

U/AS R3-00

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**A SURVEY OF
RACE RELATIONS
IN SOUTH AFRICA**

1971

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ISBN 0 86982 010 9



**SOUTH AFRICAN INSTITUTE OF RACE
RELATIONS**

P.O. BOX 97

JOHANNESBURG

JANUARY 1972

WHITE POLITICAL PARTIES: DEVELOPMENTS IN 1971

THE NATIONAL PARTY

In two contests held during the year—the Waterberg constituency parliamentary by-election, and the Potgietersrus provincial by-election—the National Party retained the seats against ultra-right wing Herstigte Nasionale Party¹ opposition. Leaders of both parties gave strong support to the candidates in the Waterberg campaign, in which Dr. Andries P. Treurnicht (N.P.) was opposed by the deputy-leader of the H.N.P., Mr. Jaap Marais. Both elections, however, showed that the H.N.P. remains a force to be reckoned with in the more conservative constituencies. (The N.P. majority in Waterberg was 3 374 in 1970 and 3 274 in 1971, the voting in the latter year being N.P. 5 456; H.N.P. 2 182.)

Many of those who are commonly regarded as being *verkramp* remain in the N.P. (including Dr. Treurnicht, who, as editor of *Hoofstad*, was frequently strongly critical of *verligte* members of the party). Their public statements are not always in accordance with official party policy: as described later, one example is in regard to the political future of the Coloured community. *Verligte* politicians have continued to toe the party line; but there has been a ferment of political re-thinking among Afrikaner *verligte* “intellectuals” (not all of whom are members of the N.P.).

Some of the basic questions on which the “intellectuals” have been seeking clarity were listed early in 1971 in the independent monthly periodical *Woord en Daad*, issued by the Afrikaanse Calvinistiese Beweging, which has its headquarters in Potchefstroom. While commending the Government for the emphasis it was placing on the “positive” side of separate development, the authors said that guide-lines were needed on certain basic aspects, for example:

- (a) How much additional land would be needed to enable the Bantu homelands to carry their populations?
- (b) What was to be the future of the Africans who were permanently settled in “white” South Africa?
- (c) Would there be a link between South Africa and the eventual new Bantu states, and what form would it take?
- (d) Would “petty” apartheid be maintained for all time?
- (e) What was to be the future of the Coloured people and the Indians?

¹ I.e. Reconstituted National Party. See 1970 *Survey*, page 3, for a summary of this party's policy.

Political commentators² have pointed out that the Tomlinson Commission—the original architects of the policy of separate development—emphatically rejected the possibility of a middle road between ultimate integration or separation so far as Whites and Africans were concerned. Yet, in regard to the Coloured and Indian people, the National Party was attempting to find a middle road, termed parallel development, between territorial separation (which party leaders state is impracticable) and eventual integration with the Whites (which tens of thousands of Nationalists would resist bitterly). These two alternatives have, in general, been advocated by the *verkramptes* and the *verligte* “intellectuals”, respectively. (Their views are described in more detail later.)

During the year under review the Prime Minister, Mr. Vorster, has further developed his “outward-looking” policy, seeking closer economic and other ties with African states. President Banda of Malawi paid a State visit to South Africa. Increased powers of self-government have been granted to African “homeland” governments within the Republic and South West Africa; and for the first time the Prime Minister has met the leaders of these governments, at interviews in Pretoria, and has toured certain of their territories. For a first time, too, the State President, Mr. J. J. Fouché, Mr. Vorster, and leading members of the Cabinet dined with prominent non-white personalities from South Africa, at a banquet given by President Banda. (At a banquet given by the State President on the previous evening the only non-white guests were the visitors from Malawi.)

Mr. Vorster has made it clear that the only land to be added to the African homelands is to be the balance of the 7 250 000 morgen (roughly, 24 000 square miles) promised in 1936. He and other Government spokesmen have reiterated that Africans living in “white” areas will exercise political rights in their “homelands” only. Eventually, he has said,³ a consultative body may emerge between the homelands and the white South African government; in the meanwhile, the necessary close relationship can be maintained by way of bilateral diplomatic and economic contact.

Other major issues before the country have again been the shortage of skilled labour (caused by governmental and other curbs, over the years, on non-white educational and economic progress), and the rising cost of living. A progressive step, widely welcomed, was the decision to narrow the gap gradually between the salaries of white and non-white public servants occupying equivalent posts. In spite of an announcement of a revised policy for inter-racial sport at an “international” level, there were demonstrations against white South African teams that competed over

² e.g. Mr. Allister Sparks in the *Rand Daily Mail*, 5 June, quoting an article by Professor H. W. van der Merwe published in *New Nation*, and Mr. John D'Oliveira in the *Star*, 18 May.

³ Press conference on 30 July, and radio interview on 1 August.

seas, and eventually a Springbok cricket tour of Australia was cancelled by the Australian Board of Control. As described later, further withdrawals followed of invitations to South African teams.

A number of leading Nationalists have warned the country that South Africans will have to adapt themselves much faster to international and internal developments. During July Mr. Theo. Gerdener, the Minister of the Interior, said at a meeting in Durban⁴ that unless South Africa speeded up its rate of development radically and without delay, more especially in regard to the policy of separate development, there would be no second chance for the country: it would probably then be too late to accelerate the pace of development. The decade of the 1970's would be decisive. He pleaded, *inter alia*, for more flexibility of mind, and more supple and humane attitudes to non-whites.

Writing in *Rapport* on 29 August the political commentator, Mr. Schalk Pienaar, said that, in relation to Coloured and African affairs, the National Party was bound to patterns of thinking that were a quarter of a century out of date. The theory that the urban African was a temporary sojourner in “white” areas had long since become “pure fiction”. Mr. Pienaar was endorsing views expressed by Professor Jan Moolman, Director of the Africa Institute (he served on the Tomlinson Commission), who was reported⁵ to have declared that whites must accept the millions of urbanized Africans as a permanent part of “white” South Africa.

Views expressed on other issues, for example the future of the Coloured people, are mentioned later.

THE UNITED PARTY

The United Party's policy of a federal system of government, based on a federation of racial communities, was outlined on page 2 of last year's *Survey*. Further developments of this policy in regard to the future of the Coloured people and of the African homelands are described in subsequent chapters.

In a statement issued on 1 September the leader of the party, Sir de Villiers Graaff, said, “The United Party believes it is possible for different peoples of different colours and races and at different levels of development to live within the framework of one State. But that framework will have to be such as to afford each racial group adequate opportunities for self-expression and self-fulfilment, control over matters of intimate and peculiar concern to themselves, and a say in matters of mutual concern to all groups commensurate with their standards of development”.

On several occasions the United Party has drawn attention to the increasing frustration and bitterness among urban Africans. During the debate on the Prime Minister's vote Sir de Villiers

⁴ As reported in the *Rand Daily Mail*, 20 July, and *Race Relations News*, August.

⁵ *Star*, 30 August.

said⁶ that the situation could easily become explosive. A large section of these people was still on the side of law and order. The United Party considered that a property-owning middle class should be allowed to develop, which stood to lose something if law and order broke down. Urban Africans suffered from unnecessary "petty apartheid" measures. Influx control was necessary, he maintained, but the pass laws were operated in such a way as to make many thousands of criminals out of comparatively innocent people every year. Exemptions for certain classes of Africans should be re-introduced. If work was available, wives should be allowed to come to the towns. Longer-term contracts of work should be introduced.

At a national congress held in November, a full vote of confidence in Sir de Villiers Graaff was passed. He was empowered to make policy decisions on behalf of the party without awaiting the next biennial congress.

PROGRESSIVE PARTY

At a national congress of the Progressive Party, held in February, Mr. Colin Eglin was elected party leader in succession to Dr. Jan Steytler.

At this congress Mr. Eglin claimed⁷ that both the National Party and the United Party had become heavily institutionalized, bound by past loyalties and committed to past prejudices. The Progressives, he said, were more flexible and less dogmatic. They were, for example, the only party represented in Parliament to advocate the abolition of the industrial colour bar, positive action to alter the migrant labour system, equal political rights for all citizens through a common voters' roll, and the repeal of the racial sections of the Immorality Act.

The Progressive Party, Mr. Eglin said, would keep alive a set of values including the concept of individual human dignity, the rule of law, and simple human justice. Among its immediate tasks was to campaign for members among young people and modern urban Afrikaners (who were often less staid than their English-speaking counterparts). The party has commenced publishing a journal in Afrikaans.

Five standing committees have been appointed to advise the party leadership on specified areas of policy:

- Manpower and Economics, headed by Mr. Harry F. Oppenheimer;
- Education, headed by Dr. W. G. McConkey;
- The Family, headed by Professor Hansi Pollak;
- The Cities, headed by Professor E. W. N. Mallows;
- Political Planning, headed by Dr. Zac. J. de Beer.

During October, Mr. Eglin visited Botswana for discussions with the leaders of the state. He and Mrs. Helen Suzman, M.P., then toured Africa, meeting President Senghor of Senegal, President Jawara of Gambia, Prime Minister Dr. Kofi Busia of Ghana, Vice-President Mr. Arap Moi of Kenya, President Nyerere of Tanzania, and President Dr. Banda of Malawi.

On their return, Mrs. Suzman and Mr. Eglin stressed the warmth and friendliness they had encountered, and the lack of animosity to whites as such. They were convinced that the leaders they met would prefer a non-violent approach to the question of racism in South Africa. Some leaders felt that official dialogue with the Republic would be meaningless unless there were some prior indication of change there. All were in favour of dialogue under the conditions of the Lusaka Manifesto, i.e. that a prerequisite must be a commitment on South Africa's part to the principle of human dignity and equality. It was recognized that, thereafter, gradualism in regard to change was inevitable.

The Progressive Party leaders said that they had been impressed by the absence of race consciousness and tension in the countries they visited, the comparative stability of governments, and the degree of democratic dissent, even in the one-party states.

⁶ Assembly, 21 April, Hansard 11 cols. 4851-9, 4941, 4968-9.

⁷ *Rand Daily Mail* report, 20 February.

THE POLITICAL FUTURE OF THE COLOURED COMMUNITY

OFFICIAL NATIONAL PARTY POLICY

As described elsewhere, there has been controversy within the ranks of the National Party over the future of the Coloured community. On two occasions the party has, in consequence, published a long declaration of its official policy, by way of advertisements in the *Transvaler*. Members were warned that they would have to abide by this policy unless it was changed at a party congress. The main points made were as follows.

1. The National Party believes that the Coloured people, as a separate community, can only properly maintain and develop and realize their own identity on the road of parallel development. Coloured and Whites must not be interwoven, nor must they evolve closer to one another.
2. Coloured people will vote for members of the Coloured Persons' Representative Council and of Coloured local government bodies, but will not be represented on White government institutions, including municipal councils.
3. The Coloured people are "a nation in the making".
4. A Coloured homeland is an impracticable idea and cannot be implemented.
5. Contact between the White Parliament and the Coloured Persons' Representative Council will be maintained by way of meetings between the Prime Minister, the Minister of Coloured Affairs and other Cabinet Ministers, and the Council's Executive. This method of liaison will be reviewed in the future if either of the two sides feels that the time has come for this to be done.

When opening a congress of the Afrikaanse Studentebond in June, the Prime Minister¹ repeated a previous statement that it was not for his generation to foresee what the outcome of the Coloured question would be. He outlined basic principles which the students should bear in mind when their turn came to govern the country. It was wrong, foolish, and arrogant, he said, for any policy to be based on the assumption that one man was better than the next because he had a white skin. "One does not have the right to belittle and ridicule the human dignity of others." At the same time, he continued, whites should strive to preserve their identity by maintaining apartheid. Integration had to be ruled out because

¹ *Star*, 29 June.

it would create friction and tension. If South Africa were to discard parallel development, it would "become the world's most popular corpse".

When opening the 1971 Session of the Coloured Persons' Representative Council,² Mr. P. W. Botha (Minister of Defence and Cape leader of the National Party) referred to Coloured group areas as "cantons". He said in the Assembly³ that, in the fullness of time, the Coloured Persons' Representative Council might become a wholly elected body. More powers would gradually be delegated to it, including the levying of taxes. Eventually, "twin Parliaments" might develop, the Coloured governing their own people in respect of all matters delegated to them.

