that they had been assaulted and tortured by the Ciskeian Police in their house and at the Mdantsane Police Station. They were claiming R40 000.¹⁹² [¹⁹² *The New Nation* 5 November]

In December the Supreme Court of Ciskei granted a final order to Mr Fuzile Batali restraining the Ciskeian Police from unlawfully interrogating him, assaulting him, or exerting any pressure to extract information that might incriminate him. (He had been granted an interim order in November which had not been opposed by the respondents: the Ciskei minister of justice, police and prisons and the Ciskei's commissioner of police.)¹⁹³ [¹⁹³ *Daily Dispatch* 12 December]

Prisoner releases

On 2 July the Ciskei administration released on parole a former major in the Ciskei Central Intelligence Service, Mr Ntobeko Mlotana, and three members of his family who had been jailed in January 1986 for attempting to spring him and others from prison in December 1984 (see 1984 *Survey* p520 and 1986 *Survey* Part 2 p649).

Expulsions

Workers at Pick 'n Pay Retailers' Bisho store who were members of the Commercial, Catering and Allied Workers' Union (CCAWUSA) held a weekend work stoppage in protest at the detention of a shopsteward, Mr Hemming Dali. The police allegedly demanded of the store that it terminate its relationship with the union 'or else the store would be closed down'. CCAWUSA said that the Ciskeian Police furthermore wanted to have control over who was employed by the store.¹⁹⁴ [¹⁹⁴ *City Press* 29 November] In December Mr Dali said that he had been expelled from the Ciskei after his release on 17 December. He had been driven to the Pick 'n Pay supermarket in East London where police had informed the management that they no longer wanted him in the Ciskei.¹⁹⁵ [¹⁹⁵ *Daily Dispatch* 19 December]

Political violence

On 16 July two members of the Ciskei security forces and an alleged insurgent were killed in a shootout in a house in Mdantsane. During the shootout, the insurgent, armed with a hand grenade and an AK-47 rifle, kept 17 vehicles of policemen at bay for about ten minutes, shooting two who attempted to enter the house, before himself dying in a volley of gunfire.¹⁹⁶ [¹⁹⁶ *Cape Times* 30 July, *The Weekly Mail* 17 July] In the house, the police found two limpet mines, two AK-47 automatic assault rifles, a Makarov pistol and some explosives.¹⁹⁷ [¹⁹⁷ *Cape Times* 17 July] The owner of the house identified the dead guerrilla as Mr

Mpumelelo Mbanjwa. Three policemen sustained minor injuries.¹⁹⁸ [¹⁹⁸ *Eastern Province Herald* 17 July]

On 19 July one man was shot dead and another detained in a shootout with Ciskeian Police at a house in Phakamisa during a police operation against suspected insurgents. The Ciskeian Police said that it was a follow-up to the Mdantsane shooting three days previously.¹⁹⁹ [¹⁹⁹ *Ibid* 27 July]

Attack on Chief Lennox Sebe's home

On 19 February a truckload of armed men attacked the home in Bisho of the Ciskei's president. Chief Lennox Sebe. Nobody in the house was hurt.²⁰⁰ [²⁰⁰ *The Star* 19 February] In a statement the Ciskei administration said that the attack had been a 'well-planned coup to take over the government of Ciskei'. It was 'greatly appalled by the malicious attempt to assassinate President Lennox Sebe and his wife'. There was 'concrete and sufficient evidence' that a former Selous Scout and member of the Transkei Defence Force (TDF) had 'masterminded the abortive plan'. According to the Ciskei statement, the attackers had left Umtata (Transkei) the night before the attack, had planned to take ministers as hostages, and were to capture Radio Ciskei to announce the overthrow of the president and his administration. Chief Lent Maqoma, a former Ciskei politician living in exile in the Transkei, was then to have taken over the reins of government and had been on 'standby' at an East London hotel on 18 February. During the attack, one of the attackers was shot dead and two were captured, one being critically wounded.

The Transkei prime minister, Chief George Matanzima, refused to comment on allegations that the Transkei had been involved in the alleged coup.²⁰¹ [²⁰¹ *The Citizen* 21 February, *The Star* 19, 20 February] In May the TDF soldier injured in the attack. Lance Corporal Agrippa Ndzulu, was released from a Ciskei military hospital and returned to the Transkei. He was released as a result of negotiations with the Ciskei Defence Force.²⁰² [²⁰² *The Star* 1 June]

In October the TDF set up a board of inquiry to probe the circumstances surrounding the failed attack on Chief Sebe's home. The inquiry was instituted because of the death of a TDF soldier and the loss of three vehicles in the Ciskei.²⁰³ [²⁰³ *Eastern Province Herald* 22 October]

Banning of the South African Allied Workers' Union

On 26 March the South African Allied Workers' Union (SAAWU) went to the Supreme Court of Ciskei to challenge its September 1983 banning in the territory (see 1983 *Survey* pp337–338). SAAWU had filed the application for the order to be lifted in 1983. The applicants were SAAWU and its national secretary at the time of the banning, Mr Thozamile Gqwetha, while the respondents were the Ciskei's minister of justice, Mr David Takane; the acting commander general of the department of state security, Brigadier L B Madolo, who issued the banning order; and the liquidator of SAAWU's assets, Mr Ian Melville. In the application Mr Ismail Mahomed, for the applicants, argued that the banning order was

invalid. He said that Brig Madolo had held a non-existent post when he issued the order, as the Department of State Security had been abolished two months previously. Its functions had been transferred to the Department of Justice, and the minister of justice should therefore have issued the order. SAAWU had not been given a hearing before the banning and Mr Mahomed argued that Brig Madolo had not applied his mind when he issued the order: he had taken account of irrelevant factors and ignored relevant ones. SAAWU told the court that it had had 40 000 members in the East London area and that 70% of them lived in Mdantsane (Ciskei).

In response counsel for the respondents said that the minister of justice had been empowered to appoint a commander general as the Department of State Security had not been abolished, only fused with the Department of Justice. Therefore, the post of commander general had still been vacant and Brig Madolo had been lawfully appointed. Further, Brig Madolo had taken relevant factors into account when considering the banning. One of these was the Mdantsane bus boycott (see 1983 *Survey* pp335–340) and the state's belief that SAAWU had played a leading role in it.²⁰⁴ [²⁰⁴ Flanagan L, 'The union-bashing bantustan'. *Work in Progress* no 48 July, *The New Nation* 5 November]

Judgement was reserved until the end of October, when Mr Justice H M Claassens dismissed the application with costs. He said that Brig Madolo had been properly appointed to his post and had had the necessary power to issue the ban. The fact that there had been no hearing did not contravene the relevant act. He said that Brig Madolo had applied his mind as 'he received information from reliable sources at a time when a state of anarchy prevailed' and that he had subsequently checked the information. The decision to ban SAAWU, Judge Claassens said, had been subjective and could not be ruled on by the court.²⁰⁵ [²⁰⁵ *The New Nation* 5 November]

KaNgwane

On 5 May an inquest was held in the magistrate's court in White River (eastern Transvaal) into the death of Mantlo Sabango on 11 March 1986 during police shootings at the Kabokweni magistrate's court (see 1986 *Survey* Part 2 pp652–653 and p864). The magistrate found that the cause of death was a bullet wound apparently sustained during police action. The death was not caused by any act or omission that could be construed as a crime attributable to anyone, he found.²⁰⁶ [²⁰⁶ *Hansard* (A) 4 q cols 91-92, 9 June] The attorney general decided not to institute a prosecution.²⁰⁷ [²⁰⁷ *Hansard* (A) 8 q cols 458-459, 4 August]

On 18 October three landmines were found in KaNgwane on the dirt road to the site at Mbuzini where the president of Mozambique, Mr Samora Machel, and others, died in an air crash on 19 October 1986 (see 1986 *Survey* Part 2 p655). The mines were discovered as visitors and relatives were arriving at the scene for a memorial service on the first anniversary of Mr Machel's death. A police Casspir detonated the first, after which the other two were discovered. No one was injured. Police cordoned off the area and a roadblock delayed several thousand people in a convoy of vehicles in reaching the service. (In October 1986 a military vehicle had also detonated a landmine at Mbuzini—see 1986 *Survey* Part 2

p655.) The police said that the African National Congress (ANC) was probably responsible for the planting of landmines on the road, but an ANC spokesman in Lusaka said that he 'doubted very much' that ANC members would have planted mines in such a place.²⁰⁸ [²⁰⁸ *Business Day* 19, 20 October] The service was addressed by the chief minister of KaNgwane, Mr Enos Mabuza, and speakers from the United Democratic Front (UDF) and the Congress of South African Trade Unions (COSATU). Mr Mabuza criticised the electrified fence erected between KaNgwane and Mozambique, and said that the homeland would build a monument in memory of Mr Machel and the other victims of the crash.²⁰⁹ [²⁰⁹ *Sowetan* 19 October]

KwaNdebele

Charges arising from the 1986 conflict

In May the attorney general of the Transvaal, Mr Don Brunette, said that 38 dockets had been referred to his office arising out of the conflict in KwaNdebele in 1986. He had given instructions to prosecute in 18 cases ranging from public violence, assault and arson to malicious damage to property. In the rest of the cases, he said, the evidence had been insufficient to justify prosecution.²¹⁰ [²¹⁰ *The Weekly Mail* 22 May]

In May the attorney general's office said that charges of assault with intent to do grievous bodily harm would be brought against 14 of 26 men believed to have been involved in a kidnapping and assault of youths.²¹¹ [²¹¹ *Ibid* 17 July]

In October charges of assault were pending against the chief minister of KwaNdebele, Mr Majazi Mahlangu; the minister of justice, Mr M F Mahlangu; and the minister of finance, Mr Z D Mnguni. These arose from allegations that they had been involved in the abduction and torture of political opponents during the conflict in 1986. A month previously, Mr Brunette had sent instructions to the prosecutor in the homeland to issue summonses against them, giving them the option of paying a R50 admission-of-guilt fine or defending the charges.²¹² [²¹² *The Star* 10 October]

Action against members of the royal family

On 23 January KwaNdebele police closed down the offices of the Ndzundza Tribal Authority. The authority was chaired by the son of KwaNdebele's paramount chief, Prince James Mahlangu, a prominent leader in the anti-independence struggle of 1986. On 19 February the Transvaal Provincial Division of the Supreme Court in Pretoria ordered Mr Majazi Mahlangu and the commissioner of the KwaNdebele Police, Brigadier H C Lerm, to reopen the offices, following a successful court application brought by Prince James. Prince James was not present to hear the outcome of the application because he had been arrested by KwaNdebele police in Pretoria as he was leaving the courtroom on 18 February. Mr Justice R J Goldstone found that Mr Mahlangu and Brig Lerm had acted illegally in closing the

offices without giving notice. Prince James was released on bail on 20 February after appearing in a magistrate's court in Siyabuswa in connection with allegations of organising and attending an illegal gathering.

A few days later he and his brother, Prince Andries Mahlangu, were detained under the emergency regulations as they arrived to attend a meeting of the KwaNdebele legislative assembly. Prince James was released on 27 February and Prince Andries on 5 March. On 6 March their brother, Prince Cornelius Mahlangu, was arrested by KwaNdebele police while he was attending the trial of Prince James.²¹³ [²¹³ Ibid 18, 19, 20, 26 February, 6, 9 March]

In late April Prince Cornelius, Prince James and Mr Solly Mahlangu were dismissed from their seats in the legislative assembly (see *Political Developments* below) and Prince James and Mr Solly Mahlangu were detained under the emergency regulations. Prince Andries went into hiding.²¹⁴ [²¹⁴ Ibid 30 April] On 27 May Prince Cornelius was detained by the KwaNdebele Police Force in Johannesburg outside the British consulate. He had just briefed Western diplomats about the situation in KwaNdebele. Also detained with him was a KwaNdebele businessman, Mr Abraham Mahlangu. Prince Andries, who was with them, managed to escape. Prince Cornelius had been hoping to arrange a meeting with the state president, Mr P W Botha, in the hope of persuading him not to grant 'independence' to KwaNdebele.²¹⁵ [²¹⁵ *The Weekly Mail* 5 June] The British Foreign Office issued a formal protest to South Africa's ambassador to Britain, Mr Ray Killen.²¹⁶ [²¹⁶ Ibid 12 June]

On 19 May four members of the royal family brought an urgent application in the Pretoria Supreme Court for an order restraining the KwaNdebele and South African police from harassing, assaulting and manhandling them. The police denied their allegations. Mr Justice L T C Harms said that the respondents had agreed to undertake that the applicants would not be harassed or threatened. This he said, did not necessarily imply that they had done anything wrong.²¹⁷ [²¹⁷ *Sowetan* 20 May]

Brig Lerm served Prince James and Prince Cornelius with orders restricting them from mobilising public opinion against 'independence' soon after Mr P W Botha had set conditions for granting it (see *Political Developments* below).²¹⁸ [²¹⁸ *The Weekly Mail* 17 July] They were also forbidden to attend any gathering held to oppose or criticise 'any action of any member' of the KwaNdebele administration.²¹⁹ [²¹⁹ Ibid]

On 22 June Prince James and Prince Cornelius appeared in the Siyabuswa magistrate's court for a preliminary hearing. Their lawyer said that the police had refused him permission to see his clients except in their presence, and said that he had refused to see them on those terms. They were refused bail.²²⁰ [²²⁰ Ibid 26 June]

At their second court appearance on 18 July, they were charged with intimidation and public violence. They were granted bail of R2 500 each on condition that they surrender their passports, report to their nearest police station twice a week and leave KwaNdebele only with Brig Lerm's permission. Within hours of being released on bail Prince Cornelius was rearrested, when he visited his family at the royal

kraal, allegedly for attending an unlawful meeting. His wife made a successful application in the Pretoria Supreme Court a few days later for his release. The court said that the police had acted in bad faith in arresting him.²²¹ [²²¹ *The Star* 23 July]

During the previous ten days seven people had been detained at the royal kraal. The detentions had occurred when members of the legislative assembly and police had arrived at the kraal looking for the paramount chief, King David Mabhoko, whom they did not find. Pro-‘independence’ forces were keen to persuade him to back ‘independence’, according to some reports.²²² [²²² *The Weekly Mail* 17 July] He, Prince Andries and Prince James’s wife were all in hiding, as were the three sons of the former chief minister of KwaNdebele, Mr S S Skosana. Another of his sons was in detention.²²³ [²²³ *Sunday Times* 5 July]

In September the lawyer for the two princes on trial, Mr Nano Matlala, was detained and held for a weekend shortly after leaving court. He was served with a restriction order banning him from attending or participating in any gathering to delay the ‘independence’ of the homeland. He was charged with intimidation and a previous charge against him in terms of the emergency regulations was withdrawn.²²⁴ [²²⁴ *The Star* 8 September] Mr Matlala was also involved in a pending court action to have the cabinet declared unlawful.²²⁵ [²²⁵ *Sunday Times* 6 September]

On 5 November Prince Cornelius’s wife made an unsuccessful application in the Pretoria Supreme Court for her husband’s release from detention.²²⁶ [²²⁶ *The Citizen* 6 November]

An attempt was made on Prince James’s life by a gunman in December. A man fired shots at him at his home at midnight.²²⁷ [²²⁷ *The Star* 9 December]

Violence in the aftermath of the revival of ‘independence’ plans

On 6 May the KwaNdebele legislative assembly voted to take ‘independence’ and rescinded the decision taken on 12 August 1986 to abandon ‘independence’ plans (see *Political Developments* below). Violence flared up again in KwaNdebele in the wake of the announcement. A boycott of classes which began in protest at the expulsions of the Mahlangu from the legislative assembly continued. On 8 May four classrooms at two schools were set alight. On 9 May the kraal of King Mabhoko was petrol-bombed. His kraal was raided by heavily armed men in 11 cars who fired several shots and detained at least five people. The paramount chief fled the homeland. A delivery van belonging to Prince Cornelius was attacked.²²⁸ [²²⁸ *Ibid* 11 May]

On 11 May a high school in Matshiding was gutted and youths there set fire to an administration truck. There were rumours on the same day that a bomb had been discovered at the Elandsdoom magistrate’s court in Moutse. A business in Waterval was gutted. On 12 May the Weltevrede education circuit offices were set alight. A number of patrons of Ndala’s Bar Lounge, also in Weltevrede, were beaten up with

pickhandles and sjamboks.²²⁹ [²²⁹ Ibid 12 May]

On 14 May thousands of residents heeded a call to stay away from work and school to commemorate the deaths of seven people on the same day a year previously (see 1986 *Survey* Part 2 pp682–683). Pupils claimed that people believed to be members of the Mbokotho (a vigilante group instituted in 1986 by members of the KwaNdebele cabinet and subsequently banned) raided their homes, assaulted them and ordered them to go to school.²³⁰ [²³⁰ *City Press* May]

On 15 May the Gugulethu Bar Lounge in Kameelrivier, belonging to Mr Abraham Skosana, an opponent of ‘independence’, was driven into by a truck after which it burst into flames.²³¹ [²³¹ Ibid]

Within two weeks of the ‘independence’ announcement, hundreds of people were in hiding and scores had been detained. Anti-‘independence’ groups said that the situation was so bad that they had been organising defence committees to protect activists against vigilante attacks. They said that shops were being burned in the homeland and that the police had imposed a dawn-to-dusk curfew. Door-to-door raids had been reported in Matshiding, Pieterskraal, Waterval and Weltevrede where anyone presumed to be a pupil and not attending school was allegedly assaulted. Similar raids had taken place in Kwaggafontein.²³² [²³² *The New Nation* 21 May] An eyewitness linked three MPs, one the minister of citizen liaison and information, Mr F K Mahlangu, to violent attacks on a community in Waterval B.²³³ [²³³ Ibid 28 May]

The leader of the second largest tribal authority in KwaNdebele and an MP, Chief Enoch Mabena, opposed ‘independence’ on the grounds that he could not support that which the royal family opposed. He was subsequently detained.²³⁴ [²³⁴ *Sowetan* 29 May, *Financial Mail* 12 June]

On 27 May a member of the Waterval Youth Congress, Mr Zakhe Mabanga, was shot by vigilantes and later died in hospital. The shooting was alleged to have happened in the presence of the security forces. The KwaNdebele Police Force denied that any police had been present. In the last weekend of May a man was killed and at least five people seriously injured at Ndala’s Bar Lounge in a clash between police and patrons. The police said that they had been called in to stop a fight and that they had been attacked with bottles and missiles.²³⁵ [²³⁵ *The Star* 4 June]

By 1 June more than 200 pupils, 20 teachers and two circuit inspectors were reported to be in detention.²³⁶ [²³⁶ Ibid 1 June] By the beginning of July, pupils had been boycotting classes for three months, in protest against detentions and the ‘independence’ decision. Primary schoolchildren began returning to school on 8 July.²³⁷ [²³⁷ Ibid 8 July]

On 17 June the KwaNdebele administration said that the council of chiefs had asked the chief minister for strong action against revolutionaries who undermined ‘good order’ and had asked for police protection to enable them to continue with the normal task of tribal administration.²³⁸ [²³⁸ Ibid 18 June]

After a meeting on 9 June between KwaNdebele's leaders and Mr Botha at which the state president set conditions for acceding to their request for 'independence' (see *Political Developments* below), scores of detainees in the homeland were released. Brig Lerm said that detainee numbers had been reduced to 27, adding, 'It is all quiet here. We haven't had a single incident in the past two weeks.'

In August, however, activists in KwaNdebele claimed that 150 people were in detention and that 100 of these were schoolchildren. Many were scared to go to school for fear of being arrested, and hundreds of pupils were in hiding, while others had fled the homeland fearing arrest or assault by vigilantes. In July the administration closed four schools in Weltevrede and Siyabuswa, following boycotts of classes which began in May. They were reopened at the request of parents and pupils. The minister of education and culture, Mr Placid Kunutu, said that he had not been informed officially of the pupils' detentions. He said that he had negotiated the release of 300 pupils in 1986 and added that he would do the same again if he were asked to do so. Brig Lerm said that only a few pupils were in detention in terms of the emergency regulations.²³⁹ [²³⁹ *Sowetan* 24 August]

State of emergency in KwaNdebele

Brig Lerm replaced the orders he had issued on 12 August 1986 in terms of the emergency regulations with new orders on 27 March 1987 (see 1986 *Survey* Part 2 p685). Apart from removing the restrictions on entering school buildings and reporting on the actions of the security forces, the new orders were identical.²⁴⁰ [²⁴⁰ *Official Gazette of KwaNdebele* no 25, Government Notice no 4, 27 March]

The renewed state of emergency (see chapter on *Security*) was extended to KwaNdebele on 12 June. Brig Lerm reissued the order of 27 March with some amendments. In the previous order no one could be in KwaNdebele unless he/she had a permanent abode there or was employed by a KwaNdebele concern. In terms of the new orders, 'The entrance and presence of any person who is not normally resident in KwaNdebele is prohibited: provided that the entrance or presence of any person who can prove to a member of the force that his entrance or presence is for a lawful purpose is not prohibited.' In addition, all gatherings, indoors or outdoors, were prohibited until 31 March 1988, unless prior authority was obtained from the commissioner of police, they were bona fide church services, or they were convened by the cabinet or someone authorised to do so by the cabinet.²⁴¹ [²⁴¹ *Official Gazette of KwaNdebele* no 44, Government Notice no 3, 12 June]

On 21 September Brig Lerm recalled the orders of 27 March and 12 June.²⁴² [²⁴² *Official Gazette of KwaNdebele* no 83, 18 September; *Official Gazette of KwaNdebele* no 87, 21 September] This was just before they were about to be challenged in the Supreme Court. The challenge was brought by Chief Gibson Mathebe of Moutse; a freelance journalist, Mr Patrick Laurence, who said that the restrictions made reporting in the area virtually impossible; and a migrant worker from Moutse who said that the orders inconvenienced him. They were planning to contest them on the grounds that they were 'so grossly unreasonable' in their scope that Parliament could never have intended to enable them when it passed the Public Safety

Act; alternatively, that the measures interfered so grossly with the ordinary lawful activities of the applicants that the KwaNdebele police commissioner must have acted with improper motives or without applying his mind properly at all.²⁴³ [²⁴³ *The Star* 3 September] Because the orders were recalled, the case was withdrawn.

On 2 October and again on 28 December, however, Brig Lerm issued new orders in terms of the emergency regulations. The October regulations set out a number of conditions under which funerals and burials of ‘a specified person’ could be held.²⁴⁴ [²⁴⁴ *Official Gazette of KwaNdebele* no 92, Government Notice no 22, 2 October] The December orders reintroduced the restriction on the entrance of non-residents and the prohibition of gatherings until 31 March 1988 (as contained originally in the March orders). The December orders also reintroduced the 9pm to 5am curfew and the restrictions on the presence of persons of school-going age in KwaNdebele. (These two orders had been in force since June 1986, except for the period between 21 September and 28 December 1987.)²⁴⁵ [²⁴⁵ *Official Gazette of KwaNdebele* no 128, 28 December]

Allegations regarding the revival of the Mbokotho

Residents said in late July that former vigilantes, known as the Mbokotho, had joined the KwaNdebele Police Force as security officers. The group was allegedly headed by Mr Mbizwana Mthimunya and was said to have begun a terror campaign a month previously. Many people had been tortured, harassed, detained and victimised, allegedly by the ‘security officers’. One lawyer claimed that at least ten cases were received each day concerning police malpractices. In five of these, on average, people claimed to have been assaulted, harassed and urged to join the vigilantes or the police to help fight ‘radicals’.²⁴⁶ [²⁴⁶ *City Press* 23 August] Activists alleged that members of the Mbokotho raided schools looking for ‘troublemakers’ and that they carried out some arrests with the approval of the police.

Brig Lerm denied that members of the Mbokotho were assaulting and arresting people. The Mbokotho was a peaceful cultural organisation and was not helping the police in any way, he claimed. In November a member of the Detainees’ Support Committee argued that claims that the Mbokotho had been disbanded were untrue. ‘They are still operating and driving around in white Nissan four-wheel-drives,’ he said.²⁴⁷ [²⁴⁷ *The Weekly Mail* 6 November]

Various court applications

During 1987 the Pretoria Supreme Court granted at least five applications for orders to release various KwaNdebele detainees, refused two such applications, and granted at least three applications for orders restraining the KwaNdebele police from assaulting detainees or harassing residents.

A tribal police officer in KwaNdebele, Mr Jacob Ntuli, brought an urgent application for an order

restraining the police and government officials from assaulting, threatening and intimidating him. He said in an affidavit that on 29 May armed men had woken him and his girlfriend and had violently assaulted them, stabbing them both in the back as they were dressing. Mr Ntuli was then shot twice as he tried to run away. While he had been in hospital, his girlfriend had been regularly visited and harassed by the KwaNdebele Police Force. The minister of law and order and the commissioner of police undertook, without admitting the truth of the allegations, not to commit any of the acts mentioned and also to take all necessary steps to prevent any KwaNdebele Police Force member from perpetrating any of the acts.²⁴⁸ [²⁴⁸ *City Press* 28 June]

On 24 July KwaNdebele's minister of law and order gave an undertaking that a detainee, Mr Andries Masina, would not be assaulted or treated unlawfully, following an application brought in the Pretoria Supreme Court by his father.²⁴⁹ [²⁴⁹ *The Citizen* undated]

On 19 August Mrs Dinah Kazimbi Mahlangu, the wife of a former KwaNdebele magistrate who was in hiding, applied successfully in the Pretoria Supreme Court for the release from detention of five people.²⁵⁰ [²⁵⁰ *The Star* 20 August] She said that they had been detained on 30 July by Brig Lerm accompanied by a well-known vigilante. All the detainees claimed that they had been tortured in detention. Brig Lerm said that he was investigating a perjury charge against Mrs Mahlangu because she named him as one of those performing the arrest and said that when the urgent application was sought he had already asked the South African Police (SAP) to confirm the release order for the detainees.²⁵¹ [²⁵¹ *Ibid* 10 September]

On 10 September an application for the release of four men in detention was dismissed in the Pretoria Supreme Court. The detainees included a school inspector and a businessman.²⁵² [²⁵² *Ibid* 11 September]

On 9 November an unsuccessful application was brought in the same court for the release of Mr Maphana Humphrey Mabena who was being held in terms of the emergency regulations. He had been released on 22 October after he had brought an urgent application for his release but had been immediately redetained.²⁵³ [²⁵³ *The Citizen* 10 November]

A former KwaNdebele magistrate, Mr Johannes Mahlangu, whose release from detention was ordered by the Pretoria Supreme Court on 7 December, was rearrested the following morning, according to his lawyers.²⁵⁴ [²⁵⁴ *The Star* 11 December]

The Pretoria Supreme Court ordered the immediate release on 29 December of two teachers detained in terms of the emergency regulations in late September. Mr Justice J J Strydom found that the information on the grounds of which the police had detained them was unreliable.²⁵⁵ [²⁵⁵ *Ibid* 30 December]

Allegations by The Sunday Star

On 24 May *The Sunday Star* reported that three of its employees had been held for three days in the Kwaggafontein Police Station in terms of the emergency regulations (for being there while not employed by a concern there). They were a journalist, Mr Jon Qwelane; a photographer, Mr Herbert Mabuza; and a driver, Mr Sam Mathe. *The Sunday Star* said that its reporters had seen at least seven detainees being assaulted by policemen. Some victims had been made to cling to metal bars while a policeman, wielding a pickhandle with both hands, hit them across their buttocks. When the victims could no longer stand they had been draped over a table while the assault continued. The pressmen said that during their detention they had frequently heard screams and crying coming from the direction of the charge office. Some of the detainees could hardly walk after being assaulted in the charge office. The acting station commander, a lieutenant and a sergeant, they said, had been present during some of the assaults and neither had stopped the beatings nor had reprimanded their subordinates. The pressmen saw one man, who had been shot several times in the body and face, being dumped in the charge office where his bullet wounds were counted. In his affidavit, Mr Qwelane gave detailed accounts of some assaults. He said that a number of those who had been assaulted had been forced to confess that they had variously attended meetings to promote school boycotts, had organised such meetings and had set fire to schools.

Brig Lerm said that he was deeply shocked at the newsmen's accounts and on 26 May announced the appointment of an inquiry, led by a senior officer, into the claims of brutality by his men.

In late June Brig Lerm said that an initial report by the investigating team had been referred back to them because there were still missing links in the report. When the dockets were complete, he would send them to the attorney general for a decision on whether to prosecute.²⁵⁶ [²⁵⁶ *The Sunday Star* 28 June] Brig Lerm said that the alleged assaults were not serious enough to warrant the suspension of the policemen concerned. 'If it was alleged that they had killed someone then I would have suspended them immediately,' he said.²⁵⁷ [²⁵⁷ *Ibid* 5 July]

Further events

Following a call by Moutse community organisations for a work stayaway and school boycott in the area on 7 September, several youths were detained by police and allegedly also by vigilantes. Many youths fled the area. The action had been called to protest against detentions and alleged new efforts to force residents to accept incorporation.²⁵⁸ [²⁵⁸ *Sowetan* 8 September] Moutse residents said in late October that the Mbokotho, in collusion with the police, had carried out door-to-door raids in Kwarrielaagte and Uitviught, and that many youths in the latter area had been arrested. Parents had allegedly been threatened with eviction if they refused to disclose the whereabouts of their children in hiding. The police action came in the wake of campaigns against the implementation of incorporation.²⁵⁹ [²⁵⁹ *The Weekly Mail* 6 November]

In October the Kwarrielaagte home of Mr Godfrey Mathebe, the former MP for Moutse in the Lebowa

legislative assembly, was seriously damaged in an explosion.²⁶⁰ [²⁶⁰ Ibid 16 October]

In September two policemen on a robbery investigation were shot dead near Siyabuswa by a gunman with an AK-47 rifle.²⁶¹ [²⁶¹ *Business Day* 14 September]

Inquest into the death of the minister of internal affairs

In September a magistrate, Mr L J Smit, found that nobody could be held responsible for the death of the former minister of internal affairs, Mr Piet Ntuli, on 29 July 1986.²⁶² [²⁶² *The Star* 15 September]

Expulsions

On 26 October Father Joseph Metz was told to leave the homeland within a fortnight. The Pretoria Supreme Court granted an interim interdict to stop KwaNdebele's minister of internal affairs from expelling him, by declaring the notice null and void. The return date of the application was 2 February 1988. Father Metz had lived in Dennilton (Moutse) since 1964.²⁶³ [²⁶³ *The Citizen* 18 November]

KwaNdebele Police Force operating outside KwaNdebele: legal challenge

In November four men, including Chief Makhosana Mahlangu, leader of the Congress of Traditional Leaders of South Africa, and Mr Isaac Ditshego, secretary of the Moutse Civic Association, were detained in Johannesburg and taken to KwaNdebele. (Prince Mahlangu was released on 24 December. He said that in total he had spent 13 months in detention in KwaNdebele for opposing 'independence' plans.)²⁶⁴ [²⁶⁴ *Sowetan* 31 December]

As a result of at least nine arrests in 1987 by the KwaNdebele police outside KwaNdebele, there was some speculation about the legality of homeland police operating outside their area of jurisdiction. In response to questions from Mr Peter Soal MP (Progressive Federal Party), the minister of law and order, Mr Adriaan Vlok, said in August that when it was necessary for the police force of a non-independent homeland to take action in 'South African' territory, it was necessary for them to liaise with the divisional commissioner of the SAP nearest to the homeland concerned or in the area where they envisaged such action.

Mr Vlok said that two people had been detained on 27 May in 'South Africa' by members of the SAP seconded to the KwaNdebele police. He said that they had not acted according to the prescribed requirements and the commissioner of the SAP had discussed the matter personally and thoroughly with the commissioner of the KwaNdebele police. It had been pointed out to the commissioner, Mr Vlok said, that the prescribed requirements should be adhered to strictly in future. Although other non-independent

homelands had never violated the rules in this regard their commissioners had also been reminded again of the rules as a result of the incident.²⁶⁵ [²⁶⁵ *Hansard* (A) 9 q cols 542-544, 11 August]

The legality of such detentions was tested in the Pretoria Supreme Court in December. On 22 December Mr Justice T T Spoelstra ordered the immediate release of three executive members of the South African Youth Congress, two of whom were not residents of KwaNdebele. They had been detained in terms of the emergency regulations in Johannesburg on 18 November by the KwaNdebele Police Force. Judge Spoelstra ordered their release on the grounds that the KwaNdebele commissioner of police did not have the right to operate beyond the homeland's boundaries. Lawyers for the respondents (the central government's minister of law and order, the state president and KwaNdebele's minister of law and order and commissioner of police) had argued that they could act outside their area of jurisdiction in accordance with the proclamation of the state of emergency.²⁶⁶ [²⁶⁶ *The Star* 23 December, *Sowetan* 23 December]

KwaZulu

In 1987/88 KwaZulu/Natal was affected by serious conflict and political violence. Up to April there was considerable violence in the townships around Durban and on the south coast, while violence in the Natal Midlands and townships around Pietermaritzburg escalated steadily from September (see chapter on *Political Developments* for details of events).

Violence in KwaMakhutha (Natal south coast) culminated in a massacre on 21 January of 12 people (including seven children) at the hands of men with AK-47 rifles. They were killed at the home of Mr Willie Ntuli after the house had been petrol-bombed. Mr Ntuli's son, Victor, was a leading member of the KwaMakhutha Youth League, an affiliate of the United Democratic Front (UDF). The chief minister of KwaZulu and minister of police, Chief Mangosuthu Buthelezi, expressed shock at the dimensions being assumed in the conflict between Inkatha and the UDF.²⁶⁷ [²⁶⁷ *The Star* 22 January] In the weeks leading up to the killings, at least four KwaMakhutha homes had been petrol-bombed, including that of the mayor, Mr Jerome Shabalala, and that of a KwaZulu education department inspector (whose wife was killed). A KwaMakhutha councillor died in one attack. The home of Mr Ephraim Buthelezi, the praise singer of Chief Buthelezi, was petrol-bombed for the fifth time and he was shot at in KwaMakhutha.²⁶⁸ [²⁶⁸ *The Citizen* 6, 7 January; *The Star* 6 January]

There was also violence in Umlazi and KwaMashu, KwaZulu townships near Durban. In one of the worst incidents, the bodies of seven KwaMashu Youth League members were found in a ditch at Lindelani (KwaMashu) on 17 March. They had all been brutally murdered. Their deaths had been preceded by the disruption by uniformed youths of a funeral of another youth league member a few days previously and the stoning to death of an Inkatha Youth Brigade member subsequently identified as having been part of the uniformed group.²⁶⁹ [²⁶⁹ *Sowetan* 18 March, *Business Day* 18 March]

There were attacks on a number of members of the KwaZulu legislative assembly. The home of a

KwaZulu MP and Inkatha central committee member, Mr Samuel Jamile, was attacked with a hand grenade in February and his shop damaged. He brought an application for an interdict against a Clermont businessman and UDF supporter, Mr Zazi Khuzwayo, who, he claimed, was the leader of 'comrades' in Clermont. Mr Khuzwayo, however, was gunned down in May before he had been able to oppose the application. On 28 March the MP for Nqutu, Chief M Mazibuko, was killed and his wife seriously injured in an ambush of their car near Nqutu.²⁷⁰ [²⁷⁰ *The Star* 7 April]

According to the Bureau for Information, Natal was the scene of the most violence in the country in March. The bureau attributed this to an upsurge in 'political faction fighting'.²⁷¹ [²⁷¹ *Financial Mail* 24 April]

On 30 April there was a hand-grenade and AK-47 rifle attack on police quarters at the Osizweni police barracks in which four policemen were wounded. In the same month there was also a hand-grenade attack at Isithebe (Natal north coast) which injured seven Inkatha members.²⁷² [²⁷² *The Star* 1 May, *Financial Mail* 24 April]

On 9 March Chief Buthelezi met the minister of law and order, Mr Adriaan Vlok, in Ulundi and called on the government to hand over control of police stations in KwaZulu to his administration. Chief Buthelezi said that in times of violent crisis his hands were tied as he did not control the police in troubled areas.²⁷³ [²⁷³ *Business Day* 10 March] He said, 'AK-47 rifles, hand grenades and bombs have maimed and killed Inkatha members and even members of the KwaZulu legislative assembly. We need to be put in a position where we can better defend that which so badly needs to be defended.' He also asked for the right to be able to issue firearm licences. The UDF's publicity secretary in Natal, Mr Lechesa Tsenoli, said that the region's problems would not be solved by arming one section of the population.²⁷⁴ [²⁷⁴ *The Weekly Mail* 13 March] In May the KwaZulu administration took over control of the police stations in Hlabisa, Nongoma and Ntambanana from the South African Police. From 1 June it took over the police stations at KwaMashu, Ndwedwe, Umbumbulu and Umlazi.²⁷⁵ [²⁷⁵ *The Natal Witness* 4 June, *South* 21 May] Various organisations in KwaMashu and Umlazi expressed fear that they would come under increasing pressure. They feared that the KwaZulu Police would not be an impartial law-enforcement body, and that it would actively promote the interests of Inkatha.²⁷⁶ [²⁷⁶ *The New Nation* 4 June]

On 25 June lawyers for 12 Umlazi residents sent letters to Chief Buthelezi claiming R6 000 each in damages alleging that on 16 June they had been detained unlawfully by his police for 23 hours, and 'unlawfully assaulted by being repeatedly beaten with a sjambok and kicked'. The claims were being dealt with by the Legal Resources Centre. Each claimant demanded that the amount be paid by the KwaZulu Police before 31 August or legal action would be instituted against the KwaZulu administration.²⁷⁷ [²⁷⁷ *The Natal Witness* 26 June]

The Progressive Federal Party's unrest monitoring group said in the same month that it had collected more than 20 interviews from people who had claimed to have been assaulted by the KwaZulu Police. In one affidavit a nurse said that he had walked to the KwaMashu Police Station with fresh weals on his

body to lay charges of assault against police whom he claimed had assaulted him. He alleged that he had been further assaulted there and discouraged from laying charges.²⁷⁸ [²⁷⁸ *South* 17 September]

On 18 September, in response to two urgent applications, Mr Justice W H Booysen in the Durban and Coast Local Division of the Supreme Court (sitting in Durban) ordered the KwaZulu authorities to release three detainees alleged to have been assaulted while in police custody. The alleged assaults occurred at the Umbumbulu and Nongoma police stations.²⁷⁹ [²⁷⁹ *The Sunday Star* 29 September] If they did not release the detainees, the KwaZulu authorities had to produce them in the Supreme Court the following week and show cause why not.²⁸⁰ [²⁸⁰ *Sunday Tribune* 20 September] Earlier in the week the mother of Ms Buyisile Mncube, one of the three detainees, had brought a successful application for an interim order restraining the police from assaulting or interrogating her daughter unlawfully. Ms Mncube subsequently instituted a civil claim against Chief Buthelezi for R15 000 damages for alleged wrongful detention and assault.²⁸¹ [²⁸¹ *Ibid* 27 September]

The KwaZulu Police arrested 171 KwaMashu pupils in September in terms of the emergency regulations when they attended a memorial service to mark the first anniversary of the death of Mr Andrew Zondo, an African National Congress guerrilla sentenced to death. His mother, Mrs L Zondo, claimed that she saw the police whipping the pupils. The police said that they had arrested the pupils because they attended an illegal gathering.²⁸² [²⁸² *The Natal Witness* 11 September] All but four were released. A Durban lawyer, Ms Linda Zama, said that she had been refused permission by the commissioner of the KwaZulu Police, Brigadier S Mathe, to consult one of the four who was a client of hers.²⁸³ [²⁸³ *Ibid* 23 September]

It was reported in September that Chief Buthelezi had ordered an investigation into allegations that an Umlazi youth, Mr Bhekisisa Mzizi, had been sjambokked by the KwaZulu Police until he lost consciousness. Mr Mzizi alleged that he had been accused of being a 'comrade' and questioned about the whereabouts of 'comrades', then beaten until he lost consciousness.

During the political violence in townships in the Natal Midlands and those close to Pietermaritzburg in 1987/88, some 397 people died, according to estimates by the director of the Pietermaritzburg Agency for Christian Social Awareness, Mr Peter Kerchoff. He claimed that at least 53 of those who died were in the Inkatha 'camp', 119 in the United Democratic Front/Congress of South African Trade Unions 'camp' and that the remainder were unattributable to either group. The journal *Indicator South Africa* gave a 1987 total of 402 who had died and said that a further 126 people died in the area between 1 January 1988 and 4 March 1988.

Lebowa

Inquests

Inquests into the deaths in police custody in 1986 of a journalist, Mr Lucky Makompo Kutumela, and

the United Democratic Front's northern Transvaal president, Mr Peter Nchabeleng, were held in Lebowa in June and August respectively. Members of the Lebowa Police and Lebowa's riot squad respectively were found responsible (see chapter on *Security* for details).

Trials

The MP for Mapulaneng, Mr Matsikitsane Mashile; his brother, Mr Skegopelo Mashile (also an MP) and others were acquitted in June in a regional court sitting in Nelspruit on charges of terrorism. They had been accused of seeking to undermine the state's authority and to make a region ungovernable, organising meetings at which residents were intimidated and demoralised, and calling for the elimination of tribal rule and the removal of witches and wizards. The charges related to events in the Bushbuckridge area between March and June 1986, where there had been 36 murders of people suspected of being witches or wizards, 56 cases of arson and 42 cases of public violence. The magistrate found that the state had not provided sufficient evidence to prove beyond any doubt that any of the accused had organised or taken part in any of the activities.²⁸⁴ [²⁸⁴ *The Star* 16 June] The other accused were all executive members of the Mapulaneng Crisis Committee or the Setlhare Crisis Committee.

Indemnity Act

In April the Pretoria Supreme Court heard an application brought by 17 Lebowa residents to have the Indemnity Act passed by Lebowa in 1986 (see 1986 *Survey* Part 2 p616) declared invalid. Their lawyer, Mr R KR Zeiss, SC, argued that the Lebowa administration had no authority to deal independently with emergency cases or internal unrest because the non-independent homelands were still covered by the central government's public safety laws. The National States Constitution Act of 1971 made no provision for these homelands to handle such matters on their own.²⁸⁵ [²⁸⁵ *Sowetan* 10 April] One lawyer, Mr Don Nkadimeng, had had to abandon 643 claims for more than R2m for assault against Lebowa's minister of law and order, Mr P Duba, as a result of the act. Mr Justice D J Curlewis dismissed the application but gave the applicants leave to appeal.²⁸⁶ [²⁸⁶ *City Press* 12 April]

The appeal, heard in May 1988, was successful. On 27 May 1988 the Appellate Division of the Supreme Court in Bloemfontein declared the Indemnity Act null and void. In his judgement Mr Justice F H Grosskopf said that the act was 'inimical to the protection of lives, persons and property in that it deprived persons of redress for unlawful killing, assaults or damage to property'.²⁸⁷ [²⁸⁷ *Sowetan* 2 June]

Transkei

There were two coups in the Transkei during 1987; the former state president, Chief Kaiser Matanzima, was both banished and detained; and white advisers to the Transkei Defence Force (TDF) were expelled

from the homeland. For details on these and related developments, see *Political Developments* below.

In December the Prisoners' Welfare Programme (PWP), a human rights group set up in Umtata in January, published a report on security activity in the homeland in 1987 up to 15 November. It claimed that 238 people had been detained, of whom 29 were still being held (one since 1985). A total of 738 people had been charged in 41 political trials. In 19 cases charges had been dropped or the accused acquitted and there had been convictions in only ten cases. Of 27 court applications, most of them seeking relief from detention, assaults in detention or banishment and expulsion orders, 24 had led to final orders or interim relief. The report said that there were 32 legal suits pending against the minister of police, claiming a total of R1,7m. All but two of these dealt with unlawful detention or arrest and assaults in detention. Of 155 prisoners sentenced to death in the previous ten years, 85 had been executed and 33 were on death row. There were 11 political prisoners serving sentences at the end of 1987.²⁸⁸ [²⁸⁸ *The Weekly Mail* 18 December]

The deputy director of the Institute for Management and Development Studies at the University of Transkei (UNITRA), Mr Peter Wakelin, who was detained in October 1986, was released on 10 March and expelled from the Transkei.

Father James Casimir Paulsen, an American Roman Catholic priest, was detained in the Transkei on 17 December 1986 (see 1986 *Survey* Part 2 p666).²⁸⁹ [²⁸⁹ *The New Nation* 26 March *The Star* 12 March] He was released on 11 March and immediately left the country. He said that he had been given 24 hours to leave the Transkei, where he had worked since 1978. A Catholic youth worker also detained at the time, Ms Nomonde Mathiso, was not, however, released. Interviewed in Zimbabwe, Father Paulsen claimed that he had had a wet canvas bag pulled over his head for an hour and a half during interrogation. He said that he had seen Ms Mathiso the night before his release and that she had been severely beaten and tortured, causing her to be hospitalised twice. He said that his interrogation had centred on his relations with the African National Congress (ANC) and attempts to get him to confess to delivering arms for the organisation. He was also questioned about two men who had stayed overnight at his mission in 1986. The police had suspected them of having been involved in an attack on a police station in Umtata in that year.²⁹⁰ [²⁹⁰ *The New York Times* 20 March]

Dr Zola Dabula, detained in terms of section 47 in December 1986, was released in May soon after Mr Justice H E Davies had ordered that he be visited by a district surgeon and a local magistrate. His wife had applied for an interdict. He claimed that he had been tortured and that police had accused him of being a member of several banned organisations.

In November the Transkei Supreme Court in Umtata granted an interim interdict restraining the police from assaulting a young detainee, Mr Silulami Mphakathi, following an urgent application for his release brought by the pupil's grandmother. In papers before the court it was alleged that he had been kicked, punched and burnt all over his body with a cigarette. The court ordered that he be visited by a magistrate and the district surgeon. The court also ordered the minister of police to show cause on 11 February 1988 why the detainee should not be released from detention and why the detention should not

be declared unlawful.²⁹¹ [²⁹¹ *Daily Dispatch* 30 November]

On 3 March banishment orders were issued against Messrs Dumisa Ntsebeza, Victor Ngaleka, Meluxolo Silinga, Lungisile Ntsebeza, Monde Mbimba and Zingisa Mkabile. An earlier banishment order on them in October 1985 had been lifted after an urgent court application.²⁹² [²⁹² *The Weekly Mail* 6 March] The banishment orders for Messrs Lungisile Ntsebeza and Mbimba could not be served as neither was in the Transkei at the time, but the other four were all resettled.²⁹³ [²⁹³ *Ibid* 13 March] In May the Transkei Supreme Court temporarily set aside the banishment orders on Messrs Silinga, Mkabile and Ngaleka following urgent applications by members of the men's families.²⁹⁴ [²⁹⁴ *The Star* 14 May] Mr Dumisa Ntsebeza, first president of the newly established National Association of Democratic Lawyers, also obtained an interim interdict against his banishment order which allowed him to continue working as a lawyer in Umtata.²⁹⁵ [²⁹⁵ *The Weekly Mail* 15 May] On 19 June the Transkei Supreme Court set aside his banishment order as the respondents had not filed replying affidavits and a default judgment was entered by the court. The Transkei administration was ordered to pay costs.²⁹⁶ [²⁹⁶ *Sowetan* 22 June]

In November the new prime minister, Miss Stella Sigcau, lifted the banishment orders on 17 people, including the above-mentioned men, and 'deportation' orders on 11 people (see *Political Developments* below).

The 'deportation' orders served on three lawyers, Messrs Alistair Buchan, Arnold Immerman and David Shaw on 5 December 1986 (see 1986 *Survey* Part 2 p666), were stayed on 2 April because of review proceedings. The men were served with second 'deportation' orders and their wives made an urgent application in the Transkei Supreme Court on 13 May to have the orders stayed, pending the outcome of court proceedings on the first expulsion order.²⁹⁷ [²⁹⁷ *The Star* 14 May] On that day the head of the Transkei security police, General Leonard Kawe, confirmed that they had been detained and 'deported'. One of the men was an instructing attorney to Chief Kaiser Matanzima.²⁹⁸ [²⁹⁸ *Eastern Province Herald* 14 May] They returned the same day, however, as the Transkei Supreme Court issued a rule nisi calling upon the minister of interior to show cause on 4 June why an order should not be made declaring the 'deportations' null and void. The court also ordered that border posts be contacted to prevent the men from being taken out of the Transkei.²⁹⁹ [²⁹⁹ *The Star* 19 May]

In April 75 members of the National Union of Mineworkers were detained in terms of the Transkei's Public Security Act of 1977 at a roadblock following the funeral of one of their colleagues at Elliotdale.³⁰⁰ [³⁰⁰ *Ibid* 10 April] More than 1 500 workers at the Anglo American Corporation of South Africa's New Denmark Colliery in the south eastern Transvaal, where the detained workers worked, went on strike on 7 April in protest.³⁰¹ [³⁰¹ *Business Day* 10 April, *The Weekly Mail* 10 April]

In June the administration lifted the two-year-old 10pm to 5am curfew. The state of emergency, however, remained in force. A journalist, Mr Stan Mzimba, who was arrested for contravening the

curfew regulations in Port St Johns in 1985 and who paid an admission-of-guilt fine of R50, had taken the matter on review to the Transkei Supreme Court. The attorney general of the Transkei, Mr C Nel, said that he was aware of the police practice of arresting all curfew-breakers and giving them the option of paying a fine or of remaining in custody all night. He said that people who did not wish to remain in prison for the night paid the fines under 'duress' even if they believed they had a legitimate excuse. The court granted Mr Mzimba's application to have his conviction and sentence set aside and the chief justice, Mr Justice C E L Beck, condemned as irregular the police practice of threatening to keep people in custody overnight if they did not pay fines.³⁰² [³⁰² *Sunday Tribune* 14 June] Announcing the lifting of the regulations, Chief George Matanzima said that it had been found that certain members of the Transkei police were abusing the curfew regulations. The president of the Transkei Chamber of Commerce, Mr D V Mgudiwa, said that the curfew had caused a marked decline in tourism and deterioration of relations between gun-wielding policemen and the public. He said that some businesses had had to cut down on staff because there was virtually no business in the evenings.³⁰³ [³⁰³ *Ibid*, *The Star* 16 June]

In his policy speech as minister of police in the Transkei national assembly in June, Chief George Matanzima said that during 1986/87 there had been 12 incidents involving guerrillas in the Transkei.³⁰⁴ [³⁰⁴ *The Weekly Mail* 19 June]

The Transkei commissioner of police banned meetings in the Transkei from 24 to 30 September, the third anniversary of the death of Mr Batandwa Ndongu, killed by police in 1985, falling during this period.³⁰⁵ [³⁰⁵ DPSC, *Review of 1987*, op cit] A total of fifty-seven UNITRA students were arrested and paid admission-of-guilt fines after they held a meeting to commemorate Mr Ndongu's death. No other incidents were reported.³⁰⁶ [³⁰⁶ *The Star* 30 September]

In late June 17 people, among them a public prosecutor, a doctor, civil servants and students appeared in court on terrorism-related charges. When they appeared on 20 August the defence opposed the state's application for a further postponement on the grounds that it had had ample time to complete a charge sheet. The defence also said that some of the accused had been in detention for a very long time, one since August 1985. The following day, the magistrate, Mr Joe Lukwago-Mogwera, ruled that the state was not entitled to a postponement and struck the case off the roll. The defence lawyer told his clients that they were free. They immediately jumped over the dock and into the crowd. Twelve escaped but police recaptured the remaining eight (a further three accused had in the meantime been added to the trial). Charges against one of them were subsequently dropped and the remaining seven appeared again on terrorism charges. Their lawyer, Mr Dumisa Ntsebeza, entered pleas of not guilty on their behalf. They were remanded in custody until 3 December. The Transkei attorney general brought an application in the Transkei Supreme Court to have the magistrate's ruling set aside.³⁰⁷ [³⁰⁷ *South* 24 September, *City Press* 29 November]

In July seven Transkeians appeared in the Umtata regional court on terrorism-related charges.³⁰⁸ [³⁰⁸ *Sowetan* 26 June] They were alleged, inter alia, to have recruited people to join the Pan-Africanist Congress.

They pleaded not guilty to all charges.³⁰⁹ [³⁰⁹ *The New Nation* 2 July] The trial was postponed in November.³¹⁰ [³¹⁰ *The Weekly Mail* 20 November]

Venda

The Venda administration banned the production and distribution in Venda of a newspaper called *The Advertiser* on 26 June.

A community advice centre, which was set up in January, decided to close down following rumours of an impending ban by the Venda authorities. The owner of the advice centre's premises had been summoned by administration officials and allegedly threatened with undisclosed action unless he evicted the advice centre.³¹¹ [³¹¹ *Sowetan* 1 July]

The deputy bishop of the northern diocese of the Evangelical Lutheran Church, Dean T Farisani, detained on 19 November 1986 by Venda police at his Sibasa home (see 1986 *Survey* Part 2 pp667–668), was released from detention on 30 January. In a letter he smuggled out of detention, he asked the world community to put pressure on the Venda administration to either charge or release him. The letter received wide coverage in Europe, and Dean Farisani's detention attracted a considerable amount of international attention. On his release he said that he had been on a hunger strike for 20 days. He said that he had not been assaulted although he had been threatened with death on several occasions.³¹² [³¹² Various press reports]

In a letter dated 28 January the central government's Department of Home Affairs told Dean Farisani that it had declared him a prohibited immigrant in South Africa and that he would be denied entry into South Africa if he arrived at a 'South African port of entry without a visa'.³¹³ [³¹³ *The Star* 24 February]

The case against two doctors who were charged with interfering with police work on the day of Dean Farisani's detention (see 1986 *Survey* Part 2 pp667–668) was dropped on 19 January. The magistrate had approved an order during a previous hearing to subpoena Dean Farisani.³¹⁴ [³¹⁴ *Sowetan* 20 January]

In November a police docket on the alleged activities of 17 detainees being held in Venda was submitted to the Venda attorney general for his decision on whether to prosecute. They were detained between 27 May and 3 September, and were all being held under section 29 of the Maintenance of Law and Order Act of 1985. One of them was receiving psychiatric treatment in hospital.³¹⁵ [³¹⁵ *Ibid* 17 December]

Two alleged insurgents were killed north of Venda in mid-September. The operation was started by the Venda security forces and when the insurgents left Venda the South African security forces took over.³¹⁶ [³¹⁶ *Ibid* 16 September]

Political Developments

Bophuthatswana

Elections

On 27 October Bophuthatswana held its second general election since 'independence' in 1977 for the 72 elected seats in the 108-member national assembly. The election was contested by three parties: the ruling Bophuthatswana Democratic Party (BDP), the People's Progressive Party (PPP) and the National Seoposengwe Party (NSP). The BDP, the party led by the president of the homeland, Chief Lucas Mangope, won 66 of the 72 seats; the PPP, led by Mr Rocky Malebane-Metsing, won the remaining six (all in the Bafokeng electoral division) and the NSP won no seats at all. The BDP had put up 72 candidates, the PPP 54 and the NSP 17. It was the first time that the BDP had not won all elected seats. (In the 1982 election the BDP had won all elected seats.) A minister and a deputy minister lost their seats. Six people were elected in each of the homeland's 12 electoral divisions (so each voter had to vote for six candidates). Voters had to be Bophuthatswana citizens; aged 18 years or more if they were working; or 21 years or more if they were not working. Both the BDP and the PPP had similar aims, including the continued 'independence' of Bophuthatswana, while the NSP advocated the dismemberment of the homeland and a return to central government jurisdiction.³¹⁷ [³¹⁷ *The Star* 26 October]

Dr Alan Cooper, a lecturer in politics at the University of Bophuthatswana, said that an estimated 500 000 people, inside and outside the homeland, were eligible to vote. According to official figures 116 222 people went to the polls. A total of 243 195 were registered as voters. The percentage poll among registered voters and the figure cited by the Bophuthatswana authorities, was 47,8% (compared to 30% in 1982).³¹⁸ [³¹⁸ *The New Nation* 5 November] Among eligible voters, however, it was 23%.

An affiliate of the United Democratic Front (UDF), the Anti-Bophuthatswana Campaign Committee (ABCC), urged a boycott of the elections (as well as the homeland's tenth anniversary of 'independence' celebrations). Residents in the Odi-Moretele region, north of Pretoria, staged a stayaway from the election, according to *The Star*.³¹⁹ [³¹⁹ *The Star* 28 October]

The PPP indicated that it was upset by the results and that it had decided to investigate taking legal action on alleged irregularities in at least five of the 12 divisions. Mr Malebane-Metsing alleged that in Mankwe, Taung and Thabantsu, 'there was nothing like a secret ballot, as police stood at the polling tables. We believe people were harassed into voting for the BDP', he said. He claimed that the minister of internal affairs, Mr L Motsatsi, had told the aged and disabled that they were not going to receive their grants if they did not vote for the ruling party.

The leader of the NSP, Mr Victor Sifora, said that he had received 'disturbing reports' from candidates and if these proved true then 'our feeling is that there were no elections'.³²⁰ [³²⁰ *The Weekly Mail* 6 November]

He said that there had been a 'glaring bias' against the opposition parties in the media reporting prior to the election and that there had been intimidation of voters.³²¹ [³²¹ *The New Nation* 19 November]

Prior to the election the PPP alleged that the BDP had been intimidating voters and threatening workers with either loss of salaries or their jobs if they did not vote for the party. The PPP claimed that the BDP was also using the police to intimidate PPP followers and some of the PPP candidates. A PPP candidate in Bafokeng, Mr F Diale, had been missing from his home the day before the election for a week following a police raid.³²² [³²² *The Star* 27 October] A PPP candidate claimed that Chief Mangope had ordered the homeland's broadcasting services to give air time only to his party.³²³ [³²³ *City Press* 11 October] The wife of Chief L Molotlegi, head of the Bafokeng tribe, claimed that pamphlets discouraging people from voting for the PPP, and purporting to be signed by her husband, were bogus.³²⁴ [³²⁴ *Ibid* 1 November]

Merger with Botswana

In December Chief Mangope said that his 'country' had never been part of South Africa and had no wish whatsoever to be part of South Africa. Bophuthatswana would rather merge with Botswana than become a member of a South African federation, he said. This merger was a 'possibility in the near future', Chief Mangope added. It would be a way out of Bophuthatswana's 'dilemma of not being recognised internationally'. Although the Botswana government had not been contacted in connection with such a merger, it was a strong possibility as the people of the homeland and Botswana were 'one and the same nation', he said.³²⁵ [³²⁵ *The Citizen* 7 December] The chief referred to the fact that the people of his homeland and of Botswana were of the same ethnic group and had been divided artificially by British colonial borders. A spokesman for the Botswana Department of External Affairs said that the department had no official reaction to the speech. Botswana's deputy secretary of external affairs, Mr Molosiwa Selepeng, said that, as a matter of policy, Bophuthatswana was regarded as part of South Africa and that the future of South Africa should be negotiated by South Africans themselves.³²⁶ [³²⁶ *Business Day* 9 December]

Ciskei

Relations with the Transkei

On 17 February the Ciskei issued an ultimatum to all Transkeians living in the Ciskei to leave the homeland by 31 August. A statement issued by the administration said that it was 'on full alert awaiting the planned invasion of Ciskei by fugitives from justice, backed by the Transkei battalion'. In response to a statement by the prime minister of the Transkei, Chief George Matanzima, that the two homelands would amalgamate whether Chief Sebe liked it or not, the Ciskei administration said that rather than amalgamate, Ciskeians would 'fight to the last man'.³²⁷ [³²⁷ *Africa Institute Bulletin* vol 27 no 4] There was evidence that Transkei Defence Force (TDF) soldiers were involved in an attack on the home of the

president of the Ciskei, Chief Lennox Sebe, which took place two days after this statement (see *Security* above and *Political Developments* below).

The Ciskei's director general for information, Mr Headman Somtunzi, said in February that 166 Transkeian families had already been 'deported' from the Ciskei.³²⁸ [³²⁸ *The Star* 16 February]

The central government, the Ciskei and the Transkei signed a non-aggression pact in Cape Town on 10 April. The signing followed months of rising tension between the two homelands. The three administrations agreed not to allow the planning, inciting or carrying out of acts of violence or terrorism against each other. The treaty also provided for the establishment of a three-man 'regional commission for security and co-operation' to resolve security disputes and to make recommendations on economic co-operation. Chief Sebe thanked the state president, Mr P W Botha, for having sent three senior cabinet ministers to mediate between the two homelands and to 'check what would have developed into open conflict'.³²⁹ [³²⁹ *Eastern Province Herald* 11 April]

Following the April non-aggression pact, Mr Somtunzi said that the 'expatriation' of Transkeians from the Ciskei had been halted.³³⁰ [³³⁰ *The New Nation* 30 April]

In May Chief Sebe said that amalgamation with the Transkei was 'an issue which has been buried and included in the forgotten past'. The subject, he said, had become mixed up in 'a sordid exercise' and he referred to the Transkei's harbouring of fugitives from the Ciskei, the forcible release of his half-brother, Mr Charles Sebe from a Ciskei jail, the abduction of his son (see 1986 *Survey* Part 2 pp673–675) and the attack on his home.³³¹ [³³¹ *The Star* 26 May]

In September Chief Kaiser Matanzima, the former state president of the Transkei, was held by Ciskei police at the Tamara Police Station for questioning, while on a private visit to the Ciskei.³³² [³³² *Ibid* 15 September] Mr Somtunzi said that this had been done for Chief Matanzima's safety so that he would not encounter problems during his visit to the Ciskei.³³³ [³³³ *Cape Times* 15 September]

On 11 November the foreign ministers of the Ciskei and the Transkei met in the Ciskei capital, Bisho, to try to establish full diplomatic relations. The meeting had evidently been preceded by a series of secret meetings between the two administrations, the aim of which was to facilitate the free travel of their respective citizens between the two homelands without fear of harassment. The change of prime minister in the Transkei (Miss Stella Sigcau took over from Chief George Matanzima in September—see *Political Developments* below) was said to have facilitated the meeting. In a joint statement after the meeting the foreign ministers said that their homelands were bound by ties of history and kinship. A Ciskei cabinet minister, Chief D M Jongilanga, said that they had 'found each other'.³³⁴ [³³⁴ *The Citizen* 12 November]

On 3 December Miss Sigcau went to Bisho to attend the official celebrations of the sixth anniversary of

Ciskei's 'independence' and for a courtesy visit to Chief Sebe. He said that history had been made by her visit and that he was 'jubilant' that the Ciskei and Transkei could live in interdependence and exchange expertise.³³⁵ [³³⁵ Ibid 4 December]

Attempts to extradite Mr Namba Sebe

The Ciskei's former minister of transport and a founder member of the Iliso Lomzi Movement (see 1984 *Survey* p519 and 1986 *Survey* Part 2 pp671–672), Mr Namba Sebe, who had been in exile in the Transkei since 1984, was arrested in Port Elizabeth by the South African Police on 25 September. The Ciskei's attorney general had brought an application for his extradition to the Ciskei in terms of the extradition convention between the central government and the Ciskei, Bophuthatswana and Venda administrations. In the application it was stated that Mr Sebe was wanted on two charges of corruption (related to alleged sexual harassment) and two counts of theft. On 23 December, however, the presiding magistrate in the extradition case, which was being heard in the Port Elizabeth magistrate's court, informed Mr Sebe that the application had been withdrawn, and he was released.³³⁶ [³³⁶ *The Natal Mercury* 24 December] Two days before, Mr Sebe had publicly apologised to his brother, Chief Sebe, and had promised him his full support. He said that he had turned his back on Chief Sebe and the Ciskei in 'a misguided moment'.³³⁷ [³³⁷ *Daily Dispatch* 21 December, *The Natal Mercury* 22 December]

The Albertini affair

A French citizen, Mr Pierre Albertini, was jailed in the Ciskei for four years in March for refusing to give evidence for the state in the terrorism trial of the Rev Arnold Stofile and others (see *Security* above and chapter on *Security*). The Ciskei decided not to prosecute Mr Albertini for his alleged political activities and made an offer to France in July to negotiate his release. The Ciskei claimed that the offer was made on humanitarian grounds and was not an attempt to force France to recognise the Ciskei as an independent country. It subsequently withdrew the offer to negotiate because of the refusal of the French government to talk to and negotiate his possible release with the Ciskei administration. It would also allow no further visits to Mr Albertini while he was serving his sentence (his parents had been allowed to visit him for 70 minutes in February prior to the Stofile trial).³³⁸ [³³⁸ *City Press* 26 July, *The Citizen* 28 February] In June the president of France, Mr Francois Mitterrand, said that he would delay accepting the ambassadorial credentials of South Africa's new ambassador to France, Mr H Geldenhuys, as long as Mr Albertini was in jail.³³⁹ [³³⁹ *The Daily News* 29 June] Mr Albertini was released and flown back to France as part of a prisoner swop in September (see chapter on *Security*).

Administrative matters

In March the Ciskei introduced a new levy for a national development and security fund, the aim of which was to promote the stable development of the homeland. It reportedly encountered widespread

resistance among rural people. Three weeks into April R1m had already been raised. Although contributions to the fund were supposed to be voluntary, there were persistent reports of threats and pressure against those who were unwilling to pay. Residents were also angry that no receipts were given when they paid. Some demanding them received Ciskei National Independence Party (the ruling party) receipts, fuelling allegations that money collected was going to the party rather than towards the administration.³⁴⁰ [³⁴⁰ *The New Nation* 23 April] Pensioners in Thornhill complained in May that they had been forced to pay R10 towards the fund.³⁴¹ [³⁴¹ *Ibid* 4 June]

In April the Ciskei administration declared the first Friday in May to be a national holiday in terms of the Public Holidays Act of 1981. This followed the central government's announcement of the day as Workers' Day, the Ciskei saying that because many Ciskeians worked in South Africa, it was convenient to have the holidays fall on the same day.³⁴² [³⁴² *Ciskei Government Gazette* vol 15 no 25, Proclamation no 9, 24 April; *The Star* 22 April]

The managing director of the Ciskei People's Development Bank, Mr Cecil Vanda, was asked on 7 September to take a month's leave pending an investigation into 'certain matters'. He was then dismissed at the end of September.³⁴³ [³⁴³ *The Star* 30 October]

Allegations of corruption

The Grahamstown Rural Committee claimed in June that land resources in the Ciskei were being distributed to privileged people while well over 30% of the homeland's rural population was homeless. Senior administration officials were alleged to have bought farm land in the Ciskei at prices well below the market value. Five people had bought land in the Stockenstrom and Balfour districts that had originally been bought from white farmers for the Ciskei's consolidation in sales authorised by Chief Sebe. The farms were bought for between R26 and R39 a hectare while the central government had paid up to R1 600 a hectare. The alleged purchasers included Chief Sebe's son-in-law, Mr D D Tabata; the former managing director of the Ciskei's agricultural corporation, Mr V Ngcakani; and the director general of agriculture in the Ciskei, Mr Bonile Jack. Mr Jack had allegedly, in his capacity as director general, recommended the approval of the sale of two farms to himself. In response to the allegations, the Ciskei administration said that the sale of land was a justified measure in attempting to create a class of black commercial farmers.³⁴⁴ [³⁴⁴ *The New Nation* 11 June]

General

Addressing MPs from all three houses of Parliament and the central government's ambassador to the Ciskei in November, Chief Sebe said that broken promises by the central government had created disillusionment in the Ciskei. He said that insufficient land had been handed over to the homeland after 'independence', and inadequate capital had been given to it to develop economically. He said that

evidence of broken promises was in ‘the dumping of poverty-stricken people from the urban areas back into Ciskei where we are unable to find job opportunities for them ...’.³⁴⁵ [³⁴⁵ *The Star* 6 November]

Gazankulu

In April civil servants in Gazankulu were informed in a circular sent to all departments that they had to join, by 15 June, Ximoko Xa Rixaka, the ‘national and cultural liberation movement’ formed by the chief minister of Gazankulu, Professor Hudson Ntsanwisi, in 1983. The circular said that Professor Ntsanwisi had ‘directed’ that from 25 April all serving employees of the administration, including temporary staff, had to join the organisation. Members were expected to participate actively in its activities. No extensions would be granted beyond 15 June and the circular said that appropriate steps would be taken against employees failing to comply.³⁴⁶ [³⁴⁶ *Sowetan* 25 May]

The Eastern Transvaal Youth Congress claimed that vigilante attacks on activists in the homeland were intensifying. A spokesman claimed that vigilante groups were being recruited among Mozambican refugees in Gazankulu.³⁴⁷ [³⁴⁷ *The New Nation* 25 June]

Residents of Namakgale (a proclaimed township in Lebowa near Phalaborwa) alleged in October that the Gazankulu and Lebowa administrations were engaged in a battle to win their allegiance. They alleged that both were using vigilante groups—they referred to Ximoko and to Lebowa’s Thari ya Setshaba as such—to create tribal divisions between Shangaan and Pedi speakers in the township. The Northern Transvaal Youth Congress claimed that Gazankulu officials had called a meeting exclusively for Shangaan-speaking residents in the township and told them to leave their homes and move to Lulekani, the Shangaan section of Namakgale. (Their homes were in a Pedi-dominated area.) Furthermore, the congress said that 1 800 pupils were told to apply for places in Lulekani schools. This was confirmed by a spokesman for the Gazankulu administration who said that the move was inspired by the ‘need to protect national identity’. He said that the decision had been taken by the central government’s Department of Education and Training and would also affect teachers. Gazankulu’s actions were believed by the congress to be in retaliation for Lebowa’s alleged discrimination against non-Pedis in the form of refusing them basic needs (pensions, houses and medical facilities) unless they took out Lebowa citizenship.³⁴⁸ [³⁴⁸ *Ibid* 5 November]

In February 68 pupils and four teachers of the Ritavi district appeared before a Ritavi magistrate and were charged with murder and arson. The charges arose from the stoning and burning of a local sangoma, alleged to have turned people into ‘zombies’, and the burning of eight houses.³⁴⁹ [³⁴⁹ *The Star* 19 December]

KaNgwane

A month-long strike by 400 teachers in KaNgwane was resolved on 31 August after negotiations

between the homeland's Department of Education and Culture and the National Education Union of South Africa (NEUSA). All NEUSA members, the teachers went on strike in support of their demands for a 12,5% salary increase and more books and stationery in schools. Teachers returned to school on 3 September without suffering loss of pay or disciplinary action. Three teachers detained during the strike were released.³⁵⁰ [³⁵⁰ Ibid 18 September]

The chief minister of KaNgwane, Mr Enos Mabuza, referred to the white general election in May as 'a white election for a white government which will have the supreme and ultimate legislative authority over all the people of our land'. He sincerely hoped that the white electorate would 'choose a clear-cut direction towards true democracy as opposed to the nebulous policies of undefined reforms'. At the opening of the KaNgwane legislative assembly at the end of April, he said, 'On behalf of our people, I call upon our white compatriots to stand up and be counted against apartheid. I call upon them to make a clean break with an unrepresentative form of government so that together we can as equals, strive for a new, united, democratic and nonracial South Africa.'³⁵¹ [³⁵¹ *The Natal Witness* 4 May] After the election he said that the white electorate had perceived the National Party as best able to deal with blacks without selling out white's rights and privileges, despite the fact that the new government and Parliament were not representative of all South Africans, because 70% of the population had been excluded from voting.³⁵² [³⁵² *The Citizen* 8 May]

In April Mr Mabuza registered KaNgwane's grave concern about and strong disapproval of curbs on campaigns for the release of detainees, and called for the unconditional release of all young children.³⁵³ [³⁵³ *The Star* 29 April]

KwaNdebele

Decision to opt again for 'Independence'

On 6 May the KwaNdebele legislative assembly voted unanimously to rescind a decision taken in August 1986 not to take 'independence' (see 1986 *Survey* Part 2 p690). The chief minister, Mr George Majosi Mahlangu, said that his administration would resume 'independence' negotiations with the central government and wanted 'independence' backdated to 11 December 1986, the date scheduled originally. He said that the assembly had decided that the speaker, Mr Solly Mahlangu, had acted unconstitutionally in August 1986 when he had introduced a discussion on 'independence' which had not been on the order paper for the day.³⁵⁴ [³⁵⁴ *The Citizen* 7 May]

In previous weeks prominent anti-'independence' MPs had been dismissed from the assembly: Prince James Mahlangu, Mr Solly Mahlangu (the speaker) and Prince Andries Mahlangu were expelled on 27 April on the grounds that their behaviour had become 'an embarrassment' to the administration. (Prince James and Mr Solly Mahlangu were dismissed from their positions in the Ndzundza Tribal Authority on 27 April and therefore lost their assembly seats automatically. Mr Solly Mahlangu had been dismissed

from his position as speaker on 23 February.) On 4 May Prince Cornelius Mahlangu was also expelled from the assembly by its members' unanimous vote. Both Prince James and Mr Solly Mahlangu were in detention at the time.

During the preceding months the administration had launched a propaganda campaign in which the claims of the Ndzundza tribe to royal status were challenged. There was a simultaneous attempt to bring the Manala tribe into the pro-'independence' faction and an attempt to enhance its status. Pamphlets were distributed suggesting that KwaNdebele's paramount chief, King David Mabhoko, favoured 'independence', and was being prevented by his sons (princes James, Cornelius and Andries Mahlangu) from publicising this position. Opponents of 'independence' were harassed in various ways or detained.³⁵⁵ [³⁵⁵ *The New Nation* 21 May]

Mr Majozi Mahlangu said in a statement that he had, over a period of 12 weekends since January, addressed more than 50 000 people throughout KwaNdebele and that it was 'clearly the will of our people to have our independence and take our place in the row of nations'. He also disputed the claim of the three sons of King David Mabhoko that they were princes.

On 8 May King Mabhoko challenged the administration to hold a referendum. 'That will show what the people want,' he said.³⁵⁶ [³⁵⁶ *Sunday Times* 10 May] He said that he had not been consulted about the revival of the plans.³⁵⁷ [³⁵⁷ *Sunday Tribune* 10 May] Chief Majozi Mahlangu, reacting to the paramount chiefs statement, said that the paramount chief was all for 'independence' but that he had changed his mind after he had been influenced by his sons.³⁵⁸ [³⁵⁸ *Business Day* 27 May] Prince Cornelius claimed at a press conference that the commissioner of the KwaNdebele police, Brigadier Hertzog Lerm was playing an increasingly political role and that he had spoken to the royal family about the advantages of taking 'independence'.³⁵⁹ [³⁵⁹ *Financial Mail* 12 June]

Violence flared up again in the wake of the announcement of the assembly's decision (see *Security* above) which was criticised by, inter alia, the South African Institute of Race Relations (which referred to the plans as 'sheer madness' and said that it was plain that 'the vast majority of the residents of KwaNdebele ... reject independence completely'). The plans were halted by the central government. The minister of constitutional development and planning, Mr Chris Heunis, immediately made it clear that retroactive 'independence' was not possible.³⁶⁰ [³⁶⁰ *The Citizen* 9 May] On 9 June Mr Majozi Mahlangu and members of his cabinet met the state president, Mr P W Botha, five central government cabinet ministers and a number of deputy ministers and officials in Cape Town. Mr Botha issued a statement afterwards saying that he would not stand in the way of greater autonomy or 'independence' for KwaNdebele provided certain requirements were met. He said, 'These requirements, about which the state president must be satisfied before the matter can be taken to the South African Parliament, comprise the following:

- greater autonomy or independence must be obtained in an orderly fashion and on the basis of the broad support of the population of KwaNdebele;

- a number of agreements which can make independence possible must still be negotiated by joint committees of the two governments; and
- the government of KwaNdebele must consider some or other acceptable method of demonstrating that it has the support of the broad population in its striving for independence.’³⁶¹ [³⁶¹ *The Daily News* 10 June, *The Star* 9 June]

The announcement of these conditions was welcomed in various quarters. *The Star*, referring to the conditions as ‘a welcome departure from previous practice’, said in an editorial, ‘President Botha must be applauded for his firm stand on the question of KwaNdebele “independence”. The bloodletting in that troubled area must be stopped. Whatever fruits the homeland leaders may see for themselves in taking the independence route, the mayhem that is sure to follow does not warrant it.’³⁶² [³⁶² *The Star* 1 October]

Dr Tom Lodge, a senior lecturer in the Department of Political Studies at the University of the Witwatersrand, said that KwaNdebele had become the first homeland to be asked to ‘prove’ it had the support of its people before being allowed to exercise the ‘independence’ option. ‘It may be that Pretoria is getting cold feet,’ he said. For the first time, Dr Lodge said, the central government itself could be attempting to prevent the ‘independence’ of one of its homeland creations. Dr Lodge said that if there was a referendum to test public opinion, organisations such as the United Democratic Front (UDF) would have to use the opportunity to exercise and thus prove their influence.’³⁶³ [³⁶³ *The Sunday Star* 14 June]

Mr Peter Soal MP (Progressive Federal Party) claimed in July that KwaNdebele was in a ‘state of virtual civil war’ and that although the Mbokotho (a vigilante group) had reportedly been disbanded, he had discovered ‘considerable evidence’ during a visit there that there appeared to be ‘a reign of terror by this organisation throughout KwaNdebele’. He said that Mr Majozi Mahlangu had been holding a series of meetings ‘following which he will no doubt convey to the South African government the message that the people of KwaNdebele are in favour of independence’. Mr Soal said that Mr Mahlangu had held separate meetings with taxidivers, businessmen, teachers and civil servants. At each of these meetings the chief minister would ask whether anyone was opposed to ‘independence’ and not one person would respond in the affirmative as they were afraid of losing their jobs or licences. Furthermore, Mr Soal said, there had been an enormous police presence at the meetings which further added to the intimidation. He said that the person who was generally regarded as ‘the natural leader of the majority of the Ndebeles’, Prince James Mahlangu, had been restricted from holding any meetings or from criticising the concept of independence. He questioned why the central government allowed the situation in KwaNdebele to continue. ‘There is no way that a free and democratic test of the wishes of the people with regard to independence is possible under present conditions.’³⁶⁴ [³⁶⁴ *Hansard* (A) 7 cols 2582-2586, 29 July]

The minister of development aid, Dr Gerrit Viljoen, referred to Mr Seal’s comments about KwaNdebele as ‘deplorable, irresponsible and in many ways mean’. Mr Mahlangu was ‘a well-educated, responsible person who has impressed us in the negotiations we have had with him’. The state president had

required of the government of KwaNdebele in a ‘very responsible way’, with a view to the possible granting of independence, that they had ‘first to convince him that there is a broad basis of support for such independence’ and that it could be introduced in a way ‘that will ensure the continued stability of life in KwaNdebele’.³⁶⁵ [³⁶⁵ Ibid cols 2653-2654]

The KwaNdebele authorities held a meeting in July to which they invited various businessmen and others. They were addressed by Mr Majozi Mahlangu and reportedly told to support ‘independence’ as it would help to create new job opportunities. They were also told to toe the line otherwise they would lose their trading licences, and had to give their names and addresses. One of the businessmen invited was detained after the meeting.³⁶⁶ [³⁶⁶ *The Star* 24 July]

In the KwaNdebele administration’s first reaction to the conditions imposed on taking ‘independence’, the minister of citizen liaison and information, Mr F K Mahlangu, claimed in July that ‘large-scale intimidation’ was making impossible a referendum to prove that the population wanted ‘independence’. The administration was therefore finding it difficult to comply with one of the preconditions set by the state president. He said that a method other than a referendum would have to be sought in order to enable people to vote publicly without fear on the issue.³⁶⁷ [³⁶⁷ *Die Burger* 11 July]

In August Mr Heunis said that no ‘independence’ negotiations had yet taken place with the KwaNdebele administration. These would occur as soon as the administration had indicated that the requirements, as laid down by the state president, had been complied with.³⁶⁸ [³⁶⁸ *Hansard* (A) 9 q col 554, 11 August]

In September Mr F K Mahlangu said that the conditions set by the state president were unacceptable. He said that Mr Botha had suggested that popular opinion could be gauged in a number of ways such as through a referendum or a committee of inquiry. Both were unacceptable, he said, because of intimidation by anti-‘independence’ elements. ‘I personally see these three conditions as something which is unacceptable. The reason? We mustn’t play into the hands of our enemies.’ Should the conditions be met, he said, the African National Congress (ANC) would capitalise on the situation. He asked, ‘Now who is playing into the hands of the radicals?’³⁶⁹ [³⁶⁹ *The Star* 10 September]

On 22 September Mr Majozi Mahlangu said that KwaNdebele would go ahead with ‘independence’ without a referendum. He was confident that some other acceptable demonstration of support would convince the state president to support the plans. He claimed that in 1982 the people had expressed themselves ‘vociferously’ in favour of ‘independence’, and he saw no reason why they should have changed their views. Further, he said, the sole reason for voting in 1984 was to create an ‘independent’ state. ‘We regard that as a mandate.’ He added that there was ‘only one person in KwaNdebele against independence’. (Mr Mahlangu did not name this person.)³⁷⁰ [³⁷⁰ *The Star* 23 September, *The Citizen* 23 September, *Financial Mail* 25 September]

In October Mr Heunis said that no feedback had yet been received from the KwaNdebele administration relating to progress in complying with the state president’s conditions. On 11 September Mr Majozi

Mahlangu had indicated that he and his cabinet wished to see the state president regarding the three requirements and the request was receiving the necessary attention, Mr Heunis said.³⁷¹ [³⁷¹ *Hansard* (A) 16 q cols 1127-1128, 6 October]

At the end of July the KwaNdebele administration held a prayer meeting at the national stadium in KwaMhlanga to pray for peace.³⁷² [³⁷² *The Star* 29 July] Most administration buildings were closed and civil servants told to attend. Among the speakers were homeland cabinet ministers and priests from various denominations. Mr Majozi Mahlangu prayed that all ‘troublemakers’ who damaged other people’s properties would ‘help build the Ndebele nation and not to destroy it’. He said that God should help newspapers and the people who reported negatively about KwaNdebele ‘to give positive and correct information about this peace-loving nation which is not being given a chance to demonstrate its abilities’. He appealed to those who were ‘fighting for power’ to do so without involving the people of KwaNdebele.³⁷³ [³⁷³ *Ibid* 31 July]

Appointment of new commissioner general

Mr P J K Kriel was appointed commissioner general of the South Ndebele national unit from 1 June 1987.³⁷⁴ [³⁷⁴ *Hansard* (A) 3 q cols 51-52, 2 June]

Formation of new organisations

On 23 September the formation of a new organisation, the Congress of Traditional Leaders of South Africa (COTRALESA), was announced. It had been formed by chiefs in KwaNdebele and Moutse with the specific aim of challenging the homeland system and, in particular, the KwaNdebele administration’s attempt to gain ‘independence’. According to its constitution, it aimed to unite all traditional leaders in the country; to take up the ‘demands of our communities jointly with them’; to ‘fight for the eradication of the bantustan system and restore South African citizenship to all our people’; to ‘school the traditional leaders about the aims of the South African liberation struggle and their role in it’; to run projects and self-help schemes ‘together with other progressive organisations’; to win back ‘the land of our forefathers and share it among those who work it in order to banish famine and land hunger’; and to fight for a unitary, nonracial and democratic South Africa. The interim chairman was Mr Morgan Mathebe, the son of Chief Gibson Mathebe of Moutse. At the time of the launch 38 subchiefs in the area were members. Chief Makhosana Mahlangu of the KwaNdebele royal family was also on the interim committee. He said that it aimed to recruit all traditional leaders and that COTRALESA already had members in Bophuthatswana and Venda.³⁷⁵ [³⁷⁵ Constitution of the Congress of Traditional Leaders of South Africa (COTRALESA), *Sowetan* 24 September]

Activists in KwaNdebele formed a new organisation in October called the KwaNdebele Youth Interim Committee, which worked closely with the South African Youth Congress and COTRALESA. As a

result of a campaign it conducted, various artists and football clubs withdrew from a cultural day organised by the KwaNdebele administration on 16 October in which they had been scheduled to participate.³⁷⁶ [³⁷⁶ *Sowetan* 16 October]

The Northern Transvaal Youth Congress called on youth to defend KwaNdebele communities from the Mbokotho and for chiefs and subchiefs in the region to join COTRALESA.³⁷⁷ [³⁷⁷ *The New Nation* 22 October]

Supreme Court cases involving KwaNdebele

Apart from the numerous court applications for the release or protection of KwaNdebele detainees during 1987 (see *Security* above), anti-independence groupings in the homeland were planning court challenges to the legality of the administration.

Court challenge to the legality of the KwaNdebele administration

In August Prince Andries said at a press conference that members of his family were to challenge in court the legitimacy of the KwaNdebele administration. The decision had been taken a few days before after the Ndzunza Tribal Authority had been taken over by 'illegitimate' MPs, he said.³⁷⁸ [³⁷⁸ *The Star* 7 August] The case was still pending in May 1988.

The speaker's court application

Mr Solly Mahlangu (the former speaker) brought an application in August in the Transvaal Provincial Division of the Supreme Court (Pretoria) for an order restoring him to office and his seat in the assembly, and declaring legislation passed since his dismissal as of no force or effect. He argued that parliamentary procedure had been ignored when he was removed as speaker.³⁷⁹ [³⁷⁹ *Ibid* 15 August] On 5 November Mr Justice G Leveson granted an order declaring Mr Mahlangu to be the speaker and to have been the speaker since 23 February 1987 (the day he had been dismissed from office). He also set aside his dismissal (on 27 April) from the legislative assembly. These orders were granted on the grounds that the assembly had not given proper notice of the motion for his dismissal (14 days'). The judge did not grant the application that all acts by the legislative assembly since that date be declared of no force and effect.³⁸⁰ [³⁸⁰ *The Citizen* 6 November]

Court challenge to the validity of the 1984 elections

In April 1988 Mrs Paulina Machika of Kameelrivier in KwaNdebele challenged in the Pretoria Supreme Court the denial of the franchise to women in KwaNdebele's election of 1984. She also sought an order to have the election declared null and void and applied for an interdict restraining the 16 elected members from fulfilling any of the functions of the legislative assembly. She was supported by four

other women in her attempt. She noted in papers prepared by her attorney, Mr Geoff Budlender, that the exclusion of women from the vote was of direct relevance to the dispute over 'independence' as the chief minister claimed that the election gave him the mandate to seek 'independence'. Mrs Machika said that she had gone to vote in 1984, only to be turned away and forced to watch as men junior to her in 'responsibility and status' were permitted to cast votes simply because they were men. The proclamation disqualifying women from voting and standing for election, Proclamation R205 of 1979, was issued in terms of the National States Constitution Act of 1971 which, she argued, did not give the state president the power to discriminate on the basis of gender. She said that the interests of women could not be served by an all-male legislative assembly (women were also barred from standing for election). She added that many men were away from the homeland as migrant labourers so the women, who remained behind, were most directly affected by, and had the most direct knowledge of, the functions of the KwaNdebele authorities.³⁸¹ [³⁸¹ *The Star* 31 October, *The Weekly Mail* 30 October]

On 20 May 1988 judgement was delivered, Mr Justice C F Eloff granting an order declaring void the provisions of Proclamation R205. He also declared the election of the 16 KwaNdebele MPs in the 1984 election, which included Mr Majozi Mahlangu, to be null and void. Judge Eloff said that the state president's amendment to Proclamation R205 specifically to exclude women from voting was unreasonable and was not authorised by the National States Constitution Act. Counsel for the respondents had argued that the 1971 act made provision for a 'gradual evolution' towards western standards with women voting. The respondents had argued that the legislative assembly had unanimously requested the state president to amend the structure of the assembly because its view was that women did not take part in political decision making traditionally. Judge Eloff said, 'It is a fact that large numbers of KwaNdebele's men are migrating labourers, who are absent for long periods of time, and that it is the women who have more specific knowledge of local matters.'³⁸² [³⁸² *The Citizen* 21 May 1988]

The application was not opposed by two of the 16 elected MPs, Prince Andries Mahlangu and Chief Makhosana Mahlangu. The respondents (the state president and the remaining 14 MPs) were ordered to pay costs.

The speaker of the legislative assembly, Mr Solly Mahlangu, said that the ruling had caused a constitutional crisis and had come to the rescue of the Ndebele people at an appropriate time for the KwaNdebele administration to test the feelings of the people for 'independence'. If the administration was outvoted, he said, the question of 'independence' would simply fall away.³⁸³ [³⁸³ *Daily Dispatch* 26 May 1988]

The respondents were granted leave to appeal against the judgement.³⁸⁴ [³⁸⁴ *The Star* 27 May 1988] As a result, Mr Mahlangu and the elected MPs remained lawfully elected pending the outcome of the appeal.

On 24 June 1988 the central government introduced the Constitutional Laws Second Amendment Bill retroactively to validate all actions of the KwaNdebele legislative assembly until another election could be held. The bill also sought to extend the vote to women, and to compel KwaNdebele to hold an

election as soon as possible after the commencement of the proposed act. According to the bill's accompanying memorandum, the government foresaw 'absolute chaos' if all the actions of the KwaNdebele legislative assembly since November 1984 were not validated.³⁸⁵ [³⁸⁵ *The Star* 24 June 1988, *The Natal Witness* 25 June 1988]

General

In his first major speech as new chief minister of KwaNdebele, Mr Mahlangu spelt out a 'national reconstruction policy' for the homeland. He vowed that a repetition of the violence of 1986 would never again be allowed. The homeland would be rebuilt through a 'clean-up' of the administration, the involvement of people in development planning at grassroots level through local government structures, and an 'energetic' national development plan, he said. He said that the 'self-styled princes' and their helpers from outside had captured the imagination of the media and many residents and had then, he alleged, led the homeland into a 'reign of terror' in which 'necklace' murders, the destruction of property and the alienation of the youth had occurred. Mr Mahlangu said that the security situation was calm and warned 'meddling foreigners to keep their noses out' of Ndebele politics or they would 'feel the heat'. He said that much of the 1986/87 budget had had to be used to repair the damage caused by the 1986 violence.³⁸⁶ [³⁸⁶ *Growth* Autumn]

KwaNdebele was planning a major youth training programme which would eventually accommodate 5 000 pupils a year. The first centre, the Phumalanga Youth Guidance and Leadership School, was opened at Goederede during 1987. It was the first of five such centres to be established. It ran two one-week courses every three weeks. Those attending would receive outdoor training and lectures on subjects such as 'Our land KwaNdebele', the KwaNdebele administration, the history and origin of the Ndebele people, national symbols of KwaNdebele, KwaNdebele traditions, and 'the future'.³⁸⁷ [³⁸⁷ *Ikhwezi* October]

KwaZulu

KwaZulu/Natal Joint Executive Authority

Proclamation 119 of 7 August established the KwaZulu/Natal Joint Executive Authority.³⁸⁸ [³⁸⁸ *Government Gazette* no 10858, Proclamation no 119, 7 August] It was inaugurated on 3 November. It was officially opened by the state president, Mr P W Botha. KwaZulu's minister of education and culture, Dr Oscar Dhlomo, was elected as its first chairman. For details, see chapter on *Government and Constitution*.

KwaZulu Natal indaba

The progress and setbacks of the KwaZulu Natal indaba are discussed in the chapter on *Government and Constitution*.

Administration

In terms of the KwaZulu Public Service Amendment Bill passed by the KwaZulu legislative assembly on 4 June, KwaZulu civil servants who had not signed a pledge of loyalty to the KwaZulu administration in 1986 would be compelled to do so. If they refused to sign they would be guilty of an offence and could be charged with misconduct. In terms of the pledge, all civil servants had to undertake in writing ‘never directly or indirectly in word or deed, to vilify, denigrate or in any manner speak in contempt of the head of the KwaZulu government, members of the cabinet, members of the legislative assembly and all persons in authority in the KwaZulu Government Service’.³⁸⁹ [³⁸⁹ *The Daily News* 5 June]

At its annual conference in September the National Education Union of South Africa (NEUSA) adopted a resolution condemning the KwaZulu administration for forcing teachers to sign a pledge of loyalty to the administration. It added, ‘We note that while a teacher can legally refuse to sign the pledge, the vigilante threat and the victimisation danger compel KwaZulu teachers to sign the demeaning document. We note further that by making civil servants sign a pledge of loyalty, it indicates that the KwaZulu government does not have the support of the teachers.’³⁹⁰ [³⁹⁰ *Sowetan* 24 September]

In April representatives of the white farming community in Richmond met local tribal chiefs and KwaZulu administration officials to discuss drawing up an accord with the local community. The convener was the chairman of the Richmond Development Association, Mr R Nicholson, who said that they were setting up a forum through which problems between blacks and whites in the community could be discussed without the involvement of police and the courts. ‘It is essentially all about raising the quality of life for blacks in the area,’ he added. A co-operation agreement had been reached in 1986 in Louwsburg (Vryheid)—see 1986 *Survey* Part 2 p694.

In July Chief Buthelezi announced at an Inkatha rally in Ulundi that KwaZulu would have nothing to do with regional services councils (RSCs) because Africans had not been adequately consulted about them. He rejected them in various other speeches during 1987 (see chapter on *Government and Constitution*).

In August Chief Buthelezi received the freedom of Inanda, the large African settlement on Durban’s boundary.³⁹¹ [³⁹¹ *The Citizen* 3 August]

A resident of the township of Osizweni (Newcastle) was, in September, planning to apply in the Supreme Court for an interdict restraining the KwaZulu administration from collecting rent in the township. The application was being brought on the grounds of alleged irregularities in the allocation of funds and land and in the administration of the township. Allegations against Inkatha leaders included death threats against councillors opposed to them and the use of the township’s youth to carry out acts of violence. The major charges being brought against the KwaZulu administration included that millions of rands received by it from the township in rentals had allegedly never been put back into Osizweni in any tangible form; few business sites were available as some community leaders had allocated prime

premises to themselves; and land bought by residents in the 1880s was being resold by the township office in neighbouring Madadeni. The applicant was to represent more than 200 landowners whose sites had allegedly been resold by the township's manager without their knowledge. The minister of interior in KwaZulu, Dr D Madide, said that allegations that rentals had not been used to upgrade Osizweni were 'nonsense'. He said that there had been a tendency to neglect Osizweni but that this had been corrected.³⁹² [³⁹² *Sunday Tribune* 27 September]

KwaZulu/Natal Planning Council report

On 27 January 1987 the KwaZulu/Natal Planning Council handed its final report to Chief Buthelezi; the minister of constitutional development and planning, Mr Chris Heunis; and the minister of development aid, Dr Gerrit Viljoen. The council was jointly established in 1984 by the central government and the KwaZulu administration to investigate and submit recommendations to them on ways and means of improving the quality of life of African people in Natal and KwaZulu, particularly the Greater Durban Area. The council's interim report, which dealt with urgent priority projects, had been submitted in July 1985 and the recommendations were being implemented. At a handing-over ceremony in Cape Town, Mr Heunis indicated that the main problem in implementation would be finance. Although he hinted that a substantial amount of the money could come from RSCs he gave the assurance that the proposals would not be used to force KwaZulu to accept RSCs. Implementation could be subjected to control by the KwaZulu/Natal Joint Executive Authority, Mr Heunis said. Dr Viljoen said that in terms of the council's interim report the government had entered into contracts totalling almost R100m.³⁹³ [³⁹³ Joint press release by Mr Heunis and Dr Viljoen on the handing over of the final KwaZulu/Natal Planning Council Report to the KwaZulu and South African governments, 27 January]

Meeting with Lebowa's chief minister

In December the new chief minister of Lebowa, Mr M N Ramodike (see below), addressed the KwaZulu legislative assembly in Ulundi. He and Chief Buthelezi issued a joint press statement after their meeting in which they reaffirmed the commitment of Lebowa and KwaZulu to establish 'one sovereign multiparty parliament in which there shall be universal adult franchise and total equality before the constitution and the law'. They reaffirmed their 'commitment to bring a nonracial multiparty democracy into being through the politics of negotiation' and their opposition to apartheid. They rejected the tricameral parliamentary system as a 'failed experiment', rejected racism as 'a cornerstone' of the constitution and said that the interests of blacks and whites were indivisible.

Chief Buthelezi and Mr Ramodike undertook not to participate in any negotiations aimed at making the country's 'various ethnic minorities building blocks of future constitutions'. Referring to themselves as the 'de facto and de jure leaders of ten million South Africans', they said that the distinction between own and general affairs could never replace the 'normal distribution of state authority over the three tiers of government'. They said that they saw no hope for the proposed national council and would not participate in it unless its 'stated intention' was to initiate a 'new multi-party, multiracial democracy in

which the majority of all race groups are governed the way they want to be governed'. It would 'come to nought unless black democracy is unshackled', they said, adding that this should begin with the release of political prisoners. The 'politics of revolutionary violence' were rejected by the two leaders who said that they 'abhor the divisive forces at work in black society'. They called for the unity of all Africans. They also undertook to 'continue striving for greater unity between Lebowa and KwaZulu'.³⁹⁴ [³⁹⁴ Joint press statement by Chief Buthelezi and Mr Ramodike, Ulundi, 9 September]

Tribal conflict

KwaZulu's minister of justice, Mr C J Mthethwa, said that between March 1986 and March 1987, a total of 127 people had been killed in 'faction fights' in KwaZulu. He asked the KwaZulu legislative assembly to empower chiefs to relocate 'troublemakers' to areas of chiefs with the same surnames as themselves.³⁹⁵ [³⁹⁵ *The Natal Witness* 30 April]

In January the Durban and Coast Local Division of the Supreme Court granted an interdict restraining Prince B J Zulu from installing himself as chief. Prince Johannes M Zulu had applied for the interdict in the wake of a dispute in the Nongoma district over the position of acting chief. The court ordered that the applicant remain acting chief until 1994 when the 13-year-old heir to the chieftainship was to become eligible.³⁹⁶ [³⁹⁶ *The Daily News* 17 January]

Lebowa

Change of chief minister

The chief minister of Lebowa since 1973, Dr Cedric Phatudi, died on 7 October. He was succeeded by the 46-year-old minister of economic affairs and planning, Mr Mogoboya Noko Ramodike, who was elected unanimously by the Lebowa legislative assembly on 21 October. He immediately announced his new cabinet, dropping from it the minister of finance, Chief L C Mothiba. and the minister of public works, Chief L S Matlala. He said that the homeland would never opt for 'independence' and suggested that a clause be inserted into the homeland's constitution making this non-negotiable. Lebowa would not participate in the proposed national council (see chapter on *Government and Constitution*) 'at least as long as other organisations, including exiled movements, are excluded. We cannot participate when our people in Moutse are forced to accept independence by being forcefully incorporated into KwaNdebele', he said.³⁹⁷ [³⁹⁷ *Sowetan* 22 October] Mr Ramodike also appealed to other homeland leaders not to participate until all political leaders had been released and political exiles were back home.³⁹⁸ [³⁹⁸ *The Citizen* 22 October]

Thari ya Setshaba

On 30 April Dr Phatudi launched a 'cultural and liberation movement' called Thari ya Setshaba. The steering committee guiding the formation of the organisation had as its general secretary Mr Ramodike. Its convenor was the minister of law and order in Lebowa, Mr M J Duba. The *Sowetan* reported two weeks previously that all 13 education circuits would be expected to send along two busloads of teachers and pupils to the launch.³⁹⁹ [³⁹⁹ *Sowetan* 15 April]

About 3 000 people, mainly schoolchildren, attended the launch. Almost the entire Lebowa Police Force was in attendance and South African troops patrolled the surrounding streets. Schools and administration offices were closed on the day of the launch but most civil servants stayed away from it, apparently in response to a pamphlet distributed in the northern Transvaal calling on people not to attend. Dr Phatudi said that Thari replaced the Lebowa People's Party and was open to all South Africans. In terms of its constitution the organisation was a 'non-violent national cultural liberation organisation' which would strive for the achievement of African humanism. It provided for the affiliation of other organisations. Membership was voluntary.⁴⁰⁰ [⁴⁰⁰ *Ibid* 4 May] Mr Ramodike succeeded Dr Phatudi as president when the latter died.

'Independence' issue

In June the Lebowa legislative assembly passed a unanimous motion, brought by the MP for Nebo, Mr M J Mahlangu, that Lebowa's refusal to take 'independence' was non-negotiable. The state president, Mr P W Botha, and the South African ambassador to the United States, Dr Piet Koornhof, had evidently both talked about 'independence' in previous months while in Lebowa. Mr Mahlangu said, 'President Botha should be reminded that whenever he visits Lebowa for other functions that he should stop talking about independence for Lebowa'.⁴⁰¹ [⁴⁰¹ *Sunday Times* 14 June]

Other political matters

In January Dr Phatudi and the leader of the New Republic Party, Mr Bill Sutton, jointly convened a conference of 'moderate groups' in Pretoria to forge an alliance between 'reasonable South Africans which would form the foundation of a new peaceful South Africa'. They did not invite various organisations and parties including the National Party and the United Democratic Front. Delegates present were from Gazankulu, Lebowa and QwaQwa. The KaNgwane administration excused itself.⁴⁰² [⁴⁰² *The Citizen* 23, 26 January]

In December Mr Ramodike met the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, in Ulundi, the KwaZulu capital, for talks (see above).

Administrative matters

In January the public service commission in Lebowa issued a circular announcing that the homeland's cabinet had decided in November 1986 that 1 May and 16 June were to be public holidays in the territory. An amendment in 1986 to the National States Constitution Act of 1971 had removed the requirement that non-independent homelands had to substitute 'South African' public holidays if they established their own (see 1986 *Survey* Part 2 p600).

Lebowa's new R10m legislative assembly buildings in Lebowakgomo were officially opened in April by Mr P W Botha and all administrative offices moved there from Seshego. Mr Botha said that in the constitutional field a framework had been created for Lebowa to develop as an autonomous government and that this process had not yet been completed. 'I hope we will complete it in my lifetime,' he added.⁴⁰³ [⁴⁰³ *Sowetan* 24, 28 April]

General Notice 240 of 16 April transferred to the Lebowa legislative assembly powers relating to the establishment, maintenance and administration of the following townships: Gakgapane, Hlogotlou, Lebowakgomo, Lenyenye, Leroro, Mahwelereng, Mankweng, Moetladimo, Moganyaka, Motetema, Namakgale, Sebayeng, Seshego, Senwamokgope, Shatale and Tubatse.⁴⁰⁴ [⁴⁰⁴ *Government Gazette* no 10703, General Notice no 240, 16 April]

In May four men were given sentences of between seven and nine years each, three years of which were suspended in each case, after their conviction in the Circuit Local Division of the Supreme Court (Pietersburg) of the murder of a woman in January 1986 at Makgwareng. They had accused her of being a witch and had burnt her to death.⁴⁰⁵ [⁴⁰⁵ *The Star* 15 May]

QwaQwa

In May members of the ruling Dikwankwetla Party of QwaQwa resolved at their national council meeting not to opt for 'independence'. (All but one of the 80 MPs in the QwaQwa legislative assembly are members of the Dikwankwetla Party.) A party spokesman said that reports that the QwaQwa administration would opt for 'independence' when Botshabelo was transferred to it were incorrect.⁴⁰⁶ [⁴⁰⁶ *The Citizen* 11 May] A month later, however, *UDF News* claimed that there were strong rumours that the QwaQwa administration was considering 'independence' and that this had invoked the anger of students, youth and the civil service.⁴⁰⁷ [⁴⁰⁷ *UDF News* vol 4 no 2, June]

In December the 500 000-strong township of Botshabelo, 330km from QwaQwa, was incorporated into the homeland, fuelling fears in some quarters that the homeland would opt for 'independence' (see *Land* above).

Transkei

Political developments in the Transkei during 1987 were dominated by the intervention of the Transkei Defence Force (TDF) in the political sphere, culminating in a takeover of the administration by the TDF under Major General Bantu Holomisa on 30 December.

Expulsions of white army officers

In February an attack was launched on the home of Chief Lennox Sebe, president of the Ciskei by members of the TDF (see *Security* above). On 6 April the director general of information in the Ciskei, Mr Headman Somtunzi, said that former Selous Scouts in the TDF had been involved in the kidnapping of Chief Sebe's son in 1986 and the escape from a Ciskei prison in 1986 of Mr Charles Sebe, Chief Sebe's half brother.⁴⁰⁸ [⁴⁰⁸ *Eastern Province Herald* 7 April]

At the beginning of April the Transkei administration terminated the contracts of the 27 white army officers in the TDF, including those of the many former Rhodesian Selous Scouts who served as advisers under Major General Ron Reid-Daly. On 4 April junior officers in the TDF had arrested Maj Gen Reid-Daly and 11 other white officers. They and ten other white officers were all subsequently expelled. The other white advisers left of their own accord. On 8 April the prime minister of the Transkei, Chief George Matanzima, said that the TDF's white advisers had been expelled for their 'own safety' because relations between them and TDF officers had deteriorated. Chief Matanzima announced at the same time that a brigadier in the TDF, Brigadier Bantu Holomisa, who had been released from detention (he had been detained for nine weeks) would be promoted to the rank of major general and would succeed General Zondwa Mtirara as commander of the armed forces. Maj Gen Reid-Daly said that Brig Holomisa had been sprung from detention on 31 March by elements of the TDF opposed to the influence of the white advisers. An 'action committee' was reportedly responsible for the rebellion in the military.⁴⁰⁹ [⁴⁰⁹ *The Star* 9 April, *Sunday Tribune* 5 April] Maj Gen Holomisa denied this saying that he had been released on the orders of Chief George Matanzima.⁴¹⁰ [⁴¹⁰ *The Natal Witness* 6 April]

Rumours of a coup followed the expulsions. During these events, the action committee of about 200 soldiers, led by the TDF's director of intelligence, Lieutenant Colonel Craig Nduli, had emerged as a powerful pressure group on the administration. According to a journalist, Mr Franz Kruger, the origins of the group were obscure but soldiers were believed to have come together through their dissatisfaction at the instability in the region culminating in the attack on Chief Sebe's home allegedly at the hands of the TDF. Mr Kruger said that there was also growing tension between the white advisers and Transkeian soldiers in the TDF. The action committee, he said, had been concerned about the levels of corruption in the administration and had a deep dislike for the political establishment around the Matanzima brothers. There was a widespread belief that the action committee had had a hand in the release of Maj Gen Holomisa (a few days before the white advisers had been expelled). Maj Gen Holomisa was believed to have been a strong opponent of the role of the white soldiers as well as the support given in Transkei to the political dissidents from the Ciskei.⁴¹¹ [⁴¹¹ *Sunday Tribune* 12 April] He had been detained on 21 January and released on 31 March. Gen Mtirara said that he had not ordered the expulsions and referred to them

as constituting a 'mutiny'. Gen Mtirara said that he thought that Maj Gen Holomisa was behind it. He resigned, saying that he feared for his life. Chief George Matanzima said, 'I wish to emphasise that Gen Mtirara became embroiled in the affair because of suspicions that he sided with the white advisers.'⁴¹² [412 *Eastern Province Herald* 9 April]

On 8 April Maj Gen Holomisa disbanded the action committee. The *Eastern Province Herald* quoted one source in the Transkei as saying that Chief George Matanzima, under pressure from his brother, the former state president in the Transkei, Chief Kaiser Matanzima, had 'made a deal' with the 'action committee'.⁴¹³ [413 *Ibid* 7, 16 April] Maj Gen Holomisa said that he had been detained for nine weeks because he had opposed an attempt to establish a private security company which would have trained the TDF.⁴¹⁴ [414 *Ibid* 16 April] Allegations that the new company had close connections to a security company of Maj Gen Reid-Daly were denied by him.

After the expulsions Chief George Matanzima said that he was still firmly in control of the homeland. Maj Gen Reid-Daly said that there had been no coup in the Transkei, only a mutiny of a certain faction of the armed forces.

On 22 April the TDF issued a statement saying that the whole question of the expulsions was a purely military matter with no undertones of any nature. At no stage had the authority of the administration or the prime minister been undermined by the TDF. It expressed its commitment to the defence of the homeland and confidence in the minister of defence and prime minister.⁴¹⁵ [415 *Ibid* 23 April]

On 25 December Mr Peter McNellish, one of the former Selous Scouts expelled in April, was arrested by the special forces unit of the TDF at Port St Johns. Maj Gen Holomisa said that this was because Mr McNellish had entered the homeland after having been served with a 'deportation' order earlier in the year.⁴¹⁶ [416 *Daily Dispatch* 29 December, *The Citizen* 29 December]

The central government and the Transkei and Ciskei administrations signed a tripartite non-aggression treaty on 10 April (see above). It was believed that the 'action committee' had brought Chief George Matanzima to the point of signing the agreement. He had allegedly been reluctant to do so. The signing of the treaty came less than a week after the expulsions. A journalist, Mr Patrick Laurence, argued, 'There is little doubt that the ex-Rhodesians upset the balance of power between the two designated Xhosa states. Their military expertise gave Transkei an advantage. It offered the Matanzima brothers the means to overthrow Sebe and fulfil their long-cherished dream: dissolution of Ciskei as an independent state and the creation of a Greater Xhosaland under their leadership ... The botched raid on Ciskei in February, however, earned the enmity of South Africa who saw the ex-Rhodesians as a destabilising factor. It also made them vulnerable to their foes in the TDF itself, led by Brigadier Bantu Holomisa, the proud son of a chief who did not take kindly to being ordered around by whites.'⁴¹⁷ [417 *The Weekly Mail* 16 April]

On 24 April the Transkei and the central government signed an extradition treaty similar to those

existing with the other ‘independent’ homelands.⁴¹⁸ [⁴¹⁸ *The Star* 24 April] On 5 May Chief Kaiser Matanzima confirmed that he had been requested by army officers to oust his brother soon after the alleged military coup in April.⁴¹⁹ [⁴¹⁹ *Eastern Province Herald* 6 May]

Chief Kaiser Matanzima’s resignation from the ruling party and banishment

Although he retired as state president in February 1986 (see 1986 *Survey* Part 2 p698). Chief Kaiser Matanzima remained an ex-officio member of the Transkei national assembly as one of the homeland’s five paramount chiefs. On 5 May he walked out of the congress of the ruling Transkei National Independence Party (TNIP), which he had formed 24 years previously, taking between 30 and 40 of the delegates (up to 30%)—mostly chiefs—with him, as well as 11 TNIP members who were expelled from the party at the congress. (They were expelled for standing as independents in the 1986 election when they failed to receive the party’s nomination as official party candidates. Chief Kaiser Matanzima had clashed with his brother, Chief George Matanzima, over nomination procedures and had supported the independents in the election—see 1986 *Survey* Part 2 pp700–701.) Chief Kaiser Matanzima announced that he was forming a new party, the National Party of Transkei (NPT), and said that it planned to win the no-confidence debate in the national assembly the following week and take over as the ruling party. He accused the existing administration of corruption. On 7 May, however, the speaker in the assembly prevented him from bringing a motion of no confidence on the grounds that the party was not registered. The following day Chief George Matanzima introduced the Republic of Transkei Constitution Amendment Bill, which was rushed through all three readings, signed by the state president and gazetted in one day. In terms of it any former state president of the Transkei was prevented from sitting as an MP in the national assembly.⁴²⁰ [⁴²⁰ *The Star* 6 May, *The Citizen* 9 May, *Business Day* 8 May] Chief Kaiser Matanzima was the only living former state president. He tried unsuccessfully to object to the waiving of the standing orders to allow all three readings to be dealt with on one day and then walked out of the assembly. On 11 May he was banished in terms of a presidential order signed by his brother and the state president. Paramount Chief Tutor Ndamase, to his home at Qamata Great Place. He was forbidden from entering Umtata, or leaving the districts of Cacadu, Cofimvaba or Xalanga without the permission of the commissioner of the Transkei Police. On the same day an MP appointed to take over the deputy leadership of the NPT, Mr Simon Burhali, and the man appointed as leader of the NPT, Mr De Villiers Qunta, were detained (the former under the Public Security Act of 1977 and the latter in connection with a fraud charge).⁴²¹ [⁴²¹ *The Star* 12 May]

Chief Kaiser Matanzima said that he would continue his efforts to take over the administration from his brother, as bribery and corruption flourished in its ranks. He said that when he had retired embezzlement of funds had begun and ‘white vultures’ had come into the picture to exploit the situation. His brother had colluded with Maj Gen Reid Daly in the raid on Chief Sebe’s home he claimed, and ‘this exercise was perpetrated in the interests of Ciskeian refugees in our country from whom the prime minister takes instructions’. Chief Kaiser Matanzima referred to the ‘unlawful imprisonment of the royal son of this soil, Maj Gen Holomisa’ as a climax in the ‘vicious and uncalculated conduct of the prime minister’. He said that Maj Gen Holomisa remained innocent.⁴²² [⁴²² *Sowetan* 12 May, *The Star* 12 May]

At a press conference Chief George Matanzima said that his brother was ‘trying to woo the army to overthrow me’. Chief Kaiser Matanzima had been hatching a plot to stage a coup in the Transkei with the help of soldiers, his brother alleged. Chief Kaiser Matanzima had not been obeying his banishment order. Chief George Matanzima said, and was holding nightly meetings with his rebels all over the Transkei.⁴²³ [⁴²³ *Sowetan* 22 May] Chief George Matanzima said that for 20 years his brother had ruled the Transkei with an iron fist and that his cabinet had not been expected to gainsay him on any issue. His political opponents had faced detention at any time they made statements that the former president regarded as offensive.⁴²⁴ [⁴²⁴ *Sunday Times* 24 May]

Chief Kaiser Matanzima was issued with a summons to appear in the Umtata regional court on 8 July in connection with an alleged contravention of his banishment order. He had very often been seen around Umtata in the company of his bodyguards, according to the press.⁴²⁵ [⁴²⁵ *Eastern Province Herald* 4 June] The charges were subsequently withdrawn.⁴²⁶ [⁴²⁶ *Ibid* 21 December]

Chief Kaiser Matanzima and five of his rebel MP supporters lost their application on 15 May to have the amendment to the constitution declared invalid by the Transkei Supreme Court. Mr Qunta appeared in court in a case involving municipal funds. He was released from custody on his own recognisance but was immediately redetained under section 47 of the Public Security Act of 1977.⁴²⁷ [⁴²⁷ *City Press* 17 May]

On 9 July a Transkei Supreme Court judge, Mr Justice J Mitchell, stayed Chief Kaiser Matanzima’s banishment order until 6 August. He also criticised the new Public Security Amendment Act which placed beyond the jurisdiction of the courts presidential action for people’s removal or banishment. Judge Mitchell said that it was an interference in the constitutional function of the courts and seemed to have been directed against the application of Chief Kaiser Matanzima for the staying of his banishment order.⁴²⁸ [⁴²⁸ *The Star* 10 July]

On 17 September Judge Mitchell stayed the banishment order again. Judge Mitchell also ruled that the Public Security Act did not prevent the court from considering the matter.⁴²⁹ [⁴²⁹ *Eastern Province Herald* 18 September]

In December, a few days after his detention (see below), Chief Matanzima was served with a restriction order in terms of the Public Security Act restricting him to the western Transkei, the area of which he is paramount chief. On 23 December he filed an application in the Transkei Supreme Court contesting the order. The administration filed notice to oppose the application.⁴³⁰ [⁴³⁰ *Daily Dispatch* 24 December]

On 20 September Chief Kaiser Matanzima announced that the NFT was legally registered and that it was the official opposition party as it had more members than the Democratic People’s Party (DPP). In November, however, Messrs Burhali and Qunta left the party and went back to the TNIP. Mr Sydney Qaba was expelled from the party. (There had been evidence in the commission of inquiry into the Department of Works and Energy—see below—that he had taken bribes of R50 000 from a building

contractor.)⁴³¹ [⁴³¹ *City Press* 15 November]

The September coup

On 23 September TDF soldiers visited six cabinet ministers and two deputy ministers and ordered them, allegedly at gunpoint, to sign resignation letters. They were then told to stay in their official residences until further notice. On the same night Chief George Matanzima went to Port Elizabeth, before soldiers managed to deliver a resignation letter to him for his signature. (By December he had moved to Cape St Francis where holiday flat owners complained that his armed guards were ruining the atmosphere.) Chief Dumisani Gwadiso took over as acting prime minister from 25 September. The remaining seven cabinet ministers were allocated the other portfolios on a caretaker basis.

On 2 October Chief George Matanzima resigned in the wake of mounting allegations that he was involved in corruption and following a request that he do so by the national executive and head committee of the TNIP. Two days previously the report of the commission of inquiry into the Department of Commerce, Industry and Tourism had been tabled and revealed that he was alleged to have received a R1m bribe in connection with a R30m building project in 1985 (see below).

On 5 October 480 TNIP delegates met and elected Miss Stella Sigcau as the new prime minister and leader of the TNIP. The other two contenders stood down. She was minister of posts and telecommunications and the daughter of the Transkei's first state president, Chief Botha Sigcau.⁴³² [⁴³² *The Star* 26 September, 6 October; *The Citizen* 3 October; *The Natal Witness* 24 September]

Maj Gen Holomisa pledged his support to the new administration and said that there had been no coup. Two of the cabinet ministers who were forced to resign said that it was a 'polite' coup, but a coup nevertheless. The former minister of justice and prisons, Professor Digby Koyana, said that it was a 'coup with a difference, a coup in the Transkei way'. He said that he had been treated 'very decently'.⁴³³ [⁴³³ *The Sunday Star* 27 September]

Chief Kaiser Matanzima said that he was sceptical about the homeland being ruled by a woman.⁴³⁴ [⁴³⁴ *Sowetan* 8 October]

Miss Sigcau did not appoint to her cabinet any of the cabinet ministers forced to resign. She said that jailed members of the African National Congress (ANC) and other liberation groups with Transkeian roots would be welcome to return to the Transkei.⁴³⁵ [⁴³⁵ *Eastern Province Herald* 9 October]

On 11 November there were reports that armed troops had forced five departmental secretaries general to sign prepared resignation letters.⁴³⁶ [⁴³⁶ *Ibid* 14 November] They were said to be those of the departments of interior, education, transport, local government and land tenure, and foreign affairs.⁴³⁷ [⁴³⁷ *The Star* 12

November] In December a government official said that six secretaries general were under suspension pending the outcome of an inquiry presided over by Mr Justice T H van Reenen (see below).⁴³⁸ [⁴³⁸ *Daily Dispatch* 23 December]

On 17 November the Transkei Supreme Court in Umtata granted an interim interdict preventing members of the TDF from harassing the chief director in the Department of Transport, Mr Stanford Kuse, by forcing him to resign. The order resulted from an application by Mr Kuse against Miss Sigcau to control and restrain her soldiers.⁴³⁹ [⁴³⁹ *The Citizen* 18 November]

On 30 November Chief Kaiser Matanzima was detained under section 47 of the Public Security Act. Miss Sigcau said that he had been detained because of statements he had sent to the *Daily Dispatch* requesting publication which, she said, had contained remarks which might have constituted the basis of criminal charges against him. She said that he had also made a statement to the Transkei Broadcasting Corporation containing allegations which were of 'a very serious nature pertaining to the leadership of this country'. Chief Matanzima was subsequently flown to hospital in Bloemfontein for medical treatment.⁴⁴⁰ [⁴⁴⁰ *The Star* 2 December, *Daily Dispatch* 1 December] An application was brought by his wife, Mrs Nozuko Matanzima, to have the detention declared 'wrongful' by the Transkei Supreme Court. The court found that as he was out of the homeland he was no longer a security detainee even though he had not been released in terms of the Public Security Act.⁴⁴¹ [⁴⁴¹ *Daily Dispatch* 9 December]

On 14 December Chief Matanzima arrived back in the Transkei. The head of the Transkei security police, General C H Gladile, confirmed that he was no longer in detention. He said that he had been detained for questioning and that he had answered all the questions satisfactorily. He could not guarantee, however, that 'nothing else would happen' to Chief Matanzima.⁴⁴² [⁴⁴² *Eastern Province Herald* 15 December]

On 29 December masked men ransacked the home of Chief Kaiser Matanzima in Umtata. They left after allegedly assaulting and questioning his daughter as to his whereabouts and searching the house.⁴⁴³ [⁴⁴³ *Ibid* 30 December]

During her term of office Miss Sigcau met Chief Sebe in an attempt to improve relations with the Ciskei (see above).⁴⁴⁴ [⁴⁴⁴ *Daily Dispatch* 31 December] On 10 November Miss Sigcau announced that she had lifted the banning orders on 12 people confined to the Mputi area (near Umtata) with immediate effect. The 12 included Mr Prince Madikizela, son-in-law of Chief Kaiser Matanzima.⁴⁴⁵ [⁴⁴⁵ *Sowetan* 12 November] A few days later 16 further 'deportation' and banishment orders were lifted. The 'deportation' orders lifted included those on seven academics formerly of UNTTRA and the former *Daily Dispatch* correspondent in Umtata.⁴⁴⁶ [⁴⁴⁶ *The New Nation* 26 November]

In November seven Transkei politicians were detained in terms of the Public Security Act for allegedly attempting to subvert the authority of the state. They were released just before Christmas. They included

the secretary of the TNIP, Mr Gibson Bondlani, and the MPs for Tabankulu, Port St Johns and Idutywa.⁴⁴⁷ [⁴⁴⁷ *Daily Dispatch* 22 December] (The MP for Idutywa was General Martin Ngceba, a former commissioner of the Transkei Police.) Gen Ngceba was redetained after he had made a brief appearance in the Umtata magistrate's court on a theft charge and released on warning. He was redetained in terms of section 47 of the Public Security Act.⁴⁴⁸ [⁴⁴⁸ *The New Nation* 3 December]

The December coup

At midday on 30 December the TDF took over the administration of the Transkei in a bloodless coup d'état which ended the 86-day term of office of Miss Sigcau. She was on vacation at the time. Maj Gen Holomisa declared martial law and suspended the Transkei's constitution. He banned all political activity and said that the country would be run by an interim administration comprising a military council and an appointed council of ministers. He ordered all ministers and their deputies to vacate their official residences. He said that it had been discovered that Miss Sigcau and certain members of her cabinet had been involved in corruption. The military takeover, he said, was an interim measure until general elections could be called. Maj Gen Holomisa asked the central government not to interfere as the coup was an 'internal arrangement designed to normalise an abnormal situation for the benefit of the Transkeians'. The central government's minister of foreign affairs, Mr Roelof Botha, said that the central government trusted that no action would be taken which might jeopardise the stability of the region.⁴⁴⁹ [⁴⁴⁹ *Eastern Province Herald* 31 December]

After the takeover Maj Gen Holomisa summoned a gathering, including the Matanzima brothers and Miss Sigcau, to a meeting in the Umtata Town Hall. He said, 'During 1987 it came to the attention of the TDF that bribery was rife in government ranks in our country. Numerous instances of bribery and corruption involving cabinet ministers in the government in power before October 1987 as well as senior public servants were exposed.' The 'last straw', he said, was to discover that Miss Sigcau was also involved in acts of corruption. He said that previous political heads of the Transkei had 'brought the country into disrepute and have set a disgusting example for future generations'.⁴⁵⁰ [⁴⁵⁰ *Leadership SA* vol 7 no 1, 1988]

Maj Gen Holomisa said in an interview that senior TDF officers had decided that they 'should have done this exercise from the time Chief George was ousted, but because of our traditional norms, and our respect for our elders that they should rule, we had decided then not to do this thing. But we realised now that if we used the same method to force the lady out, after three months we would have yet another prime minister, and there would be permanent instability. So we decided we should do this once and for all'.⁴⁵¹ [⁴⁵¹ *Ibid*] By July 1988 the military council was still in power and general elections had not been called.

Commissions of inquiry

During 1987/88 two commissions were investigating the misuse of public funds in the Transkei. The amount stolen or lost from public funds was believed to total some R120m. The commission of inquiry into the Department of Works and Energy, chaired by an advocate, Mr G A Alexander, was launched in August. The judicial commission into the Department of Commerce; Industry and Tourism, chaired by the former chief justice of the Transkei, Mr Justice T H van Reenen, completed its report in June but it was tabled only on 30 September (after Chief George Matanzima had resigned). This report identified a total loss to the Transkei of R45m as a result of 'legally doubtful' directives from the Matanzima brothers since Transkei 'independence' in 1976. The report cited case after case of directives, many only verbal, for the sale of properties bought by the central government from non-Transkeians for disposal through the Transkei Development Corporation (TDC) to suitably qualified Transkei citizens. These were sold at an average of 10% of their market value, often to companies on whose board of directors the Matanzima name appeared. In one case Transkei Breweries was sold for R700 000 when its true value was known to be R7m.⁴⁵² [⁴⁵² *Cape Times* 15 October] In many cases Transkeians close to the Matanzimas took loans which they never repaid.⁴⁵³ [⁴⁵³ *City Press* 4 October] The report indicated that in addition to the R45m loss there were further losses, involving for example, vehicles worth R9m 'simply vanishing' and a film maker receiving R172 000 for a publicity film on the Transkei that the administration never received.

The minister of finance tabled the report telling MPs that 'these things happened because you did not stick your necks out to rectify the situation'. He said, 'At independence, resources which we inherited from the Republic of South Africa, like businesses, residential properties, etc were injudiciously utilised for the benefit of a few individuals.'⁴⁵⁴ [⁴⁵⁴ *The Star* 1 October] The Transkei national assembly unanimously accepted all the recommendations of the commission. One of these was that legal action should be taken against those involved in corruption.⁴⁵⁵ [⁴⁵⁵ *Ibid* 16 October]

The works and energy commission was told by a Port Elizabeth property developer, Mr Herman Visser, on 14 September that he had paid Chief George Matanzima R1m in 'lobola' before being granted a R30m contract to develop a new township in Umtata. Mr Visser also said that he had paid the minister of finance at the time, Mr Sydney Qaba, R100 000 in return for his giving his company a letter of guarantee it sought.

The commission wrote to Chief George Matanzima asking for details of funds received by him. The letter referred to R500 000 in cash from a Mr Johnson handed to him at his home; a cheque for R250 000 drawn by a Mr Visser and a R250 000 cheque drawn on the Bank of Transkei by Koen's Executive Construction payable to a Mr Andrews and handed to Chief George Matanzima by Mr Visser on 4 March 1986. Chief Matanzima said that he had received R500 000 from Mr Visser but that this had been part of a dividend accrued while he had been a partner in a cartage business owned by Mr Visser.⁴⁵⁶ [⁴⁵⁶ *Eastern Province Herald* 29 October] The commission then asked Chief Matanzima further questions in a second letter which he refused to answer on the grounds that the questions asked were not within the ambit of the commission's terms of reference.⁴⁵⁷ [⁴⁵⁷ *Daily Dispatch* 4 December]

The commission also dealt with the granting of exclusive gambling rights to the Wild Coast Sun and its assignee which in due course became Transun, a subsidiary of Sun International. According to evidence submitted to the commission in January 1988, R2m of R3m placed in a trust account by Sun International to buy shares in a company which held gambling rights in the Transkei was transferred to an account in South Africa and later distributed in the form of cheques on the instructions of Chief George Matanzima. The recipients of R50 000 each included Miss Stella Sigcau in January 1987; Chief Kaiser Matanzima; the minister of commerce, industry and tourism, Mr T T Letlaka in January 1987; and the minister of foreign affairs, Mr M Lujabe.⁴⁵⁸ [⁴⁵⁸ *The Star* 12 January 1988]

The central government funded the two commissions and seconded two commercial branch detectives to help with the investigations.⁴⁵⁹ [⁴⁵⁹ *Sunday Tribune* 20, 27 September]

In late September the central government announced that it was setting up 'joint financial adjustment committees' with the four 'independent' homelands (see *Finance* above).

In November seven TDF soldiers were charged with fraud involving about R580 000 in state funds.⁴⁶⁰ [⁴⁶⁰ *Eastern Province Herald* 14 November, *Daily Dispatch* 25 November]

Butterworth municipal council

The municipal council governing the second largest municipality in the Transkei, Butterworth, was dissolved by the Transkei administration in November following reports of the council's alleged involvement in a controversial multimillion rand housing project. The minister of local government and land tenure, Chief D Mlindazwe, said that the municipality's financial position was so critical that it was not able to meet its day-to-day financial obligations including paying its employees. He added that his department had received numerous complaints about the unfair allocation of houses by the council. It had wasted public funds by entering into an unnecessary housing contract worth R51m. The Supreme Court rendered the contract null and void after an application by the auditor general.⁴⁶¹ [⁴⁶¹ *Sunday Tribune* 6 December]

On 15 September the former chief adviser to the Transkei's prime minister, Mr Listen Ntshongwana, was placed on trial in the regional court in Umtata on theft charges involving R23 000. The charges were related to his role in the Butterworth housing scheme. He pleaded not guilty to all 20 counts.⁴⁶² [⁴⁶² *The Star* 16 September]

Democratic Progressive Party

In November the leader of the Democratic Progressive Party, Mr Caledon Mda, defected to the TNIP,

leaving the party with only two members and led by Miss Sigcau's brother, Chief Twentymen Sigcau.

Venda

In September the Venda national assembly ordered the arrest of the deputy director general for urban affairs and land tenure, Mr Jackson Mafunzwaini, after the deputy speaker in the assembly claimed that Mr Mafunzwaini had threatened to kill him. Mr Mafunzwaini was dismissed from his post but disappeared before he could be arrested. The assembly then called for the dismissal of the commissioner of the Venda Police, Major General T R Mulaudzi, for failing to apprehend him. Maj Gen Mulaudzi had said that before Mr Mafunzwaini could be arrested, the deputy speaker would have to lay a charge.⁴⁶³ [463 Ibid 7, 12 September]

During 1987 the Venda administration launched a 'youth adventure camp' at Maheni shooting range as a joint project of the Venda Defence Force (VDF) and the youth section of the Venda Department of Education. The administration described the camp's objectives as being to educate the youth positively towards the VDF and the administration; to teach students to obey orders; to give lessons on 'defence tasks' and on warfare; and to give youths target practice. From the beginning of 1987 school holidays were used for attendance at the education camp. The South African Youth Congress said that recruits comprised a teacher and some pupils from each school in a structure encompassing five zones. Some of the students attending the training course claimed that the sessions at the camp involved ideological indoctrination and instruction on how to identify anti-apartheid activists and that it sought to reduce the influence of popular political organisations among the youth and to encourage loyalty to Venda and its administration. One student alleged that the United Democratic Front was the principal target of the indoctrination process.⁴⁶⁴ [464 *The Weekly Mail* 15 May, *The New Nation* 19 November]

In September the Venda Supreme Court ordered the commander of the Venda National Force (VNF) to pay R84 000 in damages to a businessman, Mr Isaac Ramakulukusha, who had been charged with ritual murder and acquitted. He said in claiming R630 000 damages from the VNF that the VNF had acted maliciously, unlawfully and without good cause when arresting and prosecuting him in 1983. He said that he had been tortured and that the police had unlawfully closed down eight of his businesses and had spread unfounded rumours that he was a ritual murderer.⁴⁶⁵ [465 *Sowetan* 2 October] The VNF commander was also ordered to pay legal costs (estimated at R200 000).

In April Venda created a new department, that of commerce, industry and tourism. It had previously been a division of the Department of Economic Affairs, which was renamed the Department of Finance.⁴⁶⁶ [466 *Shuma* no 23, April]

In August the Venda and Ciskei administrations held two-day bilateral talks in the Ciskei and said that they had been a 'worthwhile exercise in understanding'. They said that it had become 'abundantly clear' that there were extensive areas for co-operation between them.⁴⁶⁷ [467 *Daily Dispatch* 15 August]

Legislation

Parliament

Advanced Technical Education Amendment Act of 1987 (House of Delegates), *174-175*

Children's Status Act of 1987, *434*

Constitutional Laws Amendment Act of 1987, *193, 856-857*

Defence Amendment Act of 1987, *515*

Education Laws (Education and Training) Amendment Act of 1987, *145-146*

Housing Act of 1987 (House of Representatives), *193*

Housing Amendment Act of 1987, *193*

Housing Development Act of 1987 (House of Delegates), *194*

Labour Relations Amendment Act of 1988, *648-655*

Mental Health Amendment Act of 1987, *809*

Mines and Works Amendment Act of 1987, *339-341*

Pension Laws Amendment Act of 1987, *434*

Sorghum Beer Amendment Act of 1987, *375-376*

Transport Advisory Council Act of 1987, *74-75*

Unemployment Insurance Amendment Act of 1987, *301*

Unemployment Insurance Second Amendment Act of 1987, *301-302*

Universities (Education and Training) Amendment Act of 1987, *177-180*

Workmen's Compensation Act of 1987, *347-348*

Homeland national and legislative assemblies

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Republic of Bophuthatswana Constitution Amendment Act of 1987, 859

Land Control Amendment Act of 1987, 859

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Gazankulu Police Amendment Act of 1986, 860

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KwaZulu Civil Defence Act of 1984, 863

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Electoral Amendment Act of 1987, 864

Republic of Venda Constitution Second Amendment Act of 1987, 864

Payment and Privileges of Ministers and Deputy Ministers of State Second Amendment Act of 1987, 864

Cooper, C et.al., Race Relations Survey 1987/88, (Johannesburg: South African Institute of Race

Relations) 1988.