

RACE RELATIONS

SURVEY

1991/92

CAROLE COOPER

ROBIN HAMILTON

HARRY MASHABELA

SHAUN MACKAY

JOE KELLY

ELIZABETH SIDIROPOLOUS

CLAIRE GORDON-BROWN

JOHN GARY MOOSAMY

Research staff

South African Institute of Race relations

SOUTH AFRICAN INSTITUTE OF RACE RELATIONS

JOHANNESBURG

1992

THE COVER

Cover designed by William Steyn

Our cover photograph, reprinted with the kind permission of *Beeld*, shows Ryno Zweelie, 6, left, and Leroy Mnguni, also 6, on the first day of the 1992 school year at the Jan Colliers Laerskool, in Parkview, Johannesburg.

Published by the South African Institute of Race Relations

Auden House, 68 De Korte Street

Braamfontein, Johannesburg, 2001 South Africa

Copyrights South African Institute of Race Relations 1992

ISSN 0258-7246 PD5/92

ISBN 0-86982-406-6

Members of the media are free to reprint or report information either in whole or in part, contained in this publication on the strict understanding that the South African Institute of Race Relations is acknowledged.

Otherwise, no part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electrical, mechanical, photocopy, recording or otherwise, without the prior permission of the publisher.

PREFACE

This *Survey*, the 55th edition published by the Institute, introduces some new features to increase its usefulness. Firstly, each chapter begins with a brief list of the 'key points' contained in the chapter, and ends (where appropriate) with a list of 'key projections' for the future.

The second change is that the old *Overview* chapter (itself a 1983 innovation) has been split in two. This arises out of the Institute's age-old dilemma: how to make the *Survey* as up-to-date as possible while at the same time bringing it out as soon as possible after completion. Information flows into the Institute daily and there is always a great temptation to keep on adding it to the relevant *Survey* chapter. To do so would mean that no chapter would ever be finished, so we always set cut-off dates. The information continues to flow in, of course, so while the completed chapters are being typeset, proofread, indexed, and referenced, we put the new information into a special *Synopsis and Update* chapter at the beginning of the *Survey*.

For example, the chapter on *Constitutional Negotiations* summarises the constitutional proposals of the African National Congress. The proposals of the Democratic Party, the Inkatha Freedom Party and those

of the National Party became available only after this chapter had been written, so we have put them into the *Synopsis and Update* chapter instead.

The *Synopsis and Update* chapter was itself virtually complete when the Convention for a Democratic South Africa was held on 20 and 21 December. So we decided to add at the very beginning of the *Survey* a new *Overview*, containing details of these talks as well as foreshadowing some of the issues likely to emerge in negotiations as the next year or two progresses. The *Overview* also contains some of the most recent statistics showing a downturn in political violence and an upturn in ordinary criminal violence. Further, it reports on some of the most recent economic data and forecasts. In addition, the *Overview* includes little items conveying some of the flavour of the year—such as white women seeking work as domestic servants; given South Africa's history, this in its own way says something about unemployment that the bare statistics do not.

The index to the *Survey* contains references not only to the specialist chapters but also to the *Overview* and *Synopsis and Update* chapters.

Finally, we have attached a special section on foreign relations to the end of the *Synopsis and Update* chapter. The Institute has always been concerned mainly with the internal affairs of South Africa rather than her foreign relations. However, changes on the home front have had so great an impact on the country's international position that we decided to record the ending of isolation. And, as a final update, we should perhaps record the coincidence, thousands of miles apart, of two events neither of whose consequences can yet be foreseen: at the very time that 19 diverse South African political organisations were meeting near Jan Smuts Airport in the Convention for a Democratic South Africa, the leaders of various Soviet republics were meeting at Alma-Ata in Kazakhstan to dissolve the Soviet Union and proclaim a new commonwealth of independent states.

John Kane-Berman

Executive Director

South African Institute of Race Relations

ACKNOWLEDGEMENTS

The writers of this *Survey* wish to thank all those who assisted in producing this volume. We are indebted to Dr Muriel Horrell for writing the chapter on *Religious Organisations*, Ms Meryl Federi for the chapter on *Population* and Ms Unjinee Poonan for her contribution to the chapter on *Land and Agriculture*. The writers are also grateful to all those who provided information, among them various organisations, trade unions, companies, government officials, officials of political parties, members of Parliament, academics and other researchers.

We wish to thank the Institute's production co-ordinator, Mrs Carol McCutcheon, for her work in style editing, liaising with the printers and production, and the editorial assistant, Mrs Felicity Edwards, for assisting with editing and production.

Thanks go to Mrs Connie Matthews and Ms Sarah Zwane for typing parts of the manuscript and for typesetting the *Survey*.

The Institute's chief librarian, Mrs Ellen Potter, and the assistant librarian, Ms Meryl Federi, assisted by Ms Eunice Halo, Ms Elizabeth Koloko, Ms Clara Masoga, Mrs Sarah Mohale, Mrs Mildred Monyane, Mr Alfred Nkungu and Ms Prisca Nkungu, obtained much of the material and provided the press clipping service essential for the writing of the *Survey*.

We are grateful to Ms Moira Campbell for co-ordinating the production of the *Survey* cover. Our appreciation also goes to Mrs Naomi Musiker for her invaluable index and to Mrs Dawn Weyers for typesetting the index.

NOTES

1 References in the endnotes to *Update* are to *Social and Economic Update*, published every three to four months by the South African Institute of Race Relations. References to *QC* are to *Quarterly Countdown*, also published every three to four months by the Institute. *Fast Facts* is a four-pager dealing with current events, published every month by the Institute.

2 Where the year is omitted from a date that is given, the year in question is 1991.

3 The previous *Survey* was dated 1989/90. In terms of the old numbering system, this *Survey* would have been called 1990/91. However, we have changed the basis of numbering the *Survey*. Instead of referring only to the year covered, the dating reflects the year of publication too. This *Survey* is accordingly dated 1991/92. Please note, therefore, that there is no *Survey* dated 1990/91.

4 The Institute has always tried to provide comprehensive statistics on South Africa and in particular to include statistics about the ten homelands. Efforts have also always been made to cover political, economic and other developments in the homelands. In this *Survey*, information about the homelands is no longer, recorded in a separate chapter but integrated into the relevant specialist chapter. For example, homeland budgets are reported in the section on fiscal policy in the chapter on *The Economy*.

5 With the repeal of the Reservation of Separate Amenities and Group Areas Acts, it is no longer necessary to deal with these issues in chapters of their own. We have accordingly dealt with such issues in the *Housing and Urbanisation* chapter. This chapter also contains information on urban infrastructure such as water, sewerage, urban sports facilities, and a section on transport. Reference to environmental issues is made in the *Health and Welfare* chapter while the *Land and Agriculture* chapter deals with the

rural environment.

6 Security issues are dealt with under *Constitutional Negotiations* and *Political Developments*.

CONTENTS

OVERVIEW

SYNOPSIS AND UPDATE

POPULATION

POLITICAL ORGANISATIONS

CONSTITUTIONAL NEGOTIATIONS

RELIGIOUS ORGANISATIONS

HEALTH AND WELFARE

BUSINESS

EDUCATION

EMPLOYMENT

LABOUR RELATIONS

HOUSING AND URBANISATION

LAND AND AGRICULTURE

THE ECONOMY

POLITICAL DEVELOPMENTS

APPENDICES

DETAILED CONTENTS

OVERVIEW

Introduction

Major Discriminatory Laws

Housing and Land

Education and Health

Civil Liberties

Violence and Crime

The Economy

Constitutional Negotiations

SYNOPSIS AND UPDATE

Politics

Political Violence

Constitutional Negotiations

Constitutional Proposal

Population

Housing and Urbanisation

Health and Welfare

Education

Land, Agriculture and the environment

The Economy and Business

Employment

Labour Relations

Transport

Foreign Relations

POPULATION

Population Registration Act

Population Statistics

Population Growth

Acquired Immune Deficiency Syndrome (AIDS) and Population Growth

Impact of Population Growth on Natural Resources

Urban/rural Population Distribution

Age Projections for the South African Population

Emigration and Immigration

The 'Brain Drain'

Race Reclassifications

POLITICAL ORGANISATIONS

African National Congress (ANC)

National Conference

Membership and Formation of Structures

Communist Party Members on the Executive

Return of Exiles and Release of Political Prisoners

Mass Action

Constitutional Issues

Armed Struggle and Self-Defence Units

Sanctions

Violence

1991 National Conference

Afrikaner Volkswag (AV)

Afrikaner Weerstandsbeweging (AWB)

Azanian People's Organisation (AZAPO)

Negotiations and Related Issues

Political Prisoners and Exiles

All-Party Congress and Interim Government

Constituent Assembly

Armed Struggle

Consultative Conference

National Congress

Violence

Black Consciousness Movement of Azania (BCMA)

Conservative Party (CP)

Constitutional Issues

Response to Reform Process

Armed Resistance

Security Issues

Segregation

Byelections

Democratic Party (DP)

Constitutional Issues

Constituent Assembly and Interim Government

All-Party Conference

Future Role

Herstigte Nasionale Party (HNP)

Inkatha Freedom Party (IFP)

Membership

Constitutional Issues

Interim Government and Constituent Assembly

Multiparty Conference

Sanctions

Relations with Others

Violence

Labour Party (LP)

Constitutional Issues

Violence

Resignations

Alliances

Natal Indian Congress/transvaal Indian Congress

National Party (NP)

Membership

Constitutional Issues

Interim Government

Constituent Assembly

Multiparty Conference

Alliances

Reform Initiatives

Racial Legislation

Foreign Relations

Sanctions

Violence

Mass Action

Homelands

Pan-Africanist Congress (PAC)

membership

Constitutional Issues

Exiles and Prisoners

Constituent Assembly

Interim Government

Multiparty Conference

Relations with Others

Violence

Armed Struggle

Sanctions and Isolation

Solidarity

Constitutional Issues

Multiparty Conference

Alliances

Violence

Sanctions

South African Communist Party (SACP)

Membership

Tripartite Alliance

Constitutional Issues

Interim Government and Constituent Assembly

Violence

United Democratic Front

Youth Organisations

Azanian National Youth Unity and the Pan-Africanist Students' Organisation

Azanian Students' Movement

Azanian Youth Organisation

Inkatha Youth Brigade

South African National Students' Congress

South African Youth Congress

CONSTITUTIONAL NEGOTIATIONS

National Negotiations

Prelude to Negotiations

Political Prisoners

Exiles

Violence

Continuation Committee

Weapons and Intimidation

Security Legislation

Racial Legislation

Forum for Negotiations

Multiparty Conference

Other Proposals

Constituent Assembly

Transitional Arrangements

Government Proposals

Other Proposals

Interim Government

‘Super Cabinet’

Participants in Negotiations

Constitutional Proposals

Political Systems

Bill of Rights

Electoral Systems

Initiatives for Nonracial Local Government

Policy

Legislation

Other Initiatives

Metropolitan and Other Indabas

Cape Town

Durban

East London

Germiston

Glencoe

Johannesburg

Klerksdorp

Middelburg

Pietermaritzburg

Port Elizabeth

Pretoria

Sandton

RELIGIOUS ORGANISATIONS

Interdenominational Consultations

National Conference of Church Leaders in South Africa (Rustenburg Conference)