PROTAGONISTS OF A SEPARATE COLOURED HOMELAND

On the eve of the Waterberg by-election, Dr. Andries Treurnicht, the N.P. candidate, published an article in *Hooftstad* in which he suggested that a separate Coloured homeland be created.⁴ (This was before the National Party had issued its statement of policy, but the Cabinet, the Parliamentary caucus, the Party's Federal Council, and Mr. Vorster personally had previously rejected the idea in unequivocal terms.)

The *Sunday Times* reports,⁵ however, that certain Cabinet Ministers, including Dr. Connie Mulder, had appeared to support the concept. Two of them, Mr. M. C. Botha and Mr. Marais Viljoen, had, towards the end of 1970, maintained that the Coloured people and the Whites "must move further apart, not closer together".

After Mr. Vorster's opening speech at the congress of the Afrikaanse Studentebond, an address was given by Professor Gerrit van N. Viljoen, Rector of the Rand Afrikaanse University and chairman of the S.A. Bureau of Racial Affairs. He is reported⁶ to have said that the idea of twin parliaments possibly offered a working solution which could last "for a long time, and possibly permanently, in so far as there can be any talk of permanence in politics". But, in terms of this arrangement, the white parliament would be dominant. If the scheme were rejected by the Coloured people, it might become necessary to look to "the alternative of separate freedoms in their own geographical area or areas".

The A.S.B. students were divided in their views.⁷ Delegates from Potchefstroom University rejected the idea of a separate homeland. Delegates from the Rand Afrikaans University and individual delegates from Stellenbosch University⁸ appeared to be

² *Rand Daily Mail*, 7 August.

³ 9 June, Hansard 18 cols. 8602-4.

⁴ *Sunday Times*, 25 April.

⁵ 18 July.

⁶ *Rand Daily Mail*, 1 and 5 July.

⁷ *Star*, 29 June; *Rand Daily Mail*, 1 July; *Sunday Times*, 4 July.

⁸ The S.R.C. of Stellenbosch University is not affiliated to the A.S.B.

divided. But the other delegations, led by students of the Pretoria and Orange Free State Universities, outvoted the supporters of official N.P. policy. Various motions were passed in terms of which the students rejected integration, but also rejected the idea that the Coloured people could be allowed to develop to the stage where they had a sovereign parliament without a territory in which to exercise their political rights.

AFRIKAANSE CALVINISTIESE BEWEGING

Early in 1971, in its journal *Woord en Daad*, the Afrikaanse Calvinistiese Beweging (with headquarters in Potchefstroom) published a series of articles on the Coloured people under the title "Volk? Sonder Land?" (Nation? Without a Country?).

In the issue which concluded these articles, *Woord en Daad* stated that it supported the National Party's racial policy "in its main points". It agreed that a separate homeland was unthinkable.

The kernel of the question was political, it was said. The fact was that without their own country in which the Coloured people could live out their political aspirations, and without the franchise up to the highest level, these people were pure subjects, and not real citizens of the country.

It was suggested that the choice did not lie only between integration, separation, or domination. "Integration we do not want. Separation we cannot have. Domination we dare not have." A fourth possibility was "co-ordination"—that is, survival as a distinguishable group or so-called sub-culture of the South African population, but acceptance as people entitled to equal personal and political rights.

The article pointed out that General J. B. M. Hertzog's answer to the problem of English and Afrikaans rights had been the concept of a "two-stream policy". While the two groups had the right to retain their cultural identities and either make contact with one another or stay apart, they shared political rights.

Woord en Daad asked whether a way out of the current untenable situation could not be found in a version of General Hertzog's concept. Did the eventual equal treatment and justice for the Coloured perhaps not lie in an adapted three-stream policy? Could this be the goal to be reached gradually through the avoidance as far as possible of points of friction, but without unnecessary restrictions on healthy contact?

PROPOSALS BY PROFESSOR S. P. CILLIERS

An address given to the Institute of Citizenship in Cape Town on 1 April by Professor S. P. Cilliers (Professor of Sociology at the University of Stellenbosch) evoked much interest.⁹

⁹ This was published by the Institute of Race Relations under the title *Topical Talks No. 26: A Sociological Perspective on the South African Situation*.

Professor Cilliers said that neither the direction of the common society nor that of the involvement of separate nation-states could in themselves provide complete solutions to the South African political dilemma. The development of the Bantu homelands could provide a partial solution, in the sense that these areas could accommodate about one half of the Bantu population in what could be developed into real nation-states.

There would then be a possibility of the evolution of a common society in the rest of the country, where the White, Coloured, and Asian persons would form just under a half of the total population. These groups already had much in common on the social, cultural, and economic levels—enough, in fact, to provide the basis for the development of a commonly shared culture. In this, they were further strengthened by a growing proportion of the Bantu who had been living with them for some time—especially the permanently urbanized Bantu.

Those among these population groups who shared what was commonly called Western civilization and culture would form such a comfortable majority that a political system accommodating all these elements would have a reasonable chance of survival and stability.

"It would seem that the best hope we have of maintaining stability and order, as we change to meet the ideological challenges of the 20th century, would be by pursuing the idea of separate development of the Bantu homelands with the utmost vigour at all levels, and by progressing towards full citizenship for Coloureds, Asiatics, and permanently domiciled Bantu, together with White persons, in the rest of the country at the same time." The system to be adopted should evolve through consultation and mutual consideration, Professor Cilliers said. He stressed that there was a vast difference between full citizenship and integration in the sense of assimilation.

STATEMENTS BY AFRIKANER ACADEMICS

It was reported early in 1971 that prominent Afrikaner academics, professional and businessmen, and journalists, had been holding private discussion groups in various parts of the country to consider National Party policies, more especially in regard to the future of the Coloured community.

At the end of July,¹⁰ ten Transvaal professors and nineteen lecturers, from the Universities of South Africa, Pretoria, and the Witwatersrand, issued a public "declaration of faith". They were convinced, they said, that continued adherence to colour prejudice was indefensible in the light of the civilized values which they, in South Africa, shared with the rest of the Western world. They appealed to all South Africans to think again, especially about the eventual achievement of full citizenship by Coloured people.

¹⁰ *Star* report, 30 July.

The authors of the statement stressed their conviction that the political future of these people could not be considered without consultation with them.

They warned, "It is clear to us that any policy aimed at encouraging a Coloured nationalism while, at the same time, recognizing that a separate country for them is impossible, unavoidably increases the chances of group conflict between Whites and Coloured, and threatens peaceful co-existence."

These Afrikaner academics stated that they could no longer subscribe to current Government policy in so far as this policy involved permanent political segregation of the Coloured people and placed a platform on their political development. They considered that, in the long term, there could be no middle course between a Coloured homeland and political integration. The policy of "parallel development" was seen as an intermediary stage which would gradually lead to closer political association, and eventually to political integration. The Coloured people would have to be accepted as a full and equal element of the Western community in South Africa. Full citizenship would not exclude the Coloured from being represented on a group basis by their own people in executive bodies from the lowest to the highest level.

The degree of social contact that would develop would remain a matter of free personal choice, it was stated. "We reject any thought of enforced social integration." Full citizenship for the Coloured would not mean the automatic disappearance of separate residential areas and schools. However, facilities connected with public services and places of entertainment would gradually have to be opened to Whites and Coloured on an undifferentiated basis.

A few days later¹¹ a further statement was issued by 109 Afrikaners in the Western Cape—academics, writers, professional men, and farmers. They were convinced, they said, that the existing political dispensation for the Coloured people could not make provision for their full political development. Among other reasons, it would be impracticable and a contradiction in terms to have two sovereign parliaments within the same constitutional system. Those subscribing to the statement, therefore, wished to support in principle the statement issued in Pretoria. They called for urgent attention to be given to the question of how equal and full citizenship could be implemented in practical politics.

It was added that the drafting of this statement had been spontaneous and unorganized, and was in no way connected with any political party. One of the Stellenbosch professors who signed it emphasized that there had been no mass campaign for support.

The *Rand Daily Mail* invited English-speaking South Africans to endorse the "declaration of faith", and considerable numbers did so.

¹¹ Various newspapers, 5 August.

In a radio interview on 1 August,¹² the Prime Minister said he was aware of the statement by the 29 "people with plenty of leisure time, with no responsibility, and with little practical knowledge". The Government's policy of parallel development was no interim stage, he emphasized, but was a policy that could and would be consistently and logically applied.

OTHER SUGGESTIONS BY PROMINENT AFRIKANERS

According to the Press,¹³ during July a Nationalist Member of Parliament, Mr. Nic. F. Treurnicht, suggested that one way of tackling the question of Coloured political rights might be to reform the Senate, making it an institution linking the White House of Assembly with the Coloured Persons' Representative Council. He was immediately taken to task for "non-conformity" by the secretary of the National Party's Federal Council.

Questioned by the Press¹⁴ on his views, a few days later, Mr. Dawid P. de Villiers, S.C., the managing director of the newspaper group *Nasionale Pers*, emphasized that any developments should take place on the basis of consultation between Coloured and White governmental authorities. One possibility would be the eventual creation of a consultative body on which the governments of the White, Coloured, and Indian groups and the African territories could be represented, participating on a basis of equality. This body would have such powers as might be agreed upon by the constituent entities, and would act by consensus.

In a speech made at Potchefstroom University on 27 August, the Prime Minister rejected this idea. He believed in close co-operation between national groups in the sub-continent at the economic level, he said. But "I do not believe that our future lies in the removal of boundaries." It lay, rather, in the preservation of identity.

Professor Nic. J. Rhodie, head of the department of sociology at the University of Pretoria, pointed out subsequently¹⁵ that the African territories and states need not, necessarily, be included in an "umbrella constitutional body" or form of super-parliament. He asked whether it was far-fetched to think in the long term about an institution which would evolve from South Africa's White parliament and the developing Coloured and Indian parliaments—an institution in which the Whites, because of their level of development, would play the major role, but in which representatives of the other communities would share in the decision-making process. It would be a parliament of communities, not one based on the one-man-one-vote concept, and would deal with matters of national significance. The "community parliaments" would deal with day-to-day communal matters.

¹² As reported in various newspapers.

¹³ *Rapport*, 11 July; *Sunday Times*, 18 July; *Rand Daily Mail*, 14 July.

¹⁴ *e.g.* *Star*, 19 July.

¹⁵ *Star*, 3 September.

During October, a number of Afrikaner intellectuals and prominent professional men, businessmen and farmers from various centres held discussions with leading Coloured personalities on a farm in the Western Cape. It was reported¹⁶ that Professor Marinus Wiechers, a professor of law at the University of South Africa, suggested that the Coloured Persons' Representative Council should be used as an electoral college to elect its own representatives to the Assembly, as a first step towards full citizenship for the Coloured community. A continuation committee was elected to hold further talks, to include members of other non-white groups.

THE UNITED PARTY'S VIEWS

Early in the 1971 Session of Parliament Mr. J. du P. Basson, seconded by Mrs. C. D. Taylor, introduced a Private Member's motion calling for the appointment of a top-level and non-political commission to draw up a comprehensive charter for the rehabilitation and development of the Coloured population group.¹

Opening the debate on the Vote of the Minister of Coloured Affairs in the Assembly on 9 June,² Sir de Villiers Graaff outlined his party's policy. Coloured people should be represented in the central parliament by six Members of Parliament and two Senators, he said, who could be either Coloured or White persons. They would be elected on a separate roll. The Coloured Persons' Representative Council should be transformed into a wholly elected communal council, with wider powers than it now possessed. A statutory parliamentary standing committee should be created, representative of both the government and the opposition in the House of Assembly and the Coloured Council. Coloured people should not be deprived of the municipal vote before adequate alternative rights were available. A vast upliftment programme should be undertaken, similar to that carried out in the 1930's to eliminate the "poor white" problem.

During the Session a nine-member committee of party M.P.'s and Senators was appointed, under the chairmanship of Mr. Myburgh Streicher, M.P., to review the party's Coloured policy. Its report was subsequently presented to the various provincial congresses and to the national congress, but was not published in full.

One of the points apparently made in this report was that race policies should no longer be drawn up by white parties without consultation with the non-white group concerned.

The committee proposed the direct representation of Coloured people by Coloured, not only in parliament, but also in provincial councils and local government bodies.

Points accepted at the Cape congress of the Party³ were that

¹⁶ *Sunday Times*, 24 October.

¹ Assembly, 19 February, cols. 1256-66, 1272-82.

² Hansard 18 cols. 8558-68.

³ Various Press reports, including the *Rand Daily Mail* and *Star* of 18 August, and the *Sunday Express*, 5 September.

social contact should be a matter of individual choice. As far as possible, equal and parallel public amenities should be provided for members of the various racial groups: where this was not practicable, there should be elasticity if the presence of mixed groups was likely to be commonly acceptable. Owners of private amenities should be free to decide for whom they would cater. Job reservation should be abolished in general, but more particularly where it applied to Coloured people. The State should ultimately give equal pay for equal work and responsibility.

Free and compulsory education for Coloured children should be introduced in phases; the Population Registration Act in its present form should be abolished and the racial clauses of the Immorality Act re-examined; and the Group Areas Act should immediately be suspended where large sections of the Coloured population were without housing or were inadequately housed. Urgent steps should be taken to eliminate poverty.

Speaking at the opening of the party congress in the Cape,⁴ and subsequently, Sir de Villiers Graaff supported most of these proposals, including the municipal franchise; but he opposed Coloured representation in provincial councils. The latter, he considered, should serve as White communal councils. Some form of permanent liaison should be established between them and the Coloured communal council, which would take over, for the Coloured people, most of the functions of existing provincial councils. It was reported⁵ that not all of the party leaders agreed with Sir de Villiers, and that this matter would be discussed further at subsequent congresses. At the national congress, held in November, this question was referred to a constitutional committee.

Shortly afterwards the Transvaal party leader, Mr. S. J. Marais Steyn, suggested⁶ that there should ultimately be a Greater South African Federation of Communities, dealing with nation-wide interests, which would constitute "a national convention of all the races, in permanent session."

The United Party's policy was rejected by the leaders of both of the major parties in the Coloured Persons' Representative Council.⁷ Mr. Tom Swartz of the Federal Party said that Coloured people would never be satisfied with such inadequate measures. "We want absolute equality," he said, "but would like to retain a separate identity as in the case of Jews and Afrikaners." Mr. Sonny Leon of the Labour Party stated, "We want direct representation on all governing bodies" on a common roll. Mr. A. M. Rajab, Chairman of the S.A. Indian Council, commented that he did not think that the United Party was aware of the speed with which things were changing in South Africa.

⁴ *Rand Daily Mail*, 18 August.

⁵ *Star*, 2 September.

⁶ *Star*, 26 August.

⁷ *Rand Daily Mail*, 19 and 24 August.

THE PROGRESSIVE PARTY

Speaking at a meeting in Cape Town,¹ Mr. Colin Eglin re-emphasized that, in his party's opinion, "nothing less than full citizenship can do justice to the Coloured man's inalienable right to recognition as a full South African citizen".

In the Assembly on 9 June Mrs. Helen Suzman said,² "It strikes me as extraordinary that White people should sit in Parliament and debate what the Coloured people want and what they do not want. They are perfectly capable of saying this for themselves".

THE FEDERAL PARTY

During April³ Mr. Tom Swartz, the Government-appointed Chairman of the Executive of the Coloured Persons' Representative Council, warned the Government that "a system which allowed injustice and discrimination could create a very disloyal and disgruntled section in the population—a fifth column. There are individuals and political groups exploiting the bitterness of the people, and they could succeed in making the situation dangerous. . . . We must get away from the idea that everything must be assessed on the basis of a person's colour," he said.

Among the major causes of irritation, Mr. Swartz continued, were petty apartheid, job reservation, and the disparity in salaries paid to whites and non-whites doing equivalent work.

At a party congress held in Natal during July,⁴ the aims of the party were changed from support of "parallel" development to that of "positive equal" development. Mr. Swartz said that the Coloured people wanted "everything the White man has for himself".

With some dissension, a new constitution for the party was adopted at this congress. It was stated, *inter alia*, that the party would strive to realize its aims by "leading the Coloured people into a new era of mature and fully-fledged citizenship", and by "forging a new foundation of vertical equal development in our national community". Delegates called for protection for Coloured businessmen in their proclaimed group areas against "crowding out" by members of other race groups.

At a congress held in the Transvaal, the idea of a Coloured homeland was rejected.

During August, the former leader of the party in the Eastern Cape, Mr. P. F. Kievetts, resigned, stating that he could no longer join in any defence of the apartheid policy.⁵

On a comparatively minor issue being debated in the Representative Council (that of the control of nursery schools and places

¹ *Cape Times*, 8 June.

² Hansard 18 col. 8629.

³ *Sunday Times*, 18 April.

⁴ *Natal Mercury*, 2 July; *Sunday Express*, 11 July.

⁵ *Rand Daily Mail*, 21 August.

of care), four Federal Party members crossed the floor to vote with the Labour Party, with the result that the Federal Party's amendment to an original motion was defeated by 31 votes to 26.⁶ Mr. Jaap Muller was reported to have been expelled from the caucus because he had twice voted with the opposition.⁷

THE LABOUR PARTY

In an article published in *Reality* in May, Mr. Sonny L. Leon, leader of the Labour Party, said that although the Coloured people could be regarded as an indigenous plant with roots deep in the soil of South African history, since the earliest days they had so often been robbed of their dignity by the Whites. They were the voiceless ones; the people for whom decisions were made by others; the people who lived in humiliation.

The deputy leader, Mr. David Curry, said in July,⁸ "We stand for full political rights for all South Africans in one parliament. The terms 'White, Coloured, or African' never appear in our constitution. . . . We will not accept a move to give us political rights at the expense of the African. . . . Are the Whites trying to make us allies for fear of Black danger?"

The Natal leader of the party, Mr. E. G. Rooks, resigned during April, becoming an Independent member of the Council. As mentioned later, the stand of the former party leader, Mr. M. D. Arendse, was not clear during the early part of the Council's session.

The tactics of the Labour Party during this session are described in a subsequent section of this chapter.

NATIONAL COLOURED PEOPLE'S PARTY

At the time of the 1969 Council elections,⁹ the National Coloured People's Party was a right-wing group, based in Johannesburg, and headed by Dr. Clifford Smith. It won one seat in the elections.

During August, Dr. Smith resigned from the party. He called on members to disband and throw in their lot with the Labour Party.¹⁰ But the party continued in being under the new leadership of Mr. Clarrie September.

LIAISON BETWEEN THE GOVERNMENT AND THE COLOURED PERSONS' REPRESENTATIVE COUNCIL

The Prime Minister announced in the Assembly on 23 April¹¹ that he and other members of the Cabinet had on several occasions held discussions with government and opposition members of the

⁶ *Ibid.*

⁷ *Ibid.*, 25 August.

⁸ *Ibid.*, 13 July.

⁹ See 1969 *Survey*, page 7.

¹⁰ *Rand Daily Mail*, 25 August.

¹¹ Hansard 11 cols. 5111-21.

Coloured Persons' Representative Council. The leaders of all the parties represented in the Council had been invited to set up a committee to discuss with the South African Government the question of liaison between these bodies; but the Labour Party had refused to participate in the proceedings of the committee.

Representatives of the other parties had decided to recommend that the link should be the Council's Executive Committee and that this Committee should have formal discussions with the Prime Minister annually before the opening of parliament, and with the Minister and Deputy Minister of Coloured Affairs every two months. Other Cabinet Ministers or Council members might be invited to attend on occasion. The Government had agreed to these proposals, but had made it clear that if the Coloured people came to feel that the arrangement should be reviewed, this would be done.

BUDGET AND STAFF OF THE COLOURED COUNCIL AND ITS ADMINISTRATION

According to the Government's Estimates of Expenditure from Revenue and Loan Accounts for 1971-2,¹² the following amounts were voted by Parliament for the work of the Coloured Persons' Representative Council.

Revenue Account	:	R76 180 000	for the Coloured Council;
Loan Account	:	R 1 993 000	for the Coloured Council;
" "	:	R 40 000	for the Council Chamber;
" "	:	R 20 000	for houses for Executive Committee members.

It appears, from the Estimates, that 1 213 White public servants had been seconded to the Administration of Coloured Affairs. According to the Minister,¹³ there were 18 710 Coloured persons (including teachers) on the Administration's staff early in 1971.

PROCEEDINGS OF THE COUNCIL IN 1971

Mr. Curry is reported¹⁴ to have said in April that the Labour Party considered the Government's policy of separate development to be pure hypocrisy—a cloak for maintaining White political domination. The traditional pattern of South Africa's racial policies was not going to be changed by decisions made in the Coloured Persons' Representative Council. For this reason, the Labour Party's tactics were to embark on a programme of exposure and embarrassment. Many of the motions it introduced during the Council's session were framed in such a way that it was virtually impossible for the Federal Party to disagree entirely without running the risk of alienating its supporters.

The Labour Party boycotted the official opening of the

¹² R.P. 2/1971 Vote 43; R.P. 7/1971; R.P. 3/1971 Votes B and G.

¹³ Assembly, 20 April, Hansard 11 col. 732.

¹⁴ *Sunday Express*, 11 April.

Council, during August, by the Minister of Defence and Cape leader of the National Party, Mr. P. W. Botha. It also boycotted the budget debate after proposing an amendment that the budget was unacceptable because the Council had no power to change it.

At the start of the session, Mr. Sonny Leon introduced a motion calling for the abolition of the Council and for the inclusion of its 40 elected members in the House of Assembly as representatives of the Coloured people. He proposed that these 40 M.P.'s should sit as an electoral college to nominate Coloured Senators. Mr. Leon said that the Labour Party suggested this scheme, not because it accepted the principle of group representation, but as an interim "practical move".

In an amendment, Mr. Tom Swartz reaffirmed support for the Government's policy of parallel development, and for the institution of the Representative Council as a medium through which the Coloured people could achieve full citizenship. He added, however, that at the present stage, the Council did not provide adequate machinery for the full expression of the political rights of citizenship. He agreed with much of what Mr. Leon had said in support of his motion, Mr. Swartz continued, but it had to be recognized that politics was the art of the possible.

The Federal Party's amendment was passed by 31 votes to 28, the Independents and members of the minor parties voting with the Labour Party.¹⁵

During the session Mr. Swartz said the fact that the Government had at last accepted the principle of equal pay for equal work was a victory for the Coloured people. Members urged that this principle be implemented speedily. Later, however, Mr. Swartz attacked the Government for "evasive and negative" replies to other Council resolutions.

All parties strongly attacked the Population Registration Act, especially the division of the "Coloured" group into seven sub-groups including "other Coloured". A Government-appointed member, Mr. W. Africa, said, "I do not want to be labelled as a 'Coloured'. All I want is to be known as a South African . . . We have the fullest right to full citizenship of this country, and the Government should be called upon to withdraw the term 'Coloured' from the Statute book".

There was criticism of the staffing (by Whites) and the activities of the Coloured Development Corporation.

Mr. M. D. Arendse, the former Labour Party leader, urged that the Government should consider the immediate appointment of a judicial commission to review all discriminatory legislation, with a view to its ultimate annulment. A Federal Party amendment, to the effect that the Coloured people themselves, and not a

¹⁵ *Rand Daily Mail* report, 9 August.

judge, should be asked to define what hurt them, was carried by 30 votes to 27.

Other motions passed called for:

- (a) a commission to enquire into the question of housing for Coloured people throughout South Africa;
- (b) Government legislation to facilitate the taking over by Coloured interests of public transport services to and from proclaimed Coloured areas;
- (c) social pensions equal to those paid to Whites;
- (d) freedom to be given to all sporting bodies to formulate their own policies on the participation of all South Africans in national and international sport.¹⁶

Throughout the session there were rumours that a group of Labour and Federal Party members and Independents, led by Mr. M. D. Arendse, were planning to form a new, centre, party. This move was, however, thwarted, for the time being at any rate. Part of the reason was, possibly, the more outspoken criticism of the Government by Mr. Swartz. But another factor was a decision taken by the Labour Party caucus, at the end of the session, to change its tactics.

The caucus decided that, although the Representative Council was an inadequate political institution, it would accept this body as an instrument to achieve its aims. It would advocate "Brown power", not of a militant kind, but as a way of uniting the Coloured people; and would set itself the primary aim of securing the socio-economic upliftment of the Coloured community. These decisions were subject to ratification by the party's national executive committee.¹⁷

After the session, Mr. Leon challenged Mr. Arendse and those who supported him to resign their seats and contest by-elections under the banner of a centre party.

RIOT AT GELVANDALE, PORT ELIZABETH

Over the years, Coloured housing schemes have been developed inland from Port Elizabeth city, at distances ranging from two to ten miles. To these areas have been moved Coloured people who previously lived in "mixed" suburbs near the city centre. There have never been adequate numbers of houses, however, resulting in serious overcrowding; and the provision of social amenities has lagged behind the building of dwellings. There is much poverty: according to a survey conducted at the University of Port Elizabeth, 54,3 per cent of the male workers earn less than R67 a month, whereas the bare poverty datum line is about R70. School-leavers find it difficult to obtain suitable employment.¹ (It

¹⁶ Account compiled from numerous Press reports.

¹⁷ Report by Mr. Stanley Uys in the *Sunday Times*, 4 August.

¹ Information from the Cleary report, mentioned later.

should be stated that these conditions are by no means unique to Port Elizabeth.)

Tensions mounted, and were exacerbated when the privately-owned bus company serving the Coloured townships decided, early in 1971, to increase the fares. It transpired that their application to the local transportation board to do so was advertised in the *Government Gazette* on 22 January and that no objections were lodged. However, as was pointed out by Mrs. C. D. Taylor, M.P., few Coloured (or any other) citizens read the *Gazette*, and the proposal was not discussed with the Coloured community.

Reports of what transpired did not coincide in all respects: they were made, among others, by the police and by a group of seven clergymen. The brief account given here is based mainly on an official report by Mr. Cleary, the municipal Director of Housing. The Government refused requests from various sources to appoint a judicial commission of enquiry.

The increased bus fares came into operation on 28 February. A boycott of the service began, and by 6 March the usage had dropped to between 20 and 30 per cent of the normal, the people walking to work instead. At a public meeting, an action committee was elected, which called for a mass rally on Sunday, 7 March, at the Gelvendale playing fields (which then had only one entrance).

A crowd of about 10 000 people assembled there. Some policemen patrolling in the vicinity arrested a man for drunkenness. Bystanders began stoning the police vehicle. Over a loud-speaker, the chairman of the action committee announced the immediate closure of the meeting and asked the people to leave. Those doing so encountered police re-inforcements arriving at the entrance. Police vehicles and buses were stoned, some of the passengers on the buses were assaulted, the police used their batons, and arrests were made.

The crowd converged on the local police station to demand the release of those who had been arrested. The premises were stoned. After issuing a warning, the police released teargas and made baton charges. Some shots were fired. It was reported that seven civilians had been wounded by gunfire, and 23 civilians and 20 policemen injured during the disturbances.

Serious unrest continued for about three weeks, buses being stoned, and attempts made to set up road-blocks. More than 40 persons were subsequently charged in court with various offences, such as public violence or malicious injury to property. Eleven men were later found guilty of public violence, receiving sentences ranging from nine cuts to 18 months' imprisonment. Leave to appeal was granted.

Mr. Cleary considered that the announcement of increased fares had triggered off a general public resentment of many aspects

of the living conditions. He warned that further disturbances, in Port Elizabeth or elsewhere, might well occur unless decisive action was taken to improve matters. Municipal officials held discussions with leading members of the Coloured community to discuss grievances.

Mr. F. J. van Wyk, Director of the S.A. Institute of Race Relations, commented,² "The clash . . . clearly demonstrated how close the racial flashpoint is behind the apparent facade of peace in urban non-white townships. To regard the massive non-white population in the urban areas as the silent majority which will remain silent for all time, is to live in a fool's paradise."

Among various others, the Trade Union Council of S.A. expressed similar views. In a letter to the Prime Minister³ its general secretary, Mr. Arthur Grobbelaar, urged that a top-level enquiry be instituted into the future of the Coloured people. It was evident, he said, that this community was "becoming increasingly resentful of the treatment they are receiving, and their frustration is moving towards an explosion point."

Mr. David Curry of the Labour Party said,⁴ "I warn the Government that, as much as we are trying our best to avoid anything that may harm relations between the authorities and the people, if nothing positive is done, we will not be able to prevent a situation developing that may get out of hand". Mr. Swartz's remarks about the possible emergence of a "fifth column" are recorded earlier.

DIVERGENCE FROM WHITES

On other occasions,⁵ Mr. Curry has pointed out that a new generation of Coloured people has grown up since apartheid came into force in 1948. It did not grow up amongst the Whites, as had its parents. There were now Coloured adults who had never met or talked to a White on the same social level. Many Whites knew only the employer/servant relationship. Coloured people had, once, been true South Africans. Now there were many who went to international sports matches especially to jeer at the White South African teams, as a form of political protest.

Coloured people, Mr. Curry said, were moving away from White society towards their fellow-oppressed, the Africans. "Power-points" were developing around apartheid institutions such as the Coloured Persons' Representative Council and the "Bantustan" Assemblies, and these were passing out of the Government's control and were developing their own "anti-White momentum".

The poet and philosopher, Mr. Adam Small, has written,⁶

² *Rand Daily Mail*, 10 March.

³ Quoted in the *Star*, 17 May.

⁴ *Ibid.*, 19 May.

⁵ e.g. *Rand Daily Mail*, 13 July, *Star*, 1 May; *Sunday Times*, 8 August.

⁶ *Rand Daily Mail*, 13 July.

"Racism is a phenomenon of inferiority. Our blackness is a phenomenon of pride. . . . We can no longer care whether or not whites understand us. What we do care about is understanding ourselves, and, in the course of this task, helping whites to understand themselves. . . . We are rejecting the idea that we live by their grace (that is, that they have the right to decide our future). We may live by the Grace of God, but we do not live by the grace of the whites".

INDIAN POLITICAL BODIES

SOUTH AFRICAN INDIAN COUNCIL

The constitution of the South African Indian Council was described on page 15 of the 1968 *Survey*. All of its members are nominated by the Government, and it has advisory powers only. During 1971, the members were re-appointed for a further term of three years.

The chairman of the Council's Executive Committee, Mr. A. M. Rajab, said in May¹ that the Council had made it clear to the Minister of Indian Affairs that public pressure was mounting for a fully elected council, with real responsibilities. The Minister had replied that practical difficulties made this impossible for the time being: these included the finalization of group areas and the resettlement of people, which must be done before voters' lists could be compiled and electoral divisions demarcated. The system of elected members would then be introduced gradually.

During its session in March, the Council was again concerned mainly with the effects of the Group Areas Act, including the distress suffered by displaced traders and the lack of adequate amenities in new townships. Other matters discussed were the desirability of establishing an Indian Investment Corporation, salary scales for professional workers, the admission to South Africa of further professionally qualified Indians, the need for more agricultural land and for Indian agricultural extension officers, and the development of local government in urban areas. The Council noted with appreciation that, as a result of its representations, some Indians had been accepted as articled accountants, and others were being trained as telephone mechanics.²

Mrs. Fatima Meer, a sociologist, contributed an article to the Spro-Cas publication *South Africa's Minorities* in which she said that the nominated South African Indian Council served very little purpose for the Indian people.

Indians, she continued, believed their position to be the most precarious of all in South Africa. Because the Government had stifled all resistance, for the first time in eighty years there was no expression of Indian political aspirations.

PLANS TO REVIVE THE NATAL INDIAN CONGRESS

A few months afterwards, however, Mr. Mewa Ramgobin of Durban announced that he planned to revive the Natal Indian Congress, which had been inactive since the banning or imprison-

¹ *Rand Daily Mail*, 18 May.
² *Fiat Lux*, March.

ment of its former leaders.³ In September, Mr. Ramgobin (who had previously been banned) was served with a fresh set of five-year banning orders, including house arrest.

³ *Rand Daily Mail*, 7 July.

Between 24 December 1970 and the end of March, six white men who were facing charges under the Act committed suicide.

Mrs. Helen Suzman (Progressive Party) moved a Private Member's motion in the Assembly on 26 February,⁶ calling for the abolition of Section 16 of the Immorality Act and of the entire Mixed Marriages Act. She pointed to the "sickening" reports of misery and degradation caused by Section 16. More than half of those charged under this Section had been acquitted, she said, yet had to face disgrace. The legal and social consequences of crossing the colour line in South Africa were such that a white person who entered into a mixed marriage must be utterly committed to the non-white partner. It should be their business alone.

To say that she favoured miscegenation, Mrs. Suzman continued, was equivalent to saying that the Nationalists favoured such forms of immorality as adultery or intercourse between unmarried persons. Yet there were no laws prohibiting these.

As an amendment to Mrs. Suzman's motion, Mr. M. L. Mitchell (United Party)⁷ called upon the Government to appoint a commission to examine problems resulting from the legislation.

The Minister of Justice⁸ rejected both the motion and the amendment; but said that, wherever possible in future, the attorney-general's approval would be obtained before prosecutions were instituted. An attorney who had acted for certain accused commented⁹ that this "concession" would be of little practical help, because the attorney-general's decision would be based only on evidence provided by the police. He would not know what the defence was to be.

⁶ Hansard 4 cols. 1787-98.

⁷ Cols. 1804-15.

⁸ Cols. 1827-39.

⁹ *Rand Daily Mail*, 2 March.

MEASURES FOR SECURITY AND THE CONTROL OF PERSONS

DEFENCE EXPENDITURE, EQUIPMENT, AND MANPOWER

According to the official Estimates of Expenditure for 1971-72,¹ a total of R316 500 000 is to be spent from the Revenue Account on defence (R59 400 000 more than during the previous year). This represents about 17.4 per cent of the estimated total expenditure from Revenue Account. In addition, the following sums were allocated from Loan Account:

R5 000 000 for the purchase of shares in the Armaments Development and Production Corporation of S.A., Ltd.,

R4 221 350 for defence buildings.

The Minister of Defence said in the Assembly on 5 May² that the Permanent Force consisted of 19 000 members, the Citizen Forces of 83 000, the Commandos of 60 000, and the Cadets of 56 000, making a combined total of 218 000.

He reiterated³ that South Africa had no war-like intentions. The Defence Force was being built up merely as a means of maintaining the country's sovereignty and independence, and of enabling it to take up its place in the free world if a confrontation were to occur. South Africa needed no arms from abroad for ensuring its internal security, and could to a very large extent manufacture the armaments required for ensuring its external security. In some cases it was competitive in regard to prices on the world market, and had received orders from abroad.

It was announced in June⁴ that, in terms of an agreement between a French company and the Armaments Development and Production Corporation of S.A., South Africa is to build supersonic Mirage III and F-1 aircraft. The French Foreign Minister is reported to have said on 20 July⁵ that these aircraft could be used for external security purposes only. When current contracts had been fulfilled, France would not permit the sale to South Africa, Rhodesia, or Portugal of any further weapons that could be used against guerillas, for example helicopters or light armoured vehicles.

During September, the Press was informed⁶ that South Africa had developed a new air-to-air missile, which had been successfully

¹ R.P. 2/1971 Vote 18; R.P. 3/1971 Votes B and P.

² Hansard 13 col. 6067.

³ Cols. 6008-9.

⁴ *Rand Daily Mail*, 28 June.

⁵ *Star*, 21 July.

⁶ *e.g. Star*, 10 September.

tested. Fired from a Mirage fighter, it had intercepted a target missile flying at twice the speed of sound.

The Minister of Defence has stated⁷ that Coloured men are employed in various capacities in the South African Navy. It is possible for them to rise to the rank of warrant officer.

STATE SECURITY

It was mentioned on pages 34 *et seq* of the 1969 *Survey* that there had been considerable public concern over the setting up of a Bureau for State Security, the powers of its head, and the provisions of Sections 10 and 29 of the General Law Amendment Act, No. 101 of 1969. In consequence, Mr. Justice Potgieter of the Appellate Division had been appointed a one-man commission of enquiry into matters relating to the security of the State.

The Prime Minister announced in the Assembly on 21 April⁸ that a parliamentary committee under his chairmanship, and consisting of equal numbers of members of the government and the official opposition, was to be established to consider how much of the Potgieter report could be released without prejudice to the country's security.

The Government, he continued, was prepared to accept certain of Mr. Justice Potgieter's recommendations, and during 1972 would introduce legislation to put these into effect. Amendments would be made to Sections 10 and 29 of the 1969 Act. A State Security Council, already established, would be given statutory status.

The Bureau for State Security, the Prime Minister said, was a normal State department. To make this clearer, the title of its head would be changed to the Secretary for Security Information. The Bureau had no powers of search, arrest, or detention: these were the functions of the police.

PUBLICATIONS AND ENTERTAINMENTS ACT, No. 32 OF 1971

This Act dealt with three main matters.

1. It was made clear that a film intended for public exhibition must be submitted to the Publications Control Board (established in terms of the principal Act of 1963) before the film is shown in private, or before any particulars relating to it may be published. No particulars may be released about a film that is rejected (other than its title), or about portions that the Board has decided should be excised.
2. The Board was empowered to lay down conditions if it decided to impose control over the holding of a public entertainment.
3. Members of the Board, or persons authorized thereto by it, may enter any place if they have reasonable grounds for

⁷ *Rand Daily Mail*, 11 December 1970.

⁸ Hansard 11 cols. 4842-7.

suspecting that undesirable publications or other objects are produced or exhibited there. They may seize any publication or object which appears to afford evidence of a contravention of the Act.

The increased powers to be given to the Board were objected to by the parliamentary opposition and by many others, including the Suid-Afrikaanse Akademie vir Wetenskap en Kuns.

PROHIBITION OF PUBLICATIONS

Before the establishment on 1 November 1963 of the Publications Control Board, a Board of Censors, appointed in 1956, had power to prohibit the distribution of literature produced overseas which was considered by it to be indecent, obscene, or on any ground objectionable.

An Objectionable Literature Index is published annually by Mr. Kenneth Jacobsen of Pretoria. He stated during March⁹ that, since 1956, the Board of Censors and the Publications Control Board had banned 12 651 publications, films, and records.

In February, the Minister of the Interior was questioned in the Assembly about the activities of the Publications Control Board (excluding its consideration of films).¹⁰ He replied that, since 1963, the Board had prohibited 5 785 publications, of which 5 771 remained prohibited.

During 1970, the Minister said, the Board had examined the following publications or other objects:

	Publications	Other objects
Submitted by members of the public ...	143	2
Examined in terms of the Customs Act	735	35
Of the total, 573 publications and 27 other objects had been deemed undesirable.		

In reply to questions relating to films, the Minister gave the following information:¹¹

	Since establishment of Board in 1963	During 1970
Films submitted to the Board ...	14 440	801
Number totally prohibited ...	218	49
Number approved subject to the excision of specified portions ...	1 764	273
Number approved for exhibition only to persons of a particular race or class ...	757	244
Number approved unconditionally ...	11 701	235

⁹ *Rand Daily Mail*, 13 March.

¹⁰ Hansard 3 cols. 232-3.

¹¹ Hansard 2 cols. 75, 144.

On 9 March¹² the Minister was asked about appeals made to courts of law against decisions of the Board. No appeals had been made in regard to films, he said. So far as publications were concerned, eleven appeals had been allowed, and twelve had been dismissed (including an appeal in regard to all subsequent editions of one of the publications concerned). Twelve appeals were pending.

Four of the appeals that succeeded were against bans on individual issues of the magazine *Scope*: the Board was ordered to pay the legal costs involved. One of the issues concerned was banned because it contained an article on abortion entitled "The Agony of the Unborn Child". Mr. Justice Henning, who heard the appeal, stated in the Supreme Court that the public should be encouraged to read this article, and not prevented from doing so.¹³

Towards the end of 1970, the Pretoria-based Pasquino Society launched a petition against the "arbitrary and unrealistic" censorship of the Publications Control Board. It was stated, in a preamble, that "the ever-growing prohibitions" were "inconsistent with present-day acceptability". More than 40 000 signatures were obtained. Mr. W. Vause Raw (United Party) presented the petition to the Deputy Minister of the Interior in the Assembly on 10 June. The latter then produced his own set of signatures, coming, he said, from the Youth of Christ Movement, and supporting the actions of the Board. He did not disclose how many people had signed this document.¹⁴

A few days earlier, Mr. Japie D. du P. Basson (United Party) had pointed out in the Assembly¹⁵ that bona fide South African students of affairs in the African continent were seriously handicapped because so many of the relevant books had been banned, and could not be consulted unless special permission was obtained.

During June, the British Clarendon Press published the second volume of the *Oxford History of South Africa*, edited by Professor Monica Wilson and Professor Leonard Thompson. It contained a chapter on "African Nationalism in South Africa, 1910-1964", written by Professor Leo Kuper, who left the Republic some years ago. Professor Kuper had quoted statements made by banned persons, which, in terms of the Suppression of Communism Act, made it illegal to distribute his chapter within South Africa. The publishers, thus, decided to produce an edition for use in the Republic with 53 blank pages where Professor Kuper's chapter would have been.

¹² Hansard 6 cols. 442-3.

¹³ *Sunday Times*, 6 March.

¹⁴ Assembly Hansard 18 col. 8718.

¹⁵ Hansard 17 col. 8282.

BANNING ORDERS ON PERSONS

In terms of Government Notice 446 of 23 July, a revised list was published of 30 white and 244 non-white people, still in South Africa, who were then subject to banning orders. Since then, further orders have been issued, while others have been allowed to lapse.

During the year under review two white and eight non-white persons whose previous banning orders expired were re-banned for further periods of five years. An African man was served with a further two-year banning order. A few people have remained subject to such orders since soon after the Suppression of Communism Act of 1950 originally came into force.

Most of the orders issued during 1971, however, have been served for two-year periods on African ex-political prisoners, as their sentences expired. These men have generally been ordered to remain for the time being in a resettlement township in a homeland, where it is extremely difficult to find any employment.

An especially severe set of banning orders for five years, including house arrest, was served on the Rev. Father Cosmas Desmond. As mentioned earlier, he was the author of the book *The Discarded People* which described highly unsatisfactory conditions in about sixty resettlement villages which he had visited in homeland areas. The restrictions imposed on Father Desmond made it impossible for him to continue his previous work with the Christian Institute. Numerous public protests were made. There was Press comment on the irony of the fact that shortly afterwards the Deputy Minister of Bantu Administration, on visiting Sada (one of the townships described in the book) for the first time, said¹⁶ that something would have to be done to ease the misery of the people.

Mr. Mewa Ramgobin, who had planned to revive the Natal Indian Congress, was also banned and placed under house arrest for five years. Mr. Justice Moloto, the general secretary of the University Christian Movement, has been confined to the Mafeking area for five years.

The first person subjected to house arrest, in October 1962, was Mrs. Helen Joseph. This order remained in force until June 1971, when Mrs. Joseph had to undergo an operation for cancer. Her banning orders were then suspended, but she remained "listed" under the Suppression of Communism Act. *Inter alia*, her writings or speeches may still not be published.

¹⁷ During the trial of the Anglican Dean of Johannesburg (described later), Lt. Col. P. J. Coetzee of the Police is reported¹⁷ to have told the court that people could be subjected to banning orders and passport restrictions on the strength merely of reports

¹⁶ *Rand Daily Mail*, 7 August.

¹⁷ *Star*, 10 August.

from security police agents. Past trials, for example of men arrested in Victoria West in 1968,¹⁸ have shown that evidence provided by such agents may be far from reliable.

BANISHMENT OF AFRICANS IN TERMS OF THE BANTU ADMINISTRATION ACT

In reply to a question in the Assembly on 24 April,¹⁹ the Minister of Bantu Administration and Development said that three Africans died in banishment during 1970.²⁰ It would appear that nineteen men and one woman were still living in banishment at the beginning of 1971. The first of the orders still in force was issued as long ago as 1950, while two more were served in 1954.

EMERGENCY REGULATIONS IN THE TRANSKEI

The emergency regulations for the Transkei, issued as Proclamation 400 of 1960, remain in force.

The Minister of Bantu Administration and Development said in the Assembly on 18 May²¹ that 23 Africans were then in banishment from their homes under these regulations, four of them having been exiled for as long as ten years.

According to the Minister of Police,²² 37 Africans were detained under the emergency regulations during the period 1 July 1970 to 31 March 1971. At the latter date, 24 of them were still being held: four had been in detention for as long as 101 days. The remaining 13, who were all released without charges having been laid against them, had been held for periods ranging from 2 to 78 days.

ADMISSION OF PERSONS TO THE REPUBLIC

REGULATION AMENDMENT ACT, No. 55 OF 1971

This measure increased very substantially the penalties for certain offences under the principal Act of 1913 as amended, for example:

- (a) aiding or being accessory to the entry into the Republic of a person who does not have the necessary visa or who is a prohibited immigrant;
- (b) failing to comply with a summons to appear before an immigration board, or to answer satisfactorily questions asked by the board;
- (c) in the case of masters of ships or other conveyances, failing to remove from the country, and meanwhile to arrange for the detention in custody of, a person who is not permitted to land, or is a prohibited immigrant (even if this person has arrived as a stowaway).

¹⁸ See 1969 Survey, page 65.

¹⁹ Hansard 11 col. 777.

²⁰ See 1967 Survey, page 43, for the conditions of banishment.

²¹ Hansard 15 col. 896.

²² Assembly, 2 April, Hansard 9 col. 679.

Passport control officers were empowered to detain in custody persons who failed to produce the required permits, and to charge them before a competent court.

CITIZENSHIP AND TRAVEL DOCUMENTS

Loss of South African citizenship

The Minister of the Interior said in the Assembly on 12 March²³ that, during 1970, 34 persons were deprived of their South African citizenship, in 28 cases because they made use of passports issued by other countries. Four people, while resident in the Republic, acquired foreign citizenship by formal and voluntary means, while another two renounced their South African citizenship with intent to accept foreign citizenship.

Passports

Questioned in the Assembly on 16 February,²⁴ the Minister said that, in 1970, there were 182 716 applications by South Africans for travel documents of which only 174 were refused. Available statistics did not reveal the racial groups of the applicants. (Some of the passports granted were for limited periods only, instead of the normal South African period of three years.)

According to the managing director of a prominent travel agency,²⁵ a total of 551 122 South African residents left the country temporarily in 1970. Of these, 49 185 were non-whites, at least 30 000 of the latter being Muslims on pilgrimages to the East.

Prominent persons who had previously been refused passports but were granted them in 1971 included Chief Gatsha Buthelezi, Chief Executive Officer of the Zulu Territorial Authority, Mr. Knowledge Guzana, Leader of the Opposition in the Transkei, and the playwright, Mr. Athol Fugard.

Chief Buthelezi, Paramount Chief Matanzima, and Chief Lucas Mangope toured Britain during October, as guests of the British Government.

During the debate on his Vote in the Assembly,²⁶ the Minister of the Interior denied that a person's political convictions or religious beliefs were taken into account when applications for passports were considered. Reports from the security police, the Bureau for State Security, and information received from other countries were taken into account. Among the reasons for refusing a passport or a visa were:

- (a) if the person could become a financial burden to the country;
- (b) if he could become an embarrassment to himself or a security risk to the country to which he was going;

²³ Hansard 6 col. 484.

²⁴ Hansard 3 col. 210.

²⁵ Rand Daily Mail, 6 August.

²⁶ 10 June, Hansard 18 cols. 8733-41, 8765-74.

- (c) if he was a former communist or supporter of a banned organization;
- (d) if he was a known terrorist or terrorist sympathizer;
- (e) if he had at any time pleaded for revolution, sabotage, riots, or acts of violence against people or the State;
- (f) if he undermined peace and order;
- (g) if he besmirched his own country overseas, going further than normal criticism, or advocated violence against South Africa.

Mr. Lionel G. Murray (United Party)²⁷ once again urged that the Minister's decision should not be final, but that a tribunal be established to hear appeals. The existing procedure, he pointed out, made no provision for representations to be made by the person concerned.

Action taken against clergymen in regard to the granting or refusal of travel documents is described on page 50.

Deportation orders, exit permits, and cancellation of temporary residence permits

In reply to questions in the Assembly on 16 February,²⁸ the Minister said that, during 1970, 90 Whites and 56 Africans from South Africa and South West Africa were served with deportation orders. Twenty persons who had been refused passports were granted permanent exit permits: one White person, ten Coloured, five Asians, and four Africans.

Mr. Joel Carlson, who had been attorney for the accused in more than twenty political trials, is said²⁹ to have come to the conclusion that it was no longer possible for him to continue his work in South Africa. *Inter alia*, several attempts had been made on his life. He decided to take up a law lectureship offered him in New York.

According to the Minister of the Interior,³⁰ he and his wife obtained British passports during April, relinquishing their South African citizenship and becoming aliens. Mr. Carlson left in May, his wife remaining to settle their affairs. She and the children were granted temporary residents' permits valid until the end of May, but this period would, if necessary, be extended, the Minister said.

Two American citizens, each of whom had been in South Africa for some years, were advised that further extensions of their temporary residents' permits would not be considered. They were Mr. Richard Rock, a lecturer at the University of the Witwatersrand, and Mr. Rex Heinke, president of the Students' Representative Council at the same university.

²⁷ Cols. 8702-3, 8741-4.

²⁸ Hansard 3 cols. 209-10.

²⁹ *Sunday Times*, 9 May.

³⁰ *Rand Daily Mail*, 11 May.

The stories of Miss Shantie Naidoo and Mr. Robert Sobukwe have been told in earlier issues of this *Survey*.³¹ Both are under strict banning orders, and are confined, respectively, to the Johannesburg and Kimberley districts. During 1970 they both applied to the Department of the Interior for permanent exit permits, which were granted. Miss Naidoo had a permit to enter and to work in Britain, while Mr. Sobukwe had been offered a university lectureship in the United States. They then applied to the Department of Justice for a relaxation of their banning orders to enable them to go to Jan Smuts Airport or some other port of departure. These applications were refused.

Application was then made to a Full Bench of the Supreme Court, Pretoria, for an order enabling them to leave the areas to which they had been restricted for the purpose of making use of their exit permits. But the application failed. The three judges concurred in finding that, because of the absolute wording of the Suppression of Communism Act and the powers it gave the Minister of Justice, a restriction order issued in terms of this Act was equivalent to a court order of imprisonment in relation to an exit permit.³² Further appeal has been made to the Appellate Division.*

Visas

The Minister of the Interior said on 9 February³³ that, during 1970, visas had been refused to 1469 foreigners (excluding those refused return visas). He did not say how many had been granted.

Among those to whom visas were refused in 1971 was (for a second time) the Negro tennis player, Mr. Arthur Ashe.

As mentioned on page 46 of the 1969 *Survey*, Congressman Charles Diggs, who is chairman of the Foreign Affairs Subcommittee on Africa of the United States' House of Representatives, was, that year, granted a visa on condition that he did not address any public meetings in South Africa and refrained from doing anything that would constitute interference in the Republic's domestic affairs. He then cancelled his proposed visit.

Congressman Diggs applied again in 1971. This time, he was granted an unrestricted visa, but, in the event, when he arrived difficulties were placed in the way of his visiting South West Africa and a resettlement village in an African homeland. His visit is described in a subsequent chapter.

* *e.g.* 1970 *Survey*, pages 58, 59, 61; 1969 *Survey*, page 43.

³¹ *Star*, 22 June.

³² *Assembly Hansard* 2 col. 113.

³³ This appeal failed.

POLITICAL MOVEMENTS-IN-EXILE, AND GUERRILLA FIGHTERS

FINANCIAL ASSISTANCE

The assistance being given by the World Council of Churches to movements-in-exile and guerillas is described on page 51.

It is reported¹ that African liberation movements still obtain their arms from communist countries, but are increasingly looking to the West for other forms of help. The Swedish Government allocated R1 190 000 in 1971 for "refugees and national liberation movements", mainly in Africa, the money to be used for humanitarian purposes only.

Others in Western countries who have voted support for the humanitarian activities of African freedom movements during the past year include the Rhineland division of the Evangelical Churches of Germany, Queen Juliana of the Netherlands, the Presbyterian Church, the Joseph Rowntree Social Services Trust in Britain, Oxfam, and various left-wing British organizations. Money from the Rowntree Trust and Oxfam is stated to be used for hospitals, schools, and their equipment. A committee of the British Labour Party was formed to launch an appeal for funds to aid "liberation movements" in Southern Africa. It was reported² that, in this case, the money collected would be handed over unconditionally.

In response to a request from the United Nations' Secretary-General for aid to liberation movements, Israel decided to donate food, medicines, and blankets to the value of R1960 to the Organization of African Unity. The South African Government then temporarily suspended the transfer of "substantial" sums of money, raised by the Zionist movement, to Israel through the S.A. Reserve Bank. However, the Israeli offer was very shortly afterwards withdrawn. Instead, the comforts were given to the United Nations fund in Geneva for the education of African refugees.³ The ban on the transfer of funds to Israel was lifted in September.

AFRICAN LIBERATION MOVEMENTS

The French periodical *Jeune Afrique* has issued a guide to African liberation movements. It stated, *inter alia*, that the ANC-in-exile has provisional headquarters in Morogoro, Tanzania, with branch offices in London, Algeria, Dar-es-Salaam, Lusaka, Cairo,

¹ *Star*, 28 September.

² *Star*, 20 May.

³ *Rand Daily Mail*, 25 June.

and New Delhi. It had about 2 000 guerillas, several hundred of whom have been fighting with Zapu forces.

The Rhodesian Zimbabwe African People's Union (Zapu) and Zimbabwe African National Union (Zanu) were said to have about 2 000 and 600 guerillas, respectively.

It was reported that the South West Africa People's Organization (Swapo) had even more branch offices overseas than had the ANC.

The PAC-in-exile appears to be ineffective.

According to the Press,⁴ the head of South Africa's Security Police, Brigadier P. J. Venter, has described an internal struggle for power in the ANC-in-exile. Oliver Tambo had been seriously assaulted in Dar-es-Salaam. He, J. B. Marks, and Joe Matthews were stated to have resigned from the movement. A large number of disillusioned rank-and-file members had fled from training camps to seek refuge in Kenya. Since 1967, Brigadier Venter continued, more than 13 members had returned to South Africa and surrendered to the Security Police, thereafter becoming police agents.

When the Progressive Party leaders, Mr. Colin Eglin and Mrs. Helen Suzman, visited Nairobi on 11 October, they were approached by a delegation representing about 80 South African political refugees there, who had left the Republic illegally and dared not return. They were, they said, unable to live on the R10 monthly allowance paid to them by the United Nations High Commission for Refugees through a church organization. They asked for financial help to enable them to set up businesses if the Kenya Government agreed to allow non-citizens to do this.

During August, thousands of pamphlets purporting to be of ANC origin were scattered by home-made time bombs at African bus and railway terminals in Johannesburg, Cape Town, Durban, and Port Elizabeth. Similar pamphlets, and a newspaper issued by the S.A. Communist Party, were sent anonymously through the post to many private persons.

RHODESIA AND RHODESIAN MOVEMENTS-IN-EXILE

Various Press reports indicate that there has been much dissension both within and between Zapu and Zanu members in Zambia. James Chikerema emerged as leader of the former organization, and advocated a united front with Zanu, but attempts to bring this about failed.

It was stated that members of the military wing of Zanu kidnapped this organization's five-man war council, headed by Herbert Chitepo, with the object of forcing them to stop arguing and start fighting. President Kaunda is reported to have placed the kidnappers in detention; to have ordered more than 100 mem-

⁴ *Sunday Express*, 24 January; *Sunday Times*, 11 April.

bers of the two organizations to leave Zambia; and, in August, to have told the leaders to "unite or get out".

At about the same time, it was stated, some 129 members from both organizations returned to Rhodesia and surrendered to the security forces there.

Subsequent reports indicate that a new group, the Front for the Liberation of Zimbabwe, has been formed, claiming to be a merger of the Zapu and Zanu fighting units. This move was encouraged by James Chikerema. The leader is Shelton Siwela.

During July, the Rhodesian police discovered a number of crates of weapons and other guerilla equipment in a warehouse on the outskirts of Salisbury. An African storeman employed there pleaded guilty, in court, to having brought them by lorry from Lusaka. He was sentenced to 20 years' imprisonment.

The Rhodesian authorities stated⁵ that on 29 August a group of Frelimo⁶ guerillas crossed the border from Mozambique, but were intercepted by security forces, one member of which was slightly wounded in the skirmish that followed. Seven of the guerillas were killed, and one captured. It was reported that, earlier, three members of the Rhodesian Light Infantry had been killed when their vehicle struck a land mine just beyond the border, as they were returning after a brief visit to Portuguese officials stationed in the vicinity.

SOUTH WEST AFRICA

On 24 May the Minister of Police announced in the South African House of Assembly,⁷ that continuous police patrols had been operating along the Caprivi-Zambian border. Guerillas had made several attempts to lay landmines. A few days earlier, a mine had blown up two police vehicles, killing two policemen and injuring seven others and two trackers. The tracks of six people had been found between the scene of the explosion and the Zambian border.

The Commissioner of Police said on 28 September⁸ that he did not see this border war ending in the near future. "It is a cold war in which we cannot and will not publicise our successes. Nor will we give the enemy—that is, the communists—information regarding any possible setbacks."

It was announced by the Prime Minister at a National Party Congress on 5 October that two more South African vehicles operating in the Caprivi Strip had struck landmines. A police Captain had been killed, and four police constables seriously injured. A further two mines had been discovered before they exploded, while another exploded a few days later without causing injuries. Mr. Vorster repeated an earlier statement, quoted in last

⁵ *Rand Daily Mail*, 7 September.

⁶ Front of the Liberation of Mozambique.

⁷ Hansard 16 col. 7330.

⁸ *Rand Daily Mail* of the following day.

year's *Survey*, that South Africa reserved the right to pursue terrorists wherever they might flee. He added that no country could allow communist-trained terrorists to violate its territory without being punished, or to injure or kill its citizens in such a cowardly way. "Dit word, derhalwe, in hierdie geval gedoen" (This is, therefore, being done in this case), and if the pursuers were attacked, they would defend themselves. The responsibility rested squarely on the shoulders of the country making available its territory for this sort of aggression.

Mr. Vorster's remarks were interpreted by both the Afrikaans and the English Press to mean that South African policemen had crossed the border into Zambia. The Minister of Police denied that this had occurred. South Africa's Foreign Minister told the Security Council that the trail of four persons had been found, leading from the Zambian border to the location of the landmines, and back. The police followed this trail for some distance, but did not cross the Zambian border to continue the pursuit.

Zambia made an official complaint to the Security Council, alleging that South African army units had crossed her borders, and that this was the 24th violation of Zambia's territory and air space. Burundi, Somalia, Sierra Leone, and Syria introduced a motion to the effect that the Security Council should condemn such violations of Zambia's sovereignty and should call upon South Africa to respect Zambian territorial integrity.

After realizing that the resolution would not obtain the required majority, the sponsors modified it, omitting any mention of "condemnation". The resolution declared that if South Africa refused to respect Zambia's sovereignty, the Security Council would meet again to examine the situation further.

MOZAMBIQUE

Guerilla forces based in Tanzania are reported⁹ to have launched actions during January on each of the three main fronts in northern Mozambique — the Cabo Delgado area in the extreme north-east, the Vila Cabral area near Lake Malawi, and the Tete area, in which the Cabora Bassa dam is being built across the Zambesi River. In the north-east, attempts were made to cut the tarred road between the Portuguese air base at Mueda and Porto Amelia on the coast. Those attacking in the Tete area were, apparently, transported by truck across Zambia, and then infiltrated at various points from the border. Heavy engagements were fought: it is reported that 73 guerillas had been killed, numbers wounded or captured, and quantities of war materials seized. The Portuguese losses were not stated.

During April, a Portuguese munitions freighter, the *Angoche*, was found at sea off the Cabo Delgado coast, damaged by fire

⁹ *Star*, 1 February.

and abandoned by her crew. She was towed to Lourenço Marques, where the authorities stated that the ship had apparently been sabotaged by expertly-placed explosives. It was possible that one or more members of the crew had been killed: the fate of the others was not known. There were rumours that they were prisoners in Dar-es-Salaam, and that Frelimo and/or Red Chinese forces had raided the ship. The Portuguese navy undertook in future to convoy coasters sailing in this area.

In May, after the rainy season, the Portuguese resumed attacks, making considerable use of helicopter-borne commandos. Air-attacks were made against Frelimo settlements in the northern Cabo Delgado area. Frelimo claims¹⁰ that, in the area it controls there, it has started schools, health services, and agricultural projects among the local Africans. Men operating from this territory laid landmines along the main road to the south. Convoys of trucks bringing supplies to the northern Portuguese bases had to be accompanied by army vehicles, frequent stops being made to ensure that the road was safe.

The Tete district was placed under a military governor in May. Many mines have been placed here, too, along the 150 km road from the town of Tete to the dam site, the road from Rhodesia to Malawi (which passes through Portuguese territory at Tete), and the road and rail linking Tete with the coast at Beira. During July, a group of about 60 men infiltrated from Zambia into the Tete district: all were stated to have been killed in a commando and air force attack.¹¹

The mining and ambushing of roads in this district was stepped up during September, apparently to deter Dr. Banda from visiting various parts of Mozambique, including the Cabora Bassa dam site. In the event, the Malawi President's tour took place without incident; but numerous Press reports stated that it became extremely dangerous to travel along the roads around Tete; that after several vehicles had been blown up, with casualties, trucks and cars were allowed to travel only in convoys with military escorts; and that a railway bridge on the line to Beira was destroyed.

It is stated¹² that there has been dissension among Frelimo leaders in Tanzania, as a result of which some members left for Kenya, where they founded a rival organization called FUMO (Mozambique United Front).

¹⁰ *Star*, 27 September.

¹¹ *Star*, 6 July.

¹² *Star*, 10 September.

FOREIGN AFFAIRS

SOUTH AFRICA'S MEMBERSHIP OF INTERNATIONAL ORGANIZATIONS

At a meeting of the International Civil Aviation Organization, held in Vienna during July, a decision was taken by a narrow majority to exclude South Africa from all regional and local conferences of this body. It is understood that, thereafter, invitations to South Africa to attend two specialized conferences were cancelled.¹

Mr. Arthur Grobbelaar of the Trade Union Council of South Africa attended, as an observer, the annual conference of the International Labour Organization, held in Geneva. He reported afterwards² on the "virulence" of the anti-apartheid feeling among the representatives present of the governments, trade unions, and employers' organizations of 119 countries. A resolution which, *inter alia*, condemned racism in any form, and called for action to secure the elimination of apartheid and to discourage emigration to South Africa in so far as this tended to support the apartheid policy, was approved by 113 countries (including Portugal). The representatives of six governments abstained from voting on the ground that the resolution was impracticable; but the employer and trade union representatives of these countries were in favour of the resolution.

Proceedings of the United Nations affecting South Africa are described later.

BOTSWANA, LESOTHO, AND SWAZILAND

In a paper³ given at a symposium held at the University of Potchefstroom during August, Dr. P. Smit described the close economic ties existing between South Africa and Botswana, Lesotho, Swaziland, and Malawi.

The Minister of Foreign Affairs, Dr. Hilgard Muller, announced in May that South Africa and Lesotho planned to exchange consular services. Earlier, he said that, at Lesotho's request, 26 South African public servants had been seconded to that country temporarily, to give expert help in various fields. The South African Wool Board is helping to establish a merino sheep stud farm there.⁴

As described later, Lesotho's Prime Minister, Chief Leabua

¹ *Star*, 9 July and 31 August.

² *Rand Daily Mail*, 7 July.

³ Entitled "The Place and Role of the Black States with Reference to Economic Co-operation in Southern Africa".

⁴ *Report from South Africa*, May.

THE PASS LAWS

PROSECUTIONS

According to the latest report of the Commissioner of the South African Police, for July 1969—June 1970,¹ 621 380 persons were sent for trial for infringements of laws and regulations relating to the production of documents by Africans, while 22 517 were sent for trial for infringements of Masters' and Servants' laws and the Bantu Labour Regulation Act. Thus 643 897 persons were tried for infringements of what are commonly known as the "pass laws." These cases constituted 26,8 per cent of all cases sent for trial, the average number of daily prosecutions for pass offences being 1 764. The comparative figures for 1970 are: 632 077 cases sent for trial, constituting 26,5 per cent of all cases, and making an average of 1 732 pass prosecutions per day.² The 1970 figures were lower than the 1969 ones, but the 1971 figures are marginally higher than those for 1970.

The Minister of Justice stated in Parliament in May that 42 per cent of all prisoners serving sentences of up to four months had been imprisoned as a result of influx control laws and regulations.³

Prosecutions for Bantu Tax law infringements numbered 138 307, constituting 5,8 per cent of the total number of prosecutions. The comparative figures for 1970 were 188 361 and 7,9 per cent.

AFRICANS REMOVED FROM URBAN AREAS

Questioned in the Assembly in February, the Minister of Bantu Administration and Development said that the following numbers of Africans were removed from the following areas in 1970:

	<i>Men</i>	<i>Women</i>	<i>Total</i>
Witwatersrand ...	23 267	1 528	24 795
Cape Peninsula ...	191	35	226
Pretoria ...	3 551	498	4 049
Durban ...	2 695	2 071	4 766
Port Elizabeth ...	13	2	15
	29 717	4 134	33 851 ⁴

¹ R.P. 45/1971.

² 1970 Survey, p. 164.

³ Hansard 16 cols. 7491 and 7539.

⁴ Hansard 2 col. 180.

The total is marginally higher than the 1969 figure, except in the case of Pretoria, where the number of people removed has more than doubled.

"AID CENTRES"

The Deputy Minister of Bantu Administration, Dr. Piet Koornhof, announced in June that the government intended to introduce a new system of dealing with pass offenders—through "aid centres" and homeland "rehabilitation centres". Provision for this system was made in the Bantu Laws Amendment Act, No. 42 of 1964⁵, Section 12 of which stated that:

- (a) any African arrested or convicted under the influx control and pass laws may "be admitted to an aid centre established by or for a labour bureau";
- (b) aid centres may be used for periodical sittings of Bantu Commissioners' Courts;
- (c) a Bantu Affairs Commissioner may "after due enquiry and with due regard to the family ties and obligations or commitments of such Bantu, make such order as may appear to him to be just in regard to the placing in employment of such Bantu or the issue to him of the requisite documents . . . or permission in regard to the repatriation of such Bantu and his dependants to his home or last place of residence, or to a settlement, rehabilitation scheme or any other place indicated by such Bantu Affairs Commissioner";
- (d) a Commissioner may also suggest that no criminal action be taken against an African admitted to an aid centre or detained for a pass offence.

Dr. Koornhof said that the system he envisaged was a genuine attempt to "reduce the burden on the technical offender and to divert the majority of these offenders away from the courts and the prisons." The aid centres would attempt to legalize the position of "technical offenders" by liaising with their employers, the local labour bureau, or the homeland authority. If their position could be legalised they would not have to go to gaol, but if not, they would be gaoled or sent to "rehabilitation centres" where they could learn a trade. (In February 1970 it was stated in Parliament that there were not yet any rehabilitation centres in the homelands.)⁶ Dr. Koornhof said he believed the majority of those Africans whose position could *not* be legalized were "won't-works", and it was these who would be sent to rehabilitation centres. But the basic approach was that almost all the people concerned were

⁵ 1964 Survey, pp. 174-187, esp. p. 182.

⁶ 1970 Survey, p. 165.

not criminals. "All they want to do is find work . . . The new system will help them immeasurably."⁷

Two aid centres have been established so far, in Cape Town and Welkom. Other centres are to be established in Johannesburg, Bloemfontein, Pretoria, Krugersdorp, Germiston, Alexandra, Klerksdorp, Brakpan, Nigel, Sebokeng, and Modderbee.⁸

The enabling legislation of 1964 said nothing about the circumstances in which prosecution might be waived, and at the time of its passage fears were expressed that Africans could be faced with the choice between a specific job and repatriation to their homelands.⁹ Centres might become a source of cheap labour for employers who could not attract workers by normal means.¹⁰ These anxieties were once again expressed when Dr. Koorhof made his announcement. Mrs. Helen Suzman said that the most important objection to the system was that it could be a method of legalizing the "highly objectionable 'in lieu of prosecution'" system which led to the farm labour scandal.¹¹ While welcoming any measures designed to reduce the "incalculable misery" caused by influx control, the Institute of Race Relations drew attention to the "need to apply the power to direct labour with requisite consideration not only of the aptitudes but also of the wishes of the individual concerned. It is necessary to guard against naked direction of labour."¹² Fears were also expressed that the holding of court sittings at aid centres, which would be in African areas, could mean that they were in effect closed to the white press and public. Further, there would be no option of a fine—which many pass offenders chose to pay.¹³ The Black Sash condemned the new plans as yet another (and easier) means of removing Africans from urban areas. Aid centres might reduce the number of short-term pass-offence prisoners, "but this will only be because instead of going to prison the people will be taken to the homelands or rural areas and placed in employment where there is a shortage of labour, particularly on white farms—and the statistics will no longer be available."¹⁴

A senior member of the Soweto Urban Bantu Council said he feared that the new system would lead to mass repatriation of people to the homelands. "I believe that the government will decrease the prison population but drastically increase the homeland population," which would be a tragic day for South Africa. Another U.B.C. member said "My fears are that too many people

⁷ Star, 9 June.

⁸ Rand Daily Mail, Star, 14 October.

⁹ Rand Daily Mail, 8 June.

¹⁰ 1964 Survey, p. 182.

¹¹ Rand Daily Mail, 10 June.

¹² Race Relations News, June.

¹³ Rand Daily Mail, 10 June.

¹⁴ Ibid.

will face a more terrible fate than prison—that of being dumped in hunger in poverty infested Bantustans."¹⁵

RECOMMENDATIONS BY THE NATIONAL INSTITUTE FOR CRIME PREVENTION AND REHABILITATION OF OFFENDERS

In a memorandum to the Minister of Bantu Administration and Development in March, the National Institute for Crime Prevention and Rehabilitation of Offenders (NICRO) made specific proposals for changes in the pass laws to help combat crime and recidivism among African ex-prisoners, and re-integrate them into the community. The unavoidable implication of the memorandum is that the pass laws are a significant cause of *crime*—in the proper sense of the word. It was NICRO's experience that the great majority of African ex-prisoners were not in possession of reference books at the time of their release, and were likely to be destitute. Without registration an African could not have a settled place of residence, was subject to arrest and imprisonment, and was debarred from seeking lawful employment. The alternative to which he turned was extremely likely to be crime.

NICRO's recommendations to the Minister included:

- (a) pre-release documentation of prisoners so that they could be employed with the minimum of delay when they were released;
- (b) the deletion from Section 10 (1) (b) of the Bantu (Urban Areas) Consolidation Act of 1945 of the clause which deprives an African of his right to urban residence if he receives a six-month prison sentence or a fine of over R100;
- (c) allowing the wife of a prisoner receiving a sentence of six months or a fine of over R100 or the widow of a deceased African a reasonable time to obtain employment and qualify for urban residence, instead of rapidly endorsing her out, as happens in many cases at present;
- (d) placing on the Bantu Affairs Commissioner the onus of proving that an African is "idle" or "undesirable" before punishing him, instead of making the accused African prove the contrary as is the case at present.¹⁶ (This recommendation conflicts sharply with the manner in which aid centres are to be run in terms of the 1964 Act, for they have the power to "deal with" thousands of alleged "undesirables", a widely defined term which includes any African who has on three consecutive occasions refused "without lawful cause" to accept employment offered to him by a labour bureau.)¹⁷

¹⁵ The World, 10 June.

¹⁶ Memorandum to the Minister, summarized by the Institute of Race Relations in RR, 96/71.

¹⁷ Rand Daily Mail, 17 June.

FOREIGN AFRICANS

According to the Africa Institute there are 562 000 foreign African workers in South Africa, and 220 000 in Rhodesia.¹⁸ In Southern Africa as a whole, there are 1 500 000 workers (mostly Africans) working outside their national boundaries at any given time. The migratory labour system thus affects (when families are taken into account) about 6 000 000 people in Southern Africa.¹⁹

Unlike white immigrants, foreign born black people can never acquire South African citizenship, however long they have lived or worked in the Republic, or whether or not they are married to South African citizens. Foreign migratory labourers may not become the tenants of homes of their own, nor may they bring their wives to live with them in the prescribed areas.²⁰ The same, of course, applies to contract workers from the homelands.

African children born in the Republic have no right to South African citizenship, if, at the time of their birth, their father had no right of residence and their mother was not a South African citizen.²¹ Many of these teenage children are being told to go to the country of their father's origin when they apply for reference books at the age of sixteen. The fathers of many of these children have been living and working in the Republic for many years, and have carried South African reference books until compelled to apply for passports in terms of the Bantu Laws Amendment Act of 1963.

SOME EFFECTS OF THE PASS LAWS

The Athlone Advice Office in Cape Town (run jointly by the Black Sash and the Institute of Race Relations) and the Black Sash Advice Office in Johannesburg are among the few white organizations which have some experience of the impact of the pass laws on Africans. The Johannesburg office reported in March that they believed "that the Bantu Urban Areas Act and the Regulations are being more rigidly enforced in Johannesburg than ever before,"²² and that more and more people were being affected by their implementation. Government policy was to reduce the number of Africans residing in the prescribed areas and to ensure that as many as possible of the workers needed in the metropolitan areas were migrants.²³

According to the Athlone Advice Office, the Government is using housing policy as a means of reducing the number of Africans throughout the Western Cape. There were "ominous signs that the Government has found a way of depriving Africans

¹⁸ *Bulletin of the Africa Institute of South Africa*, August, p. 315.

¹⁹ *Rand Daily Mail*, 6 April.

²⁰ *The Black Sash, Advice Office Report*, May.

²¹ Act No. 44 of 1949.

²² *Memorandum on the Application of the Pass Laws and Influx Control*, The Black Sash, Johannesburg, February.

²³ *Sash* (The Black Sash Magazine) March, p. 30.

of their foothold in urban areas despite qualifications (to remain) in terms of Section 10 of the Urban Areas Act." Throughout the Western Cape, building schemes for family housing in African townships had been reduced or dropped, while bachelor compounds were being encouraged. "When people lose their houses for any reason, they are not helped to find fresh accommodation and are pressed to accept repatriation . . . or resettlement . . . Working men can always be put into single quarters, so long as the women and children fade out of the picture."

In terms of regulations gazetted in 1968,²⁴ houses are now being allocated only to men who qualify under Section 10 (1) (a) and 10 (1) (b) of the Urban Areas Act, and whose wives are already lawfully residing with them. This rules out untold numbers of couples on housing waiting-lists. Men whose wives do not qualify in their own right to be in a prescribed or urban area, and many families with children thus find it very difficult to get accommodation. "The result is that families with rights of residence in the area find themselves virtually coerced into accepting offers of rural housing, thereby forfeiting all urban rights."

Section 7 (4) of the above regulations allows the Superintendent of an urban Bantu residential area to issue a housing permit to an adult woman who has dependants to support, but only "with the approval in writing, of the Bantu Affairs Commissioner". This approval is not given readily.

The Athlone Advice Office also reported on the "hopeless position" of widows who, under the new regulations,²⁵ are not allowed to remain as tenants in their houses when their husbands die. Even when the widow can prove that she and her children qualify in their own right under Section 10 (1) (a) or (b) of the Act, she is not allowed to rent a house, but must become a sub-tenant or be re-settled.

Later in the year the Office reported that the Department of Bantu Administration had agreed that in special individual cases widows might be allowed to stay in their houses with their families.

The Johannesburg Advice Office also reported that problems arose out of housing regulations. Women were very rarely allowed to take over a house from a male tenant who had died or deserted them, while women on their own were not accepted on the waiting list for houses. It made no difference whether they could pay the rent or how many children they had. At the end of 1970 it was reported that residents of Soweto were to seek legal advice and challenge the eviction of widows from their homes by the Johannesburg City Council.²⁶ In March, Government and Johannesburg City Council officials confirmed that African

²⁴ *Government Gazette* No. R1036 of 14 June 1968.

²⁵ *See Sash*, February, 1970, p. 36.

²⁶ *Rand Daily Mail*, 8 September.

pensioners were being separated from their families and sent to the homelands.²⁷

The more rigid implementation of the pass laws referred to above is due partly to the narrower construction which the authorities are putting upon the words "lawful residence" in Section 10 (1) (b) of the Act. Previously an African could qualify to remain in Johannesburg if he could prove he had been there for fifteen years; now he had to prove fifteen years' "lawful" residence — i.e. registered in employment or on a residential permit.

The Johannesburg Advice Office reported that the problems of wives and their children were the "most recurring and the most disturbing" feature of its work. It pointed repeatedly to the problem of providing documentary proof of a right to urban residence in terms of Section 10 of the Urban Areas Act. Residence is deemed to be unlawful unless documentary proof can be furnished, but such proof requires — as a starting-point — a name on a house permit, a birth certificate, and a reference book, in addition to proof of employment. It is only in recent years, however, that registration of births has been compulsory for Africans, so that in many cases the required proof is virtually impossible to obtain. In 1964 the words "after lawful entry" were inserted in Section 10 (1) (c) of the Act. Women and children have to prove lawful entry into the urban area — "an almost insuperable problem". For example, if children born in the area leave it temporarily to go to school and their father fails (through ignorance or carelessness) to inform the location superintendent thereof in advance, they will be refused re-entry. As a result there are thousands of young people who return from school and have nowhere to go.

Many of the wives coming to the office for assistance who are lawfully married to husbands qualifying for residence in Johannesburg under Section 10, but themselves come from rural areas are refused entry into Johannesburg, which means they cannot live with their husbands. The Advice Office said that it seemed to be more difficult for a woman to live with her husband than for a camel to go through the eye of a needle.²⁸

PUBLICATIONS

A comprehensive *Memorandum on the Application of the Pass Laws and Influx Control* was published by the Black Sash in February. This supersedes a similar memorandum published in 1966. The Black Sash also published in November 1970, a series of articles on the pass laws entitled "Who Cares?". The articles originally appeared in *The Star*.

²⁷ *Ibid.*, 5 March.

²⁸ Unless otherwise stated, these paragraphs have been compiled from the annual and monthly reports of the Johannesburg and Athlone Advice Offices.

GENERAL MATTERS

THE CAPE COLOURED MUNICIPAL FRANCHISE

A (Cape) Local Authorities Voters' Amendment Draft Ordinance was published on 1 October. In terms of this measure, existing municipal voters' rolls are to be scrapped. Only those who qualify for the parliamentary franchise will in future be entitled to vote in municipal elections in the Cape, or to stand for election. The effects will be that Coloured people will be disenfranchised from 1972, when the next elections are due, and that there will be no more Coloured city councillors. At the time of writing, there are Coloured councillors in Cape Town and Kimberley only. The Ordinance was passed, despite strong United Party opposition, even to the first reading.

(Somewhat similar provisions came into force in Natal in 1956, when the Separate Representation of Voters Act provided that persons whose names were added to municipal voters' rolls there must be entitled to registration as parliamentary voters. Non-white people have never possessed the municipal franchise in the Transvaal or Free State.)

COLOURED LOCAL GOVERNMENT

Questioned in the Assembly on 12 February,¹ the Minister of Community Development said that 22 Coloured management committees and 53 consultative committees had by then been established. Of the management committees, only those in Bellville, Graaff Reinet, Johannesburg, Paarl, Port Elizabeth, and Worcester had elected as well as nominated members.

Shortly afterwards a partly-elected committee was provided for in Kimberley (where Mr. Sonny Leon, leader of the Labour Party, is a City Councillor). Of about 8 000 people who qualified to register as voters, only 564 did so, and, on nomination day, no candidates presented themselves for election.²

On 26 September the Minister of Coloured Affairs issued a Press statement in which he said that the rate of development of Coloured local government must be accelerated. Its control was, by legislation, to be transferred from provincial councils and local authorities to the Department of Coloured Affairs, through the Coloured Persons' Representative Council.

Consultative committees were to be abolished. Management committees would consist of a majority of elected members, and their functions would be extended. The remaining nominated

¹ Hansard 2 col. 144.

² *Rand Daily Mail*, 19 March.

EMPLOYMENT

THE ECONOMIC SITUATION

In its annual economic report for the year ended June 1971 the South African Reserve Bank stated that the economy had slowed down and showed a more moderate rate of growth. The increase in the gross domestic product at current prices was 12 per cent in 1969/70 and 9 per cent in 1970/71. Reduced contributions by the primary sectors were mainly responsible for this decline.

An all-time record net inflow of capital from abroad, amounting to R725 000 000, obviated the high balance of payments deficit of R1 084 000 000 from exerting its full impact on the country's gold and foreign reserves. Nevertheless, R359 000 000 of the gold and foreign reserves had to be utilised to finance the overall deficit. (It appeared that there was considerable moderation of the adverse trade balance in the fourth quarter of the year.)

The Reserve Bank attributed the imbalance in the economy to excessive spending by the public authorities, and by the private sector on consumption goods and capital projects of a less productive nature. Tight labour conditions, which have characterised the South African economy throughout the past decade, continued to exist but it appeared that there had been a slight easing of the position in the first half of 1971.

On 10 February sales duties on a variety of articles were increased and the 1971/72 Budget presented on 31 March placed emphasis on curbing private consumption expenditure. Direct taxes were raised by increasing the surcharge on personal income tax from 5 to 10 per cent, indirect taxes included an increase in excise duties on petrol, alcoholic beverages, cigarettes and tobacco, and loan levies on individuals and companies were also raised. Also, in March, the Governor of the Reserve Bank announced an increase in the bank rate from 5,5 per cent to 6,5 per cent a year, a similar rise in the interest rate on three-year Government stock and an increase from 7,75 per cent to 8,5 per cent on Government stock of twenty years or more.¹ The influential Afrikaanse Sakekamer warned that economic curbs were leading to a scale of bankruptcy comparable with that which followed the Sharpeville shootings in 1960.²

In February the Minister of Planning had announced the

¹ *Rand Daily Mail*, 31 March.

² *Rand Daily Mail*, 29 March.

Government's acceptance of the Economic Development Programme's 5,5 per cent annual growth target for the period 1970-75.³

In an effort to improve the country's export performance the Government has announced the creation of an Export Advisory Council (which replaces the Export Promotion Council which, in its turn, replaced the Export Trade Advisory Committee), and the appointment of a commission of enquiry under the chairmanship of Professor H. Reynders of the University of Pretoria. The members of the Export Advisory Council are drawn from a wider range of industrialists than were those in either of the earlier bodies.⁴

The *Star* reported on 5 November, that the Treasury was clamping down tightly on all State capital expenditure for the remaining five months of the financial year.

FOREIGN INVESTMENT IN THE SOUTH AFRICAN ECONOMY

The question of the extent to which foreign investment bolsters the *status quo* in South Africa has received closer scrutiny from opponents of apartheid during the year. Debate has tended to be located principally in the United States, although mounting pressure is discernible in the United Kingdom. In the United States these pressures should be seen as only one aspect of the growing call for social criteria to be applied to business. There is a tendency in South Africa to discount the call for the withdrawal of foreign capital as being confined to radical minority groups. However, the concern for the role of American business in South Africa is far more broadly-based and embraces senators, congressmen, clerics and academics committed to the ideal of eradicating racial discrimination.

In January the American firm of Polaroid announced a one-year experiment by its South African distributor to improve the wages of non-white workers and promised a fairly substantial amount to be used, annually, for African education.⁵ In April the South African Institute of Race Relations conducted a survey of American investment in South Africa and the results, together with recommendations, were briefly, summarised in the May issue of *Race Relations News*.

In the United States the Congressional sub-Committee on Africa, under the chairmanship of congressman Charles Diggs, has heard evidence from informed critics including the Episcopal Bishop and Dean of Washington, Judge William Booth, the Reverend Leon Sullivan, Mr. William Cotter of the African-

³ *Rand Daily Mail*, 17 February.

⁴ *Financial Mail*, 13 August.

⁵ *Financial Mail*, 22 January.