Meeting to Discuss Violence

National Conference on Intimidation and Violence

Further Proposal for a Peace Conference

Suggested Peace Summit to Be Convened by the National Conference of Church Leaders

Involvement of Business Leaders in Peace Initiatives

Peace Action

Churches and Violence

Interdenominational Organisations

South African Council of Churches (SACC)

World Conference on Religion and Peace (WCRP)

Combined Activities of Religious Organisations

Individual Christian Organisations

Africa Enterprise

Church of the Province of Southern Africa (Anglican)

Dutch Reformed Churches

Gereformeerde Kerk in Suidelike Afrika (Dopperkerk)

Nederduitsch Hervormde Kerk (NHK)

Nederduitse Gerefonneerde Kerk Group

Discussions Between Anglican and Ngk Church Leaders

Methodist Church of Southern Africa

Pentecostal and Charismatic Churches

Presbyterian Church of Southern Africa

Roman Catholic Church

Zion Christian Church

Other Faiths

Judaism

Islam

HEALTH AND WELFARE

Health

Policy

Alternative Proposals

Legislation

Finance

Provincial Health Budgets

Value Added Tax

Medical Aid Schemes

Medical Personnel

Doctors

Nurses

Health Indicators

Health Services

Family Planning

Hospitals

Desegregation of Hospitals

Primary Health Care

Diseases

Acquired Immune Deficiency Syndrome (AIDS)

Policy

Statistics

Major Developments

Projections

Hepatitis

Malnutrition

Measles

Mental Illness

Tuberculosis

Environment

Policy and Attitudes

Pollution

Welfare

Policy

Legislation

Finance

Welfare Personnel

Welfare Services

Social Pensions

Old-Age Pensions

Other Services for the Aged

Services for Alcoholics and Drug Addicts

Services for Children

Services for Disabled People

Services for Returning Exiles

BUSINESS

African Business

Statistics and Structure

Policy

Deregulation

Finance

Constraints on Black Business

Informal Sector

Statistics

Hawkers

Spaza Shopowners

Taverns

Taxis

Black Consumers

Private Sector and Social Responsibility

Corporate Social Responsibility

Employee Share-Ownership Plans

Demands by the National African Federated Chamber of Commerce and Industry (NAFCOC)

EDUCATION

Overall Policy

Educational Orientation

Education and Employment

Finance

Per Capita Expenditure

Estimates of Parity

Bursaries and Loans

School Education

Policy Orientation

Pre-Primary Education

Multiracial School Education

Government Schools

Private Schools

Stationery and Textbooks

Compulsory Education

Overall School Statistics

Schools

Farm and Rural Schools

Special Education

Double Sessions and the Platoon System

Pupils

Pupil Enrolment

Pupil/teacher Ratios

Pupil/classroom Ratios

Dropouts

Standard 10 Examination Results

Teachers

Orientation

Numbers and Qualifications

Teacher Training

Adult Education

Literacy

Technical and Vocational Education and Industrial Training at Secondary and Post Secondary Level

Policy

Technical Colleges and Industrial Training

Tertiary Education

Policy Orientation

Technikon and University Education

Technikons

Student Enrolment

Examination Results

Universities

Orientation

Policy and Funding

Student Enrolment

Degrees Awarded

EMPLOYMENT

Economically Active Population

Structure of the Workforce

Foreign Workers

Migrant Workers and Hostels

Mining

Job Advancement

Private Sector

Public Sector

Unemployment

Statistics

Job Creation

Skills and Training

Skills Shortages

Training

Training Schemes

Apprentices

Income

Income Levels

Wages

Wage Gap

Earnings Per Sector

Poverty

LABOUR RELATIONS

Policy and Legislation

Policy

Legislation

National Manpower Commission (NMC)

Trade Unions

Statistics

Groupings

Congress of South African Trade Unions (COSATU)

National Council of Trade Unions (NACTU)

Federation of Independent Trade Unions (FITU)

South African Confederation of Labour (SACOL)

Trade Unions and the Economy

Retrenchments and Job Creation

Wage Policy

The National Budget

Value Added Tax (VAT)

Sanctions

Trade Unions and Politics

Constitutional Debate

Bill of Rights/Workers' Charter

Union Independence

The Two-Hals Debate

Action Involving Trade Unions

Attacks on Trade Unions

Government/United Workers' Union of South Africa (Uwusa)/ Congress of South African Trade Unions (COSATU) Conflict

Other Clashes Between Workers

Police Front

Unions and Discussions Over Peace

Free State Geduld Mine Peace Agreement

Court Cases

Trade Unions and Socio-Economic Issues

Health

Other Health Issues

Housing

Pension and Provident Funds

Education

Collective Bargaining

Bargaining Forums

Dispute-Settling Mechanisms

Industrial Court (IC)

Labour Appeal Court (LAC)

Collective Bargaining for Public Sector Workers

Collective Bargaining for Domestic and Farmworkers

Domestic Workers

Farmworkers

Bargaining on Retrenchments

Bargaining on Wages

Collective Bargaining in the Homelands

Bophuthatswana

Ciskei

Gazankulu

Kangwane

Kwandebele

Lebowa

Qwaqwa

Transkei

Venda

COSATU's New Initiatives in the Homelands

Strikes

Stayaways

HOUSING AND URBANISATION

Urbanisation

Statistics

Informal Settlement

Policy

Urbanisation

Informal Settlement

Regional Issues

Natal

Port Elizabeth/Uitenhage

Pretoria/Witwatersrand/Vereeniging (PWV Area)

Western Cape

Residential Segregation

Repeal of the Group Areas Act of 1966

Statistics

Residential Desegregation

Barriers to Desegregation

Housing

Shortages

Policy

Constraints on Housing Provision

Legislation

Provision

Government Expenditure

Private Sector

Independent Development Trust (IDT)

South African Housing Trust

Housing Finance Schemes

Loan Guarantee Fund

Group Credit Company

Collateralised Housing Investment Paper (CHIPS)

Housing Finance Schemes Using Private Retirement Funds

Hostels

Rent Boycotts

Infrastructure

Energy

Water and Sewerage

Home Ownership

Urban Facilities

Policy

Court Action

Provision of Amenities

Transport

Policy

Roads

The Taxi Industry

Problems Faced by the Kombitaxi Industry

Declining Profitability

Taxi Warfare

Uncontrolled Growth

Taxi Safety

Bus and Train Transport

The Bus Industry

Rail Transport

Rail Safety

LAND AND AGRICULTURE

Land

Distribution of Land

The Black Land Act of 1913 and the Development Trust and Land Act of 1936

Policy

Reaction to the White Paper on Land Reform

Abolition of Racially Based Land Measures Act

Upgrading of Land Tenure Rights Act

Rural Development Bill

Finance

Availability of Land for Purchase

Forms of Land Tenure

Land Disputes

Removals

Reoccupation of Land

Agriculture

Policy

Structure of Agriculture

Finance

Use of Land

Farmers and Farmworkers

Agricultural Training

Rural Environment

National Parks

Afforestation

Mine Dumps

Dune Mining

Soil Erosion

THE ECONOMY

Macro-Economic Picture

Growth Rate

Employment

Balance of Payments

The Gold Price

Exchange Rate

Inflation Rate

Interest Rates

Johannesburg Stock Exchange

Business Confidence

Sequestrations and Liquidations

Investment

Trade

Economic Sanctions

Monetary Policy

Fiscal Policy

Mini-Budget

The Main Budget

Subsidiary Budgets

The Budget and Social Equity

Alternative Views on the Budget

Homeland Financing

Comments on Homeland Financing

Development Bank of Southern Africa

Taxation

Value Added Tax (VAT)

Economic Policy

The Economy and Social Equity

Regional Economic Development

Regional Industrial Development Programme (RIDP)

Government Policy

Alternative Economic Policy Proposals

African National Congress

Congress of South African Trade Unions

Democratic Party

Foundation for African Business and Consumer Services

Inkatha Freedom Party

National African Federated Chamber of Commerce and Industry

South African Chamber of Business

Economic Restructuring

POLITICAL DEVELOPMENTS

Government Initiatives

Negotiations

Releases and Returns

Repeal of Racial Legislation

Foreign Relations

Civil Service Reform

Security Measures

Scaling Down the Defence Force

Conscientious Objection

Retraining, Deracialisation and Upgrading of the Police

Inquiries into Police Misconduct

Prison Population Reduction

Sentencing

Internal Security Act

Government Initiatives Against Violence

Standing Commissions on Violence

Conference on Violence and Intimidation, and Subsequent Developments

National Peace Accord

Troops in the Townships

Non-Government Initiatives, Protests and Methods

Campaign for a Constituent Assembly and an Interim Government

Campaign Against African Local Authorities and Homelands

Land Reoccupation

School Protests and Disruptions

Return of Exiles

Stayaways

Commemorative Days

Other Stayaways

Anti-VAT Stayaway

Boycotts

Sports Boycott

Cultural Boycott

Rent and Bond Boycotts

Consumer Boycotts

Homelands

Homeland Authorities

Protests

The Inkatha Funding Affair

Establishment of Paramilitary Units

The Media

Political Conflict

Guerrilla Attacks

Black and White Conflict

Attacks on Whites

Attacks on Policemen and Soldiers

Attacks on Councillors

Attacks on Activists and Organisations

Attacks on Parliamentarians

Harms Commission

Conflict Between Groups

Conflict Between the African National Congress and the Azanian People's Organisation

Conflict Involving the African National Congress and the Inkatha Freedom Party

Reef Violence

Natal Violence

The Mkuze Camp

Conflict Among Exiles

Ethnic Violence

Hostel Dwellers Vs Householders

Hostel Dwellers Vs Shack Dwellers

Conflict Between the African National Congress and the Pan-Africanist Congress

Conflict Between Shack Dwellers

Reports on Violence

APPENDICES

A) Legislation

B) The Groote Schuur Minute

C) The Pretoria Minute

D) The D F Malan Accord

E) African National Congress/Inkatha Freedom Party Agreement: 29 January 1991

F) National Peace Accord

G) Convention for a Democratic South Africa

OVERVIEW

Introduction

The repeal of major apartheid laws in 1991 helped pave the way for multiracial constitutional negotiations which began on 20 December and were expected to continue throughout 1992. Political violence dropped by about 26% in 1991 but there was a further increase in ordinary criminal violence. The economy showed virtually no growth during the year. The South African Reserve Bank expected a slight upturn in 1992 but the new minister of trade, industry and economic co-ordination, Mr Derek Keys, said he was ‘digging in for two more hard years’.¹ [¹ *Business Day* 20 December 1991]

Unemployment increased yet again.

The year also saw the lifting of some but not all economic sanctions against South Africa, and the country’s rapid re-entry into the international community, on both sides of what was once called the Iron Curtain. A foreign ministry official in Beijing said at the end of the year that South Africa and the People’s Republic of China would soon appoint unofficial representatives in each other’s countries. Chinese diplomats said this status was a ‘fig leaf’ which would fall as full diplomatic recognition occurred.² [² *The Citizen* 20 December 1991]

To crown a year of travel, the state president, Mr F W de Klerk, was due to visit Moscow and St Petersburg in December, but he cancelled his trip at the last minute because of the disintegration of the Soviet Union, whose dissolution was announced on 17 December 1991. Just as the name of Leningrad had been changed back to St Petersburg, it was reported that businessmen in Verwoerdburg, near Pretoria, wanted that name changed too, on the grounds that it was repelling would-be investors.³ [³ *Business Day* 30 May 1991]

For the first time ever, in November 1991, a South African team played cricket in India, the country which first made apartheid an international issue when it complained in 1946 to the United Nations that the South African government was discriminating against South Africans of Indian origin.⁴ [⁴ United Nations Education Scientific Cultural Organisation, *Apartheid - Its effects on education, science, culture, and information*, 2nd edition, revised and enlarged, Unesco, Paris, 1972]

Forty-five years later India beat South Africa at cricket by two one-day matches to one. South Africa was invited, for the first time in decades, to send a team to the Olympic Games, in Barcelona (Spain) in July 1992.⁵ [⁵ *Natal Mercury* 7 November

1991] A plan to include two black players in a South African cricket tour to Australia in 1992 was attacked as ‘tokenism’.⁶ [⁶ *The Citizen* 18 December 1991]

During the year the country took major strides towards the elimination of detention without trial and the restoration of habeas corpus and the rule of law: the Internal Security Act, which had provided for indefinite detention without trial on the say-so of the police, was amended to limit detention to ten days. Longer periods require authorisation by a judge.

Major discriminatory laws

The main apartheid laws that were repealed included the Group Areas Act of 1966, the Black Land Act of 1913, the Development Trust and Land Act of 1936 and the Population Registration Act of 1950, the last being described in Parliament as the mother of all apartheid laws. International television cameras watched Mr De Klerk as he signed the repealing legislation towards the end of June 1991,⁷ [⁷ *Ibid* 28 June 1991] including the Abolition of Racially Based Land Measures Act, which repealed 60 laws in their entirety.

It was the government’s ‘firm intention to turn apartheid into a political dodo’, said one cabinet minister, admitting, ‘Apartheid did not work—it was an experiment gone wrong.’ Mr De Klerk had freed the National Party (NP) from outdated dreams that had turned into nightmares, he added.⁸ [⁸ *Ibid* 28 May 1991] The executive director of the Free Market Foundation of Southern Africa, Mr Leon Louw, said that Dr Verwoerd, prime minister from 1957 to 1966, had ‘in effect introduced affirmative action for Afrikaners with grand apartheid, but that Afrikaners today were the poorest white people on earth outside eastern Europe’.⁹ [⁹ *Sunday Times* 8 December 1991]

The Conservative Party (CP) commented that structures which had existed for 300 years ‘have been abolished without any proper thought-out new plan for the future’.¹⁰ [¹⁰ *The Citizen* 21 June 1991] An organisation called Lawyers for Human Rights, however, published a report in November listing 22 apartheid laws which, it said, were still on the statute book, among them the 1983 constitution.¹¹ [¹¹ *Facts and Reports*, Vol 21 No 5, 1 November 1991]

An MP who had been classified coloured under the Population Registration Act said the existence of 3m coloured people was living proof of the failure of the act, which had been responsible for tearing families apart.¹² [¹² *The Star* 12 June 1991] Another such MP, Mr Jac Rabie, said that the repeal of the act ‘means that my white uncles who belong to the CP and I are now the same’. He went on to describe how nearly everyone in his family was classified differently—his grandmother and uncle black, his mother

white, himself Indian and later coloured, his third brother white, his wife Cape coloured, his eldest son coloured, his second son mixed and another son 'other coloured'.¹³ [¹³ *Ibid*] Mr Rabie was later appointed to the NP's delegation to the constitutional talks that began on 20 December 1991.¹⁴ [¹⁴ *Business Day* 13 December 1991]

The president of the African National Congress (ANC), Mr Nelson Mandela, said in September that the NP had stolen a march on the ANC by recruiting coloured voters. He called on his organisation to look at ways of winning their support.¹⁵ [¹⁵ *Sowetan* 30 September 1991] The following month it was reported that at least a quarter of the delegates at the NP's Cape congress were people previously excluded from membership on the grounds that they had been classified coloured.¹⁶ [¹⁶ *Sunday Star* 13 October 1991]

A month after that the congress of the NP's Transvaal wing was addressed for the first time ever by an African delegate.¹⁷ [¹⁷ *Beeld* 9 November 1991] The Transvaal Municipal Association decided to remain a whites-only body, however.¹⁸ [¹⁸ *The Citizen* 4 October 1991]

Housing and land

Opposing the repeal of the Group Areas Act, the Conservative Party (CP) warned blacks who bought land in white areas that their right of ownership would be taken away from them should the CP come to power.¹⁹ [¹⁹ *Ibid* 9 August 1991] However, two prominent CP members sold their houses on the east Rand to blacks.²⁰ [²⁰ *Beeld* 4 September 1991]

The minister of housing in the house of assembly, Mr Sam de Beer, said in May that the repeal of the Group Areas Act would not necessarily lead to major change in racial settlement patterns.²¹ [²¹ *Daily Dispatch* 17 May 1991] At least 45 black families were, however, reported to have bought houses in white suburbs in and around Pretoria, apparently without any problems.²² [²² *Beeld* 4 September 1991] Residential desegregation occurred in smaller towns too. A supervisor at Palabora Mining Company became the first black person to move into a house in Phalaborwa (eastern Transvaal) despite opposition from the CP-controlled town council, which had called a referendum in August to gauge public sentiment. Only 20% of the town's population had voted, but more than 95% of them had voted against desegregation.²³ [²³ *Business Day* 4 October 1991]

Estate agents reported after the repeal of the act that an additional influx of black buyers into white areas had not materialised, apparently because wealthy black buyers had already found a way around the

legislation, mainly by using (white) nominees. If anything, the market had been more active in this sphere before the repeal of the act than afterwards.²⁴ [²⁴ *Sunday Tribune* October 1991]

Rent boycotts continued and were supplemented by threats to stop mortgage bond repayments unless financial institutions lowered their interest rates.²⁵ [²⁵ *Business Day* 4 September 1991] One building society said that 85% of black homeowners were up to date with their repayments, but that more and more people were losing their jobs and were unable to carry on paying off their bonds.²⁶ [²⁶ *Sunday Star* 1 December 1991] Repossession of houses from defaulters ran into the problem that potential new occupants were threatened with necklace executions if they moved in to the property from which the previous owner had been evicted.²⁷ [²⁷ *Race Relations News* December 1991]

The Institute for Housing of Southern Africa pointed out that more than 56% of African households living outside the homelands were not capable of contributing towards their housing needs. The figures for whites, Indians and coloured people were, respectively, 2%, 8% and 31%.²⁸ [²⁸ *The Natal Mercury* 7 November 1991]

A set of scenarios for South Africa produced by Nedcor and Old Mutual proposed 'kick-starting' the economy by investing R5,5bn a year in shelter and housing for blacks, providing 400 000 serviced sites, half of them with starter homes and half being made available to families to build informal dwellings themselves. A national electrification programme aimed at building up to 1m connections a year in 1995 was also proposed. These two initiatives, which were said to be well within the country's capacity, would generate 500 000 new jobs and boost GDP by nearly 6% a year in 1992 and 1993.²⁹ [²⁹ Nedbank Economic Unit, Nedbank Guide to the Economy, November 1991]

In a critique of the proposals, Econometrix, an economic research firm, said that large-scale financing of this sort could be inflationary. 'To prevent inflation rising too far, positive real interest rates are recommended at all times. But then how, we ask, will potential borrowers be in a position to afford the resultant high interest payments?' Econometrix also said that the proposals presupposed a relatively peaceful social environment. 'Yet this is not the case. Builders are scared to go into the townships and building materials stand to be stolen.'³⁰ [³⁰ Econometrix, *Ecobulletin*, 22 November 1991]

South Africa would end up worse in socio-economic terms if it spent more than it could afford on housing and education, an executive director of the Anglo American Corporation of South Africa, Mr Michael O'Dowd, said during a debate on the Nedcor-Old Mutual scenario. While he accepted that there was a great need for housing and education, Mr O'Dowd questioned where the money would come from.³¹ [³¹ *Business Day* 27 September 1991]

In December 1991 it was announced that the Transvaal Provincial Administration (TPA) had approved the transfer of more than 100 000 houses in Soweto to their occupants free of charge, but that government approval was still required.³² [³² Ibid 6 December 1991; *The Citizen* 5, 6 December 1991] The TPA was reported at the end of the year to be considering 13 areas north-west of Johannesburg to settle people on site-and-service schemes. Shortly after his appointment as minister of planning, provincial affairs, national housing and local government, Mr Leon Wessels said that South Africa belonged to all, including squatters. 'No political party would be able to govern if it does not take into account the shelter needs of the poor and homeless,' he said.³³ [³³ *Sunday Star* 13 October 1991] The TPA plan was rejected by the ANC as well as by white residents in the area in question.³⁴ [³⁴ *Business Day* 4 December 1991, *The Citizen* 12 December 1991]

In a white paper on land reform published in March 1991, the government identified some 474 000 hectares of land for transfer from the state to black farmers. If this was insufficient, more land would be bought, the government said.³⁵ [³⁵ *Sunday Times* 17 March 1991] The white paper was criticised as not addressing the issue of black land dispossession.³⁶ [³⁶ *Weekly Mail* 15 March 1991] It ruled out the redistribution of white land, although the state president said the government was 'not unapproachable' on the question of restoring land to people forcibly removed from it.³⁷ [³⁷ *The Citizen* 8 May 1991] The Transvaal Agricultural Union, representing white farmers, vowed to fight the handing over of any white land to blacks.³⁸ [³⁸ Ibid 18 May 1991] The ANC called for the repossession of land from unproductive and debt-ridden farmers and the distribution of their land to productive, dispossessed communities.³⁹ [³⁹ *Business Day* 10 December 1991] The Inkatha Freedom Party said the 'usage and development of rural land must be the prime responsibility of market forces'.⁴⁰ [⁴⁰ Statement by Dr F T Mdlalose, 10 August 1991]

The Land and Agricultural Bank of South Africa was said to be sitting on more than 100 farms covering 100 000 hectares repossessed from bankrupt white farmers but which nobody wanted to buy at prices that would enable the bank to recover its initial loans. More land was reported to be coming on to the market as white farmers collapsed under economic pressure. Insecurity about the future or lack of finance was holding back potential buyers.⁴¹ [⁴¹ *Sunday Times* 6 October 1991] A great many South African farmers were, however, applying to buy land in Mozambique.⁴² [⁴² *Africa Analysis*, 15 November 1991]

Although conservative organisations condemned the repeal of the land acts, which had prohibited interracial transfers of land, some members of these organisations sold their farms to blacks. Among them was Mr Bill Ruthven, a former secretary of the Delmas branch of the Afrikaner

Weerstandsbeweging, who sold his farm to Mr Charles Moloi, a black man reported to be very wealthy.⁴³ [⁴³ *The Citizen* 10 July 1991]

Not all black people who had been removed wanted to move again after the land acts were repealed. Mrs Rebecca Mabe, for example, had been forcibly removed in about 1980 to Bophuthatswana. She was reported to remember the day clearly, ‘We hid under the shrubs—like when Jesus went to the mountain to pray after Judas betrayed him. They caught us with their guns. They made our houses flat with bulldozers and put us in trucks. They took us to Vaalboshhoek, a place with many stones. We could not plant crops and many of our old women died. It got so bad that Lucas Mangope had to move us and then we were put in tents at Kgomotso. it was a terrible time. I never want to move again.’⁴⁴ [⁴⁴ *Sunday Times* 6 October 1991]

Education and health

More and more educational institutions desegregated themselves, among them government schools. The minister of education and training, Dr Stoffel van der Merwe, said it was only a question of time before a single non-discriminatory education system could be put together. In June 1991 the Department of National Education published a discussion document entitled ‘Education Renewal Strategy’ which said that race should not feature in structuring the provision of education. The minister of national education, Mr Louis Pienaar, indicated that education would remain an own affair until a new constitution was in place.⁴⁵ [⁴⁵ *QC Nineteen*, 1991]

In January 1991, 205 white government schools, including Afrikaans schools, admitted black children as well for the first time.⁴⁶ [⁴⁶ John Kane-Berman, *South Africa’s Silent Revolution*, Johannesburg, South African Institute of Race Relations and Southern, 2nd Edition, 1991, pp29-30] Television cameras recorded the event at a number of schools which then dropped completely out of the news, suggesting that racial integration among schoolchildren was trouble-free. Later in the year, however, several racially mixed educational institutions were bombed, apparently by conservative groups.⁴⁷ [⁴⁷ *The Citizen* 17, 12 December 1991]

A report published by the Department of National Health and Population Development showed that previous downward trends in disease indicators had been reversed, mainly as a result of the worsening economic situation. The malnutrition mortality rate for Africans had declined from 15,3 per 100 000 people in 1979 to 6,9 in 1985 but had then risen to 9,5 in 1988. The director general of national health and population development, Dr Coen Slabber, said that South Africa was facing a ‘quiet catastrophe as child mortality rates continued to soar and nutritional problems worsened’.⁴⁸ [⁴⁸ *Fast Facts* No 8, 1991]

In order to reduce the costs of health care, the minister of national health, Dr Rina Venter, proposed

amending the Medical Schemes Act to allow such schemes to provide services themselves, for example by employing doctors and running hospitals. Organised medicine reacted by demanding her resignation.⁴⁹ [⁴⁹ *Financial Mail* 20 December 1991]

Civil liberties

The South African Law Commission published a draft bill of rights in November with a strong emphasis on individual liberty. The commission emphasised its belief that group rights could be protected only through individual rights. However, the introduction of the notion of class action would enable a person to go to court on behalf of a whole group. Government would be barred from supporting schools or private organisations which discriminated on the grounds of race.

The draft bill would grant South Africans the right to free primary education and to claim state medical care if they were poor. However, the commission dismissed as ‘Utopian’ and ‘unenforceable’ some ‘second and third generation rights’ demanded by some organisations. The inclusion of rights to shelter, freedom from hunger and health, in a bill of rights would be ‘juridically futile’ and could undermine the credibility of the bill of rights as a whole, the law commission said.⁵⁰ [⁵⁰ *Sunday Times* 3 November 1991]

In October 1991 the country’s first two public defenders were appointed to assist people unable to pay for their own lawyers. The two appointees were to set up a new department and appoint eight colleagues.⁵¹ [⁵¹ *Saturday Star* 26 October 1991] In November Mr Justice Piet van der Walt was appointed South Africa’s first ombudsman.⁵² [⁵² *The Citizen* 22 November 1991] The purpose of the ombudsman, according to an advertisement, was to provide a ‘free service as a last resort to all members of the public who feel they have been improperly prejudiced by a civil authority or official’.⁵³ [⁵³ *The Pretoria News* 26 November 1991] In December three mobile courts were established in articulated vehicles furnished as courtrooms, to handle cases in black areas where court facilities did not exist.⁵⁴ [⁵⁴ *Business Day* 5 December 1991]

Violence and crime

By the end of December 1991 political violence during that year had claimed 2 672 lives, according to preliminary statistics compiled by the South African Institute of Race Relations. As a result, the Institute said, the death toll for the year had been about 28% lower than the record figure of 3 699 the previous year. The total number of fatalities recorded by the institute in the seven years and four months since violence erupted (in the Vaal Triangle) at the beginning of September 1984 was 11 910.

During the year, three agreements dealing with violence and intimidation were signed—the first between the African National Congress (ANC) and the Inkatha Freedom Party (IFP) in Durban at the end of January 1991, the second between the government and the ANC at D F Malan Airport in Cape Town the following month, and the third on 14 September in Johannesburg between all three, along with various other organisations. This last agreement, the *National Peace Accord*, contained codes of conduct for the security forces as well as for political organisations, it also provided for the establishment of regional and local committees to resolve political disputes. The first regional committee was not established until three months later, in mid-December, in Natal.

The police were responsible for some of the killings, some of which were probably unlawful. For example, a judge found in November that police who had shot 12 people dead during a confrontation in Daveyton (east Rand) in March had exceeded the legal limits of self-defence and were probably guilty of murder or culpable homicide.⁵⁵ [⁵⁵ *Ibid* 27 November 1991] He added that six unknown Daveyton residents were probably also guilty of the murder during the incident of a police sergeant who was hacked to death with knives and pangas, allegedly by ANC supporters protesting against an IFP rally.⁵⁶ [⁵⁶ *The Citizen, The Star* 25 March 1991] Research by the Institute shows that the police were responsible for the deaths of 566 people between the Sharpeville shootings in 1960 and 1991.⁵⁷ [⁵⁷ *Fast Facts No 7, 1991*. (This issue of *Fast Facts* gives a figure of 115, which excludes 451 people who died at the hands of the police during the upheavals between 16 June 1976 and 28 February 1977 in Soweto and other townships.) (Report of the Commission of Inquiry into the riots at Soweto and elsewhere from 16 June 1976 to 27 February 1977, Vol I, RP 55/1980, Pretoria, Government printer, passim)]

Among the people shot dead by the police in 1991 was a white man killed⁵⁸ [⁵⁸ *The Star* 13 August 1991] near the western Transvaal town of Ventersdorp in August when demonstrators stormed a black squatter settlement on the nearby farm Goedgevonden. They were protesting against the re-occupation of the farm by black people who had been evicted from it in the days of the government's population removal programme. The demonstrators had fired on the police, and the minister of law and order, Mr Adriaan Vlok, commented, 'There were some real Rambos there.' The police said that 'white policemen laid their lives on the line to save blacks who were attacked by whites'.⁵⁹ [⁵⁹ *Sunday Star* 25 August 1991] It was reported that one of the white demonstrators who was injured had been shot by a black policeman.⁶⁰ [⁶⁰ *Sunday Times* 11 May 1991]

The following month an ANC official said that police would provide security for an ANC fund-raising dinner which had been threatened by right wingers in the Transvaal town of Brits.⁶¹ [⁶¹ *Business Day* 25 September 1991]

Various organisations made conflicting claims about political violence. One agency, on the basis of

press reports, blamed the IFP for 51% of the acts of violence on the Reef over a 12-month period from the middle of 1990 to the middle of 1991, the police for 23%, the ANC for 4%, and other groups for 23%. A police report on Reef violence, covering the 18 months since 2 February 1990, blamed the ANC for 86% of attacks when only aggressors could be identified and the IFP for 12% of such attacks. Where both aggressors and victims could be identified, the police blamed the ANC for 56% of attacks and the IFP for 40%. Other attacks were blamed on the Azanian People's Organisation (AZAPO), the Pan-Africanist Congress (PAC) and other groups.

The South African institute of Race Relations analysed 1 236 violent incidents countrywide between 1 January and 31 August 1991 and, applying strict criteria, concluded that aggressors could not be identified in 85% of cases. The weapons used in violent incidents were easier to identify, however. Firearms were used in 30% of incidents, explosives and incendiary devices in 25%, instruments capable of inflicting hack and stab wounds in 16% and stones in 15%. Common assault and burnings of people accounted for 8% of cases, it was not clear what types of weapon had been used in the other 6% of violent incidents. According to the police, a 'classical arms race' had developed between rival political organisations seeking to ensure that their members were well armed. Police said that more than 1 230 AK-47 rifles had been seized in 1991 but a private security company said that this was 'a drop in the ocean'.⁶² [⁶² *The Citizen* 12 December 1991]

Violence was either between the ANC and the IFP or between the ANC and some other party, the state president, Mr F W de Klerk, said. The ANC was the 'common denominator' in all the trouble that had plagued the country over the past two years.⁶³ [⁶³ *Sowetan* 18 November 1991]

The government said that one third of the police force and more than 60 000 South African Defence Force (SADF) personnel were deployed to stop violence between rival groups of black people.⁶⁴ [⁶⁴ *The Citizen* 8 November, 12 December 1991] The police said that the ANC/South African Communist Party alliance had subjected them to more than 6 000 attacks (some 800 with petrol bombs and a further 850 with firearms) in 1990 alone. More than 130 policemen were killed in attacks on the police during the year.⁶⁵ [⁶⁵ *The Citizen* 17 December 1991] The police said that black policemen were 36 times more likely to commit suicide than black civilians, because they were subjected to 'extraordinary stress' by organisations that 'fanned the flames of hatred against the police'.⁶⁶ [⁶⁶ *Business Day* 1 July 1991] Six members of the SADF also died in attacks in the townships.⁶⁷ [⁶⁷ *Sunday Tribune* 22 September 1991] In Soweto alone, seven traffic officers were also shot dead in political violence.⁶⁸ [⁶⁸ *Sowetan* 15 October 1991]

In November 1991 the new minister of law and order, Mr Hernus Kriel, said the government was planning to establish a separate police unit, with its own uniform, to combat political violence. It would

start with 7 000 members and then increase to 17 500.⁶⁹ [⁶⁹ *The Citizen* 9 November 1991]

The president of the ANC, Mr Nelson Mandela, quoted a study which said that there had been 225 assassinations of anti-apartheid activists since 1971.⁷⁰ [⁷⁰ *Ibid* 15 October 1991] The ANC said more than 60 of its leaders had been killed in 1991, mostly on the Reef.⁷¹ [⁷¹ *Cape Times* 8 November 1991] The organisation supplied the South African Institute of Race Relations with the names of 22 activists murdered in 1991 in the Pretoria/Witwatersrand/Vereeniging (PWV) region.⁷² [⁷² Fax dated 17 December 1991] The Inkatha Institute published a list naming 180 IFP officials and office-bearers murdered since 1988 in Natal and elsewhere.⁷³ [⁷³ *Fast Facts* No 9, 1991] In December 1991 an IFP official said that the number of assassinations of IFP leaders was now nearly 200 and that it was astounding that there had been no international or even national outrage at this.⁷⁴ [⁷⁴ *The Star* 20 December 1991] The president of the IFP, Chief Mangosuthu Buthelezi, said that more than 1 000 other IFP members had also been killed in violent attacks.⁷⁵ [⁷⁵ *Ibid* 3 June 1991]

On frequent occasions during the year residents of hostels in Soweto and other Reef townships were involved in conflict with people living either in self-erected housing or in conventional township housing. Hostel residents attacked and killed non-hostel dwellers and vice versa. Various organisations called for the conversion of hostels into family units but hostel dwellers said this would leave them with nowhere to stay and demanded instead that hostels be upgraded.

Another aspect of violence during the year was a 'taxi war', said to have claimed more than 200 lives in Natal, Pietersburg (northern Transvaal), the PWV area, several homelands and in the western Cape. The war was blamed on disputes between taxi operators fighting for ranking facilities and routes. The newspaper *City Press* said that a racket aimed at monopolising taxi ranks and routes in favour of a 'few' individuals was operating everywhere in the minibus taxi industry and was 'behind the taxi war spreading throughout the country'. Even though they had been licensed by the relevant authorities, new taxi owners were being forced to pay 'joining fees' to 'taxi bosses' before they could operate on certain routes. The 'bosses' were demanding sums ranging from R1 000 to R15 000 from new taxi owners.

People refusing to pay were either killed or had their vehicles attacked.⁷⁶ [⁷⁶ *City Press* 1 December 1991] As a result, many taxi operators were joining together to open alternative ranks, sparking the war with their rivals.

The president of the South African Institute of Race Relations, Mrs Helen Suzman, said in her 1991 presidential address that economic sanctions against South Africa were partly to blame for the violence in the country.⁷⁷ [⁷⁷ *Eastern Province Herald* 23 August 1991]

A prominent theologian, Dr C F Beyers Naudé, said, with reference to political conflict, economic crisis,

poverty, unemployment, lack of housing, and the educational mess in South Africa, that the churches seemed to be out of their depth and ‘overwhelmed by the vastness and the apparent insolubility of these problems’. He was speaking at a meeting of the South African Council of Churches, the World Council of Churches and other religious persons in Cape Town in October.⁷⁸ [⁷⁸ *Sunday Times* 27 October 1991] The meeting resolved that financial and other economic sanctions against South Africa should be maintained.⁷⁹ [⁷⁹ *The Star* 25 October 1991] The executive director of the South African Institute of Race Relations, Mr John Kane-Berman, said that church leaders had earlier endorsed the use of violence as a political weapon. The people in the townships were now reaping a whirlwind of violence that the churches had helped to sow.⁸⁰ [⁸⁰ *Race Relations News* April 1991]

Repeatedly during the year, allegations were made that a mysterious ‘third force’ was being used by the government to destabilise its opponents, particularly the ANC, and cause havoc and mayhem in black townships. It was alleged that the ‘third force’ was located within the SADF and was controlled by the directorate of military intelligence. The SADF denied the allegations.⁸¹ [⁸¹ *New Era* Summer 1991]

A group calling itself the Human Rights Commission said that there was a conspiracy—which it called ‘the new total strategy’—between the South African Police (SAP), the SADF, municipal police, homeland police and armies, vigilantes, ‘hit squads’ and the government, to stifle protest and destabilise the forces of liberation ‘at the government’s command’.

The commission blamed ‘hit squads’ for the murder of an ANC member, Mr Mziwonke ‘Pro’ Jack, in Cape Town on 19 June 1991. Subsequently two members of the ANC’s military wing, Umkhonto we Sizwe, were arrested in connection with the murder.⁸² [⁸² Human Rights Commission, Special Report, ‘The new total strategy, twelve months of community repression’, July 1990 to June 1991, Braamfontein, August 1991, p21; *The Citizen* 30 November 1991, *Cape Times* 29 November 1991]

Inter alia, the ‘third force’ was said to include professional killers organised into ‘hit squads’ which were blamed for a series of massacres on train commuters on the Reef. According to one newspaper report, 91 people had been killed in 19 train attacks between August 1990 and October 1991.⁸³ [⁸³ *Saturday Star* 29 October 1991] it was announced in October that metal detectors would be installed at railway stations to keep weapons off trains.⁸⁴ [⁸⁴ *The Citizen* 30 October 1991] One result of the train massacres was a 10% drop in the numbers of people travelling by train and a 6% increase in the number of commuters using minibus taxis, particularly between Johannesburg and the surrounding townships. A spokesman for the Southern Africa Black Taxi Association said, ‘The people feel it is not safe to travel by train any more.’⁸⁵ [⁸⁵ *Business Day* 19 November 1991]

Among the allegations made was that the SADF and the Israeli government had been training IFP 'hit squads' at Mkuze in northern Natal and in Israel, allegations which all three denied.

Mr Mandela was among those making accusations about the 'third force'. For example, he said in October that elements in the police force had turned themselves into a 'killing machine' which was 'acting in accordance with Mr De Klerk's wishes'.⁸⁶ [⁸⁶ *The Citizen* 21 October 1991] He also said that the government was recruiting ANC members into bogus defence units which killed innocent people and then left evidence that the killings were carried out by the ANC.⁸⁷ [⁸⁷ *Sunday Star* 29 September 1991] The IFP said that the ANC provoked violence by attacking IFP members returning from rallies.⁸⁸ [⁸⁸ *Sowetan* 11 December, *The Citizen* 13 December 1991]

The government repeatedly denied the allegations of a 'third force' conspiracy and called on its accusers to produce evidence. Information that was put forward as evidence was dismissed by the police as 'hearsay'.⁸⁹ [⁸⁹ *Vrye Weekblad, Sowetan, Quarterly State of the Nation Report, Winter 1991*] Mr De Klerk said that despite investigations since April by a special police team, no evidence had been found that the police force as such was involved in the irregularities alleged against it, although there had been incidents of individual transgression.⁹⁰ [⁹⁰ *The Citizen* 21 October 1991]

Mr Kriel said he had invited any person with evidence of a 'third force' to produce it. However, he said in November, 'To date not a single scrap of evidence has been forthcoming to substantiate the claims and allegations.'⁹¹ [⁹¹ *Ibid* 30 November 1991]

In his report for 1990, published in 1991, the commissioner of the SAP, General J V van der Merwe, said that there had been an 8,53% increase in serious crime in 1990, the highest rise in ten years. The number of murders had increased by 29%, 'mainly as a result of unrest and fighting among black groups', to more than 15 000, while the number of housebreakings had gone up by 20% to more than 225 000. Analysis of the report indicates that housebreaking into residential or business premises occurred at the rate of 25 an hour in 1990. Whereas 3% of murder victims were white, white residential premises were broken into twice as often as black.⁹² [⁹² *South African Police, Annual report of the Commissioner of the South African Police, 1 January - 31 December 1990*] Cases of illegal possession of arms and ammunition had increased by 45%.

Crimes included 146 bank robberies in the six months between 1 April and 30 September 1991, in which more than R12m was stolen.⁹³ [⁹³ *The Citizen* 19 November 1991] There were suspicions that some bank robberies were carried out to obtain funds for political organisations.⁹⁴ [⁹⁴ *Ibid* 20 November 1991] Vehicle hijackings were another form of robbery: in one three-month period in Durban alone, 268 vehicles were

hijacked, 220 of them at gunpoint.⁹⁵ [⁹⁵ *Sowetan* 6 December 1991]

The police commissioner denied claims that the police were unable to curb crime and said that the rate of increase in 1991 was lower than the previous year.⁹⁶ [⁹⁶ *Business Day* 14 November 1991] Privately run security companies claimed that bail conditions for people accused of violent crime were too lenient.⁹⁷ [⁹⁷ *Ibid* 26 September 1991] It was reported in December 1991 that residents of Sandton and Randburg, north of Johannesburg, had raised R200 000 to equip a police station in a caravan and buy police cars and other equipment. Police officers were to man the caravan.⁹⁸ [⁹⁸ *Ibid* 6 December 1991] Horsewomen in one suburb decided to deploy themselves in mounted anti-crime patrols.

According to the police report, there was a 4% decrease (to 124 000 cases) in assaults in 1990 and an 8% decrease (to 1 463 cases) in cruelty towards children. One person convicted of such crimes was Mrs Winnie Mandela, wife of the ANC president. She was found guilty of kidnapping and accessory after the fact to assault and sentenced in May 1991 to six years' imprisonment, but given leave to appeal. The charge followed the kidnapping of four youths in 1988, one of whom, Stompie Seipei, aged 14, was subsequently murdered. Mr Jerry Richardson, former coach of the Mandela United Football Club, was sentenced to death in 1990 for Stompie's murder. The judge said Mrs Mandela had not shown the slightest remorse for her actions and he branded her 'a calm, composed and unblushing liar'.⁹⁹ [⁹⁹ *Ibid* 14 May 1991; *The Citizen* 14, 15 May, 17 July 1991]

Among others convicted of kidnapping and assault (the victim being a policeman) were three leading trade unionists in the Congress of South African Trade Unions' camp, Messrs Moses Mayekiso, Sydney Mufamadi, and Jay Naidoo, the general secretary of COSATU. Representatives of Anglo, Barlow Rand and Siemens testified in mitigation of sentence and the three men were fined R2 000 each.¹⁰⁰ [¹⁰⁰ *The Citizen* 16, 17 October 1991] Among other crimes committed during the year by trade unionists was the setting on fire in December of a woman who had tried to go to work during a strike at a hotel near Vereeniging (southern Transvaal). She survived the attack and identified her alleged attackers as two chefs and a waiter.¹⁰¹ [¹⁰¹ *Ibid* 17 December 1991]

Twenty thousand South Africans, 95% of them black, were raped in 1990. Towards the end of 1991 three students at the University of Natal were given suspended expulsion sentences after physically assaulting a woman who claimed to have been gang-raped. Women students were reported to be angry that the sentence was not harsher.¹⁰² [¹⁰² *Sunday Times* 8 December 1991] An official inquiry at the University of Cape Town found that violence against women on the campus was rising. Forty-five per cent of first-year women students who responded to a survey said they had been sexually harassed. While no more culpable than whites, black male students justified their abuse of women as a customary right. A black male student from Pretoria said that in terms of their 'culture', some black men were

allowed to discipline, and, if necessary, assault women they were involved with. 'I don't do it myself, but I have friends who do. I don't see why we should be subject to a "white culture" where this is not allowed.' A deputy vice chancellor of the university, Dr Mamphela Ramphele, said 'it's not true that any culture condones sexual harassment. It's just used as an excuse and I will do everything in my power to stamp it out.'¹⁰³ [¹⁰³ Ibid 27 October 1991]

It was reported in December 1991 that there were 294 people awaiting execution in South Africa, and that 87 people had been sentenced to death during the year. The state president had commuted 34 death sentences and nobody had been hanged in 1991.¹⁰⁴ [¹⁰⁴ Ibid 15 December 1991]

One of those who narrowly escaped the death sentence was Mr Samuel Jamile, deputy minister of the interior in the KwaZulu administration. He was sentenced to life imprisonment for the murder in 1989 of a former tenant of his and the attempted murder of the tenant's fiancée. Miss Thokozile Shabalala, who was left for dead when he cut her throat.¹⁰⁵ [¹⁰⁵ *South* 6 June 1991, *The Citizen* 31 May 1991] Mr Jamile was acquitted on ten other murder and attempted murder charges.¹⁰⁶ [¹⁰⁶ *City Press* 2 June 1991]

Chris Hani Park, bordering Galeshewe township (Kimberley), was the scene of a murder in August 1991. Five people were reported to have watched 25 others stab, stone and burn a man to death there after he was sentenced to death by a 'people's' court.¹⁰⁷ [¹⁰⁷ *Sunday Times* 18 August 1991]

Some of the crimes were committed by the police themselves. Altogether 1 871 members of the police were found guilty of criminal offences in 1990 and 5 314 were disciplined for departmental offences. Eleven policemen were found guilty of murder in 1990 and 35 of culpable homicide (11 of the latter in motor collisions).¹⁰⁸ [¹⁰⁸ *Fast Facts* No 6, 1991]

Econometrix reported that 'the devastating escalation of violent crime' had 'dramatically' increased the risk of a large-scale emigration of white skills.¹⁰⁹ [¹⁰⁹ Econometrix, *Ecobulletin*, 5 November 1991] Earlier in the year it had been reported that more than 250 000 white South African adults saw themselves as potential emigrants in the next five years.¹¹⁰ [¹¹⁰ *Tag Star* 23 July 1991]

Following the murder of a farming family in December 1991 and other attacks on farmers, the president of the Orange Free State Agricultural Union said, 'Farmers are expected to work and produce, while large contingents of policemen and security forces are gathered in black cities and towns to prevent clashes between Zulus and Xhosas, ANC and IFP supporters, as well as different taxi groups. Political leaders and other people who enjoy continuous police protection seem to be unaware of the lawlessness which has invaded the country.'¹¹¹ [¹¹¹ *The Citizen* 24 December 1991] The director of the South African Agricultural Union said that burgeoning squatter settlements on farms were leading to 'pilfering and

theft because of the unemployment situation'.¹¹² [¹¹² *The Star* 24 December 1991]

Among the steps taken to prepare for constitutional talks were the release of people serving prison sentences for politically motivated crimes, and the repatriation of political exiles, the latter with the help of the United Nations High Commissioner for Refugees.¹¹³ [¹¹³ *Ibid* 12 December 1991] The first batch of an estimated 30 000 political exiles due to return to South Africa under her auspices arrived home in mid-December. The last black political prisoners left Robben Island in May 1991, some of them being transferred to other prisons prior to their release.¹¹⁴ [¹¹⁴ *Business Day* 16 May 1991] Those released and granted amnesty included people convicted of murder by setting people and houses alight.¹¹⁵ [¹¹⁵ *Fast Facts* No 6, 1991] Among those released were people referred to in the press as the 'Sharpeville Six'. They had been sentenced to death for the murder on 3 September 1984 of Mr Kuzwayo Dlamini, deputy mayor of that township, during a demonstration against rent increases. These demonstrations flared into the nationwide disturbances which, at the time of writing, had not yet ended. Mr Dlamini had been stoned and set on fire, the judge describing his murder as 'gruesome, medieval and barbaric'. Although the trial court's death sentences were upheld by the Appellate Division of the Supreme Court, the state president, Mr P W Botha, later commuted the sentences to terms of imprisonment.¹¹⁶ [¹¹⁶ 1988/89 *Survey's*]

The government said 1 191 political prisoners had been released by November 1991, and that there were no more left in prison. The Human Rights Commission said in December, however, that there were still 448 'political prisoners'. According to the *Sunday Times*, these included five rapists, a housebreaker who had been declared a habitual criminal, and people sentenced for stocktheft, armed robbery, vehicle theft or drug-possession.¹¹⁷ [¹¹⁷ *Sunday Times* 15 December 1991]

One of the people granted indemnity from prosecution was Mr Bradley Richard Stacey, an ANC member who was sought by police after a fire on the Durban campus of the University of Natal in 1986 in which property worth R3m was damaged or destroyed, among it years of research work by a number of distinguished academics, including Professor Lawrence Schlemmer. Professor Schlemmer said at the time that his work on proposals for a combined KwaZulu/Natal legislature might have been the reason for the firebomb. Mr Stacey fled the country after the blaze. He was later sentenced by a Tanzanian court to 15 years' imprisonment for his attempt in 1989 to hijack an Aeroflotjet carrying 176 ANC members from Angola to Dar es Salaam. Mr Stacey returned to South Africa in November 1991, but police said they did not think he could be questioned about the blaze as he had been granted indemnity from prosecution.¹¹⁸ [¹¹⁸ *Sunday Tribune* 10 November 1991]

By the middle of 1991, 57 000 political and other prisoners had been released under various amnesties, and the overcrowding of prisons reduced from 30% to 1,6%.¹¹⁹ [¹¹⁹ *Fast Facts* No 6, 1991] Many former

political prisoners were unable to find jobs. According to one study, the poverty faced by many former prisoners meant that they were in 'a prison without walls'.¹²⁰ [¹²⁰ *South* 28 November 1991]

Political detainees outside South Africa were also in the news. The International Committee of the Red Cross announced that, after 15 years of trying, it had received permission from the ANC to inspect its detention centres and interview prisoners.¹²¹ [¹²¹ *Business Day* 30 August 1991] However, Mr Mandela said in August that he could not understand why the Red Cross wanted to go to the camps, because the ANC had released all its prisoners. The International Society for Human Rights (ISHR) said in a newsletter in November 1991 that it believed that up to 500 people were missing in ANC detention camps in southern Africa, and it applied for permission to visit the camps. At the time of writing, according to the society, the ANC had 'sidestepped' this request.¹²² [¹²² Fax to the South African Institute of Race Relations, dated 23 December 1991]

The ISHR said that some of the people who had defected from the ANC had described 'torture, ruthless murder and extraordinary cruelty' towards detainees. It also said that the United Nations High Commissioner for Refugees had forced refugees to join the ANC or the PAC.¹²³ [¹²³ ISHR, *Human Rights*, No 5 Frankfurt, November 1991]

One of the effects of liberalisation in South Africa was a drop in foreign funding for local law firms that had specialised in political cases. According to one report, scores of victims of political violence and repression were being turned away from lawyers' offices because of the funding crisis in the 'human-rights-law industry'.¹²⁴ [¹²⁴ *The Weekly Mail* 29 November 1991]

The economy

The governor of the South African Reserve Bank, Dr Chris Stals, said that average growth in gross domestic product (GDP) in the 1980s had amounted to only 1% a year. Taking population growth into account, this meant a decline of 1,3% a year in GDP per head.¹²⁵ [¹²⁵ *Business Day* 1 November 1991]

Rising labour costs were the country's major problem, Dr Stals said. Unit labour costs rose by 17,2% in 1989 and 16,3% in 1990. 'This is what is pushing our rate of inflation up, this is the malignant disease that erodes our competitiveness vis-à-vis the rest of the world, this is what is closing our marginal gold mines, this is where the origin lies of rising unemployment in South Africa,' he said.¹²⁶ [¹²⁶ *Ibid* 24 July 1991] At the end of the year the reserve bank reported that real wages were beginning to decline, which, it said, augured well for an eventual slowdown in the rate of inflation.¹²⁷ [¹²⁷ SARB, *Quarterly Bulletin*,

December 1991]

A labour research organisation said labourers had received pay rises averaging 20,7% in the 12-month period up to June 1991, and artisans an average increase of 17,4%.¹²⁸ [¹²⁸ *Business Day* 25 November 1991] Private sector analysts foresaw unionised workers' obtaining wage settlements of between 15% and 15,5% in 1992.¹²⁹ [¹²⁹ *Sunday Tribune* 8 December 1991]

The reserve bank reported in June 1991 that the economy had been contracting for about 27 months, which was considerably longer than the average length of 17 months of such cyclical contractions since the beginning of the 1940s.¹³⁰ [¹³⁰ SARB, *Quarterly Bulletin* June 1991] However, the bank said, the economy had shrunk by only 5,5%, compared with about 20% in the two previous downswings (1984 to 1986 and 1981 to 1983).¹³¹ [¹³¹ *The Star* 25 June 1991] Vehicle sales figures provided an example of long-term economic shrinkage. One vehicle manufacturer predicted that 1991 could be the second worst year on record in 14 years. In 1977, 167 000 cars had been sold but the number had risen to 302 000 in 1981, only to slump to an expected 199 000 in 1991.¹³² [¹³² *Business Day* 9 December 1991] At the end of the year the reserve bank pointed out that employment had been battered more severely in the current 'relatively mild' 32-month downswing than in any of the economic recessions in the past 20 years. Job levels had plunged to levels substantially lower than those of previous downswings.¹³³ [¹³³ *Ibid* 6 December 1991]

The minister of public enterprises and economic co-ordination, Dr Dawie de Villiers, said in August that more than 2,5m people were probably jobless. At current expansion rates there was no space in the formal sector for about 330 000 of the 400 000 people joining the labour market annually.¹³⁴ [¹³⁴ *The Citizen* 15 August 1991]

A report compiled by Professor J L Sadie and published by the Bureau of Market Research of the University of South Africa (UNISA) said that between 1990 and the year 2005 an average of 450 000 new workers would enter the labour market every year, the number rising to 510 000 a year towards the end of that period. But in the second half of the 1980s there had been an average annual increase of only 31 000 jobs in the formal sector, the public sector providing 95% of these.¹³⁵ [¹³⁵ *Business Day* 30 September 1991]

However, there was some confusion about population figures: returns from the 1991 census suggested that the population of the country might be 4,8m fewer than previously thought.¹³⁶ [¹³⁶ *The Star* 25 September 1991]

Econovision, published by Bankorp, reported that by the end of 1990 about 4m adults were without formal employment. It forecast that, with low economic growth, the return of thousands of exiles, and a rise in the domestic labour force, unemployment would grow by 700 000 in 1991 and 1992. The ‘lost generation’—millions of poorly educated, unemployed, young black people with a high frequency of crime, violence, political radicalism and general anarchism—could grow by half a million within a mere two years, *Econovision* said.¹³⁷ [¹³⁷ *Econovision*, August 1991] Some 90% of those currently unemployed were estimated to be below the age of 30.¹³⁸ [¹³⁸ *Ibid*, November 1991]

The executive director of Operation Hunger, Mrs Ina Periman, said that malnutrition and hunger in South Africa was now ‘emphatically the worst situation in ten years’, because of the escalating unemployment rate. About 45% of blacks who were employable were currently unemployed. The countrywide economic catastrophe had sent rural unemployment soaring and reduced, in the majority of areas, the regular migrant cash flow. There had been mass retrenchments in the mining industry, where the average miner had about nine dependants.¹³⁹ [¹³⁹ *The Citizen* 10 July 1991]

Employment agencies reported that more and more whites were taking menial jobs that were once the preserve of blacks. Whites were working as window-washers, petrol-pump attendants and aircraft cleaners. One cleaning company had recently employed several young white women to clean aircraft at Jan Smuts Airport (Johannesburg). The company had previously employed blacks as cleaners. With rising unemployment, it found that whites were prepared to take on any job. The whites employed as cleaners were being paid the same salaries as blacks.¹⁴⁰ [¹⁴⁰ *Sunday Star* 17 November 1991] One white man got himself a job washing minibus taxis at the Noord Street taxi rank in Johannesburg. The 27-year-old man, Mr Japie Marx, was living in Soweto with a taxidriver friend and looking for a shack in Alexandra township.¹⁴¹ [¹⁴¹ *Saturday Star* 15 June 1991] Employment opportunities for individuals with little or no experience were so few that white women, desperate for work, were applying for positions as domestic workers. An employment agency in Bloemfontein had found that white women would take positions for R200 a month with accommodation.¹⁴² [¹⁴² *The Citizen* 14 May 1991]

If whites were taking jobs as domestics, blacks were also employing domestic servants. According to the South African Domestic Workers’ Union, a third of Soweto families were employing domestic servants. The union said many of these workers—generally called ‘helpers’—were recruited from the homelands, and some were paid as little as R90 a month.¹⁴³ [¹⁴³ *Saturday Star* 27 April 1991] A survey by the Human Sciences Research Council found that 64% of domestic servants were employed by whites and 16% by blacks.¹⁴⁴ [¹⁴⁴ *Business Day* 17 July 1991] A researcher at the University of the Transkei said that a survey she had conducted had found that black ‘madams’ treated their domestic servants no better than white ones.¹⁴⁵ [¹⁴⁵ *Sowetan* 22 November 1991]

Between 1960 and 1970, the UNISA study said, the labour corps had increased by three blacks to one white, but from 1985 to 1990 this ratio rose to nearly ten to one. By the year 2000 to 2005, it was expected to show a dramatic escalation to about 50 to one. As whites and Asians were responsible for 97% of job creation in the formal sector, the sharp rise in the ratio of black to white workers would make it increasingly difficult to provide work for new entrants to the formal sector. The female proportion of the workforce would rise from 23% in 1960 to 39% in 2005.¹⁴⁶ [¹⁴⁶ *Sunday Star Finance* 29 September 1991]

Professor Sadie said, 'Excluding migration, the shortage of executive and skilled workers is expected to reach 921 000 by 2005. Assuming the employment of executive and skilled workers is a prerequisite for the creation of jobs for workers in other categories and that it will not be possible to fill the 921 000 vacancies, the surplus of semi-skilled and unskilled workers will rise to 11 570 000 by 2005.' By implication, about 57% of the labour force would have to earn a living in the informal sector or be unemployed.¹⁴⁷ [¹⁴⁷ *Business Day* 30 September 1991] Figures published by the Central Statistical Service showed that full-time employment in the informal sector rose by more than 20% to 892 000 from October 1989 to October 1990.¹⁴⁸ [¹⁴⁸ *Ibid* 28 June 1991]

Despite the recession, market surveys showed that the number of black adults earning more than R4 000 a month had increased by 30%, while the number earning between R2 000 and R3 999 had risen by 90% over a 15-month period, albeit off small bases.¹⁴⁹ [¹⁴⁹ *Saturday Star* 23 November 1991]

Statistics compiled for the Urban Foundation and the Nedcor-Old Mutual scenario planning team showed that the white share in personal income had varied around 70% between 1917 and 1970, while the African share had remained more or less static at about 20%. Since 1970 the white share had dropped by 24% and the African share had risen by 67%. The coloured share had risen by 37% and the Indian share by 75%. The racial shares of personal income in 1990 were thus Africans 33%, coloured people 9%, Indians 4% and whites 54%.

The *Financial Mail* reported that 1991 had been a good year 'on the whole' for the country's 20 richest families. Their listed holdings on the Johannesburg Stock Exchange had risen by 57%, from R6,9bn in 1990 to R10,8bn.¹⁵⁰ [¹⁵⁰ *Financial Moil* 20 December 1991]

Professor Charles Simians of the University of the Witwatersrand said in a study for the Urban Foundation that the proportion of black households living in poverty had diminished over the past five years while the proportion of poor white households had increased. He said that one third of black households in cities were living in poverty but that the proportion in rural parts in the homelands was around 82%.¹⁵¹ [¹⁵¹ *Sunday Times* 22 September 1991] A study by the Development Bank of Southern Africa revealed major discrepancies in income levels between different regions. Gross geographic

product per capita was thus R3 554 in Natal, R7 627 in the western Cape, and R9 424 in the Pretoria/Witwatersrand/Vereeniging region.¹⁵² [¹⁵² *Sunday Tribune* 13 October 1991]

The executive director of the South African institute of Race Relations, Mr John Kane-Berman, said, 'We need to beware of a new division in South Africa to replace the old apartheid division. Already, the old material inequality problem as between black and white has a new configuration: on one side are whites plus urbanised, unionised, housed, educated blacks, and on the other, the illiterate, the malnourished, the unemployed, particularly on the platteland and in the homelands.'¹⁵³ [¹⁵³ *Race Relations News*, December 1991]

Speaking at a function in Johannesburg in November, the state president said that the real gulf in incomes was less and less between blacks and whites and increasingly between the black labour elite who belonged to unions and black workers who did not—between those who were unemployed and those who had jobs.¹⁵⁴ [¹⁵⁴ *The Citizen* 22 November 1991]

According to a study conducted by the University of Stellenbosch, South Africa is a fairly typical middle-income country in the same league as Algeria and Hungary—and with limited resources with which to solve social problems. Its per capita income of US\$2 290 per year just scraped it into the bottom layer of 'upper middle-income countries'. Ethiopia, at \$120, was the poorest and Japan, at \$21 020, the wealthiest country. The authors of the study, Professor Servaas van der Berg and Mr Krige Siebrits, said that 'It is indicative of this country's limited economic strength that the output of the whole South African economy is smaller than that of most cities in industrial countries with populations of five million or more.'

The resources available for addressing poverty were not as great as was often thought. South Africa spent a relatively large proportion of its resources on social services such as education and health. 'The problem lies not in an unduly low priority on education and health expenditure, but in a misplaced emphasis on the needs of the affluent rather than the poor,' the authors said.¹⁵⁵ [¹⁵⁵ *Sunday Tribune Finance* 24 November 1991]

An analysis of the 1991/92 national budget by the South African Institute of Race Relations showed that social spending (on education, health, housing and welfare) was allocated 40% of total expenditure. The defence budget was cut by 9%.¹⁵⁶ [¹⁵⁶ *Fast Facts* No 3, 1991] Cuts in the defence budget were reported to have led to the loss of 50 000 jobs, many of them highly skilled.¹⁵⁷ [¹⁵⁷ *Business Day* 23 September 1991] 'It's a massacre out there,' a consultant to the state-owned weapons manufacturing and procurement agency, Armscor, said.

ANC officials claimed that the government was neutralising Armscor to make sure an 'ANC-led government is not a strong one'.¹⁵⁸ [¹⁵⁸ *Weekly Mail* 18 October 1991] Armscor officials, however,

predicted an increase in arms exports—already the country’s largest manufactured export.

The publication *Jane’s Defence Weekly* said in August that South African defence cuts had gone ‘rather deeper than seemed safe given the equipment needs of the armed forces’. The country might not be able to deter aggressive military moves against itself or its neighbours if further defence budget cuts were made.¹⁵⁹ [¹⁵⁹ *Business Day* 8 August 1991] However, Mr Roelf Meyer, who had replaced Mr Magnus Malan as minister of defence, said in December that the defence budget would again be cut in 1992, but that there would be no changes to the conscription laws. South Africa could not afford a purely volunteer defence force in the foreseeable future, Mr Meyer said. Conscription would not be extended beyond whites until everyone had the same political rights. The present arrangement, whereby a nucleus of permanent force members was complemented by national servicemen, the citizen force and commandos, would continue.¹⁶⁰ [¹⁶⁰ *Ibid* 12 December 1991]

The President’s Council published a report in November 1991 which said that goods costing R4 in 1945 had now passed the R100 mark. A basket of consumer goods bought in 1945 for R10 would cost at least R242,76 in 1990.¹⁶¹ [¹⁶¹ *The Citizen* 27 November 1991] Food prices rose by 27% in the twelve months to November 1991, while the overall inflation rate was 15,5%.¹⁶² [¹⁶² *Business Day* 20 December 1991] Projections by the Organisation for Economic Co-Operation and Development showed that European inflation would slip below 4% by the end of 1992. At current rates of inflation, consumer prices in South Africa would double in under five years, while in Europe this would take 15 years.

Econometrix said that consumer prices of food had risen by 14,8% in the four months ended 30 November 1991, which was greater than ‘the increase in the price of food charged by manufacturers and farmers alike over the entire year gone by’. It said that the ‘cause of the gap between consumer and producer food price inflation has to be identified as a matter of urgency’.¹⁶³ [¹⁶³ Econometrix, *Ecobulletin*, 9 December 1991] The magazine *Finance Week* said that the rate at which food prices were inflating was ‘squeezing disposable incomes to the point that there is no money for clothing and footwear’. The magazine reported retailers as saying that they had never seen such ‘appalling conditions’. There had never been more consumers with higher expectations, but so little means. ‘Not for many years has there been a bleaker run-up to Christmas,’ it said.¹⁶⁴ [¹⁶⁴ *Finance Week* 12 December 1991]

Dr Stals predicted that inflation would decline to 12% or even 11% in 1992.¹⁶⁵ [¹⁶⁵ *The Citizen* 1 November 1991] He said South Africa could become the economic miracle of the 1990s and match the vibrant Pacific Rim countries if it adopted the right political and economic system. ‘We have the potential, we have the people,’ said Dr Stals. ‘Give us the political stability, a sound economic system—and our private sector can deliver.’ Dr Stals said what South Africa needed most to realise its goals were education, training and radically improved labour productivity. ‘That is the major constraint—not

capital, not the balance of payments. It is the work ethic, the readiness to produce.’¹⁶⁶ [¹⁶⁶ November 1991]

The chairman of the Anglo American Corporation of South Africa, Mr Julian Ogilvie Thompson, said in July 1991 that South Africa was on the verge of a renewed upswing in the international economy which offered an exceptional opportunity for the country. ‘Growth targets of 4%, 5% or even 6% a year, are well within reach. Just six years of 5% growth could well create jobs in the formal and informal economy for up to 2,5m more people. Simultaneously, it would generate an additional R55bn of revenue—in 1991 money—for social investment alone, without any increase in taxes. Poverty and inequity in South Africa can be addressed, provided its leaders do not act out of poverty of thought.’¹⁶⁷ [¹⁶⁷ Ibid 17 July 1991]

At the end of November 1991 the state president, Mr F W de Klerk, said that economists were almost unanimous that there would be a 2% real increase in GDP in 1992, but that this was not sufficient for South Africa. To absorb the labour force coming on to the market, accommodate the unemployed and raise average standards of living, a growth rate of at least 4% a year was required.’¹⁶⁸ [¹⁶⁸ Ibid 26 November 1991]

The new minister of trade, industry, and economic co-ordination, Mr Derek Keys, said in December 1991 that there was every sign that the pickup in the world economy would be extremely slow. This affected South Africa in quite a direct way. ‘Our manufactured exports account for only some 17% of our exports. The rest feel the draught; commodity markets are still very difficult.’ Asked when he hoped to see an upturn, Mr Keys replied, ‘I’m digging in for two more hard years.’¹⁶⁹ [¹⁶⁹ Ibid 20 December 1991]

Although trade delegations from more than 50 countries were reported to have visited South Africa during 1991, few foreign investors were prepared to commit money to the country, fearing political instability and future economic policies.’¹⁷⁰ [¹⁷⁰ Ibid 6 December 1991] A study by a stockbroking firm, Davis Borkum Hare, said South Africa would need R20bn a year in foreign capital to increase production capacity enough to enable the economy to grow at 4% a year.’¹⁷¹ [¹⁷¹ *The Star* 17 December 1991] The minister of foreign affairs, Mr Roelof (Pik) Botha, criticised South African businessmen for themselves refusing to invest. ‘There are billions available in this country which our major industrial, financial and other groups of companies will not invest. That is an internal form of sanction. They must lift this self-imposed form of sanction. Perhaps they don’t want to take risks, but billions can be invested within weeks by our commercial and industrial giants,’ he said. Businessmen replied that it was the job of the government to end violence and restore investor confidence before it could expect untapped cash to flow.’¹⁷² [¹⁷² *Sunday Tribune* 27 October 1991]

Mr Mandela said in September 1991 that mines and other financial institutions would be nationalised 'because the majority of the population do not have access to South Africa's resources'. He said that while the ANC had 'no ideological attachment' to nationalisation, this was the only way to address the imbalances in the economy. Mr Michael Spicer, a spokesman for Anglo, said that Mr Mandela had displayed 'the kind of archaic and bankrupt thinking which we had hoped [the ANC] had abandoned in favour of joining the real world of the 1990s'.¹⁷³ [¹⁷³ *Business Day* 30 September 1991]

The executive vice chairman of the Rembrandt Group, Mr Johann Rupert, urged businessmen to 'stop pandering to and listening to the nonsense dished up' by trade unions and the ANC. Mr Rupert told the Cape Town Afrikaanse Sakekamer that the ANC leadership had to stop leading its supporters up the garden path with their rhetoric and 'say openly what they are saying behind closed doors' on the economy and the country's future.¹⁷⁴ [¹⁷⁴ *The Citizen* 8 November 1991]

Speaking in Taipei in November 1991, Mr De Klerk said that his government would 'not agree to any new constitution that will permit the introduction in South Africa of obsolete and rejected ideologies that have failed so dramatically elsewhere in the world'.¹⁷⁵ [¹⁷⁵ *Ibid* 16 November 1991]

The secretary general of the ANC, Mr Cyril Ramaphosa, said in October that a new government would not be keen to honour international loans granted to the present government.¹⁷⁶ [¹⁷⁶ *The Star* 2 October 1991] The ANC had earlier expressed opposition to a five-year bond issue lead-managed for the government by Deutsche Bank.¹⁷⁷ [¹⁷⁷ *Business Day* 30 August, 20 September 1991] In November the Independent Development Trust shelved plans for a \$100 million Eurobond issue to help fund a national school and clinic building programme after the ANC had raised objections.¹⁷⁸ [¹⁷⁸ *Business Day* 27 November 1991]

American officials told the South African government that the Gramm Amendment, which effectively barred South Africa from obtaining loans from the International Monetary Fund, would be lifted in 1992.¹⁷⁹ [¹⁷⁹ Information supplied to the South African Institute of Race Relations, November 1991]

Constitutional negotiations

On 20 and 21 December 1991 the government, a separate delegation from the National Party, four other parliamentary parties, the African National Congress (ANC), the Inkatha Freedom Party (IFP), parties or administrations from all nine of the other homelands, an Indian Congress delegation and the South African Communist Party (SACP) gathered at the World Trade Centre near Jan Smuts Airport (Johannesburg) for negotiations on a new constitution for South Africa. Their forum was called the

Convention for a Democratic South Africa (CODESA). The leader of the NT's delegation, Dr Dawie de Villiers, told the meeting that it had not been the intention of his party 'to deprive other people of their rights and to contribute to their misery—but eventually it led to just that. Insofar as that occurred, we deeply regret it.'¹⁸⁰ [¹⁸⁰ *The Citizen* 21 December 1991]

The state president, Mr F W de Klerk, announced that the government was ready to begin immediate negotiations to amend the constitution to 'make an interim power-sharing model possible on a democratic basis'. This 'transitional government' could include a 'newly constituted parliament' including the 'total population', and it could not only run the country but also 'take the lead in further constitutional reform'. The government was not prepared to circumvent or suspend the present constitution. Any changes to it, even if these related only to transitional measures, would have to be accepted by Parliament after a mandate had been obtained from the electorate of each of its (three) chambers. The government was almost ready to table specific proposals about these transitional arrangements for urgent negotiation.¹⁸¹ [¹⁸¹ Speech by the state president at the first session of CODESA, 20 December 1991]

Government spokesmen said after the convention that the declaration of intent did not mean that the government had signed away its own sovereignty, since all proposals for legislation would have to be put before Parliament. Nor had the government given in to demands for an interim government, since any transitional arrangements would have to be carried out according to orderly constitutional processes.¹⁸² [¹⁸² *Rapport* 22 December 1991] The Conservative Party (CP) nevertheless denounced Mr De Klerk's announcement of a transitional government as 'capitulation in the worst sense'.

Seventeen of the 19 delegations at the convention endorsed a declaration of intent which committed them, inter alia, to an undivided South Africa whose 'supreme law' would be a constitution guarded over by an independent judiciary. An entrenched and justiciable bill of rights would protect universally accepted civil liberties, and the legal system would guarantee equality of all before the law. There would be a multiparty democracy based on universal adult suffrage on a common voters' roll, and the basic electoral system would be one of proportional representation. Further, 'there shall be a separation of powers between the legislature, executive and judiciary with appropriate checks and balances'. The delegations also agreed 'to improve the quality of life of our people through policies that will promote economic growth and human development and ensure equal opportunities and social justice for all'. The signatories further committed themselves to eliminating 'violence, intimidation and destabilisation'.

The declaration said that the signatories would 'take all such steps as are within our power and authority' to realise the implementation of the agreements reached. The convention would establish a mechanism whose task, in co-operation with government, would be to draft the text of all legislation required to give effect to such agreements.¹⁸³ [¹⁸³ *City Press* 22 December 1991]

A few days before the convention, the president of the ANC, Mr Nelson Mandela, had demanded that its

decisions should be legally binding,¹⁸⁴ [¹⁸⁴ *The Citizen* 17 December 1991] but the government rejected this. It could not, by supporting any CODESA resolution, bind Parliament.¹⁸⁵ [¹⁸⁵ *Ibid* 19 December 1991] Instead, the government said, all parties would have a ‘moral obligation to implement any decisions and to work towards implementation by Parliament.’

The leader of the delegation of the Bophuthatswana administration, Chief Lucas Mangope, refused to sign the declaration, apparently on the grounds that it ‘may result in the abolition of Bophuthatswana as a sovereign independent state, or the possible merging of its identity with another or others’.¹⁸⁶ [¹⁸⁶ *Ibid* 21 December 1991] The Bophuthatswana authorities had earlier indicated that any decision for Bophuthatswana to reincorporate itself into the rest of South Africa would have to be taken with its acquiescence.¹⁸⁷ [¹⁸⁷ *Beeld* 2 December 1991] The government evidently agreed that the ‘sufficient consensus’ required for decisions about a new constitution meant that if any party was vitally affected by a decision it would have to be part of that consensus.¹⁸⁸ [¹⁸⁸ *The Star* 4 December 1991] It was reported that the convention had decided that if a party was materially affected by a decision with which it did not agree, it would be deemed that there was not sufficient consensus.

The IFP objected to the declaration on the grounds that ‘an undivided South Africa with one nation, would undermine federal options’.¹⁸⁹ [¹⁸⁹ *Saturday Star* 21 December 1991] Although the IFP was present at the convention under the leadership of its national chairman, Dr Frank Mdlalose, the president of the party, Chief Mangosuthu Buthelezi, was absent. He said he could not attend since the Zulu monarch, King Goodwill Zwelithini, had been ‘snubbed’ by not being invited. The IFP nevertheless said it was fully committed to the success of the convention.¹⁹⁰ [¹⁹⁰ *Sowetan* 20 December 1991] Dr Mdlalose said that the IFP had ‘no mandate to represent the Zulu nation’, whose ‘vital interests do not necessarily coincide with those of the IFP’.¹⁹¹ [¹⁹¹ *The Citizen* 20 December 1991] Dr De Villiers said he hoped an acceptable way could be found to allow the Zulu king and other traditional leaders with special status to join the negotiation process.¹⁹² [¹⁹² *Ibid* 21 December 1991]

The other two notable absentees from the convention were the CP and the Pan-Africanist Congress (PAC).

The CP and the smaller Herstigte Nasionale Party said in an advertisement also signed by a number of other conservative organisations that CODESA was doomed to failure ‘because it does not have the approval or the support of the majority of the white nation.’ CODESA was ‘a recipe for conflict, bloodshed and domination through numbers’. It was a ‘travesty of democracy because different peoples and races can never form a single nation’. The advertisement said that conservatives rejected the ‘myth of nonracialism’. There could be ‘no freedom without self-government in one’s own territory’.¹⁹³ [¹⁹³ *Ibid* 20 December 1991]

The leader of the CP, Dr Andries Treuroicht, said that the white delegations at the talks represented less than 50% of the white population and that the real political heavyweights, KwaZulu and Bophuthatswana, rejected an ANC-ruled unitary South Africa.¹⁹⁴ [¹⁹⁴ Ibid 24 December 1991]

There were, however, persistent reports during the year that some CP MPs took the view that the party should join the negotiations. The leader of the party in the Orange Free State, Mr Cehill Pienaar, said that if the self-determination of Afrikaners was to be on the agenda of the talks, the CP would join them. Mr Pienaar said that Afrikaners did not want 'baaskap', but self-determination in a smaller state in a federal or confederal constitutional system. Afrikaners needed a base, but they would not necessarily go and live there.¹⁹⁵ [¹⁹⁵ *Beeld* 26 November 1991]

During the convention, Dr De Villiers undertook to include the question of self-determination on the agenda. The Afrikaans Sunday newspaper *Rapport* said that, as a result, dissension within the CP had flared up again over whether or not it should join the negotiation process. The newspaper said that there was now open talk within the party of a split.¹⁹⁶ [¹⁹⁶ *Rapport* 22 December 1991]

One of the conservative organisations that signed the advertisement, the Afrikaner Weerstandsbeweging (AWB), said it was necessary to 'prepare for war' because the government was not prepared to consider the demand for a 'boer state'.¹⁹⁷ [¹⁹⁷ *The Citizen* 10 December 1991] The AWB said that the 'boer people' regarded CODESA as a means to force them 'into a unitary state to be governed by black majority rule'.¹⁹⁸ [¹⁹⁸ Ibid 21 December 1991] Fourteen conservative English-speaking organisations also denounced the convention, declaring that 'the government is placing South Africa on the road to civil war'.¹⁹⁹ [¹⁹⁹ Ibid 17 December 1991]

In the week leading up to the constitutional convention, bomb blasts that were attributed to right-wing organisations occurred in five different parts of the Transvaal. The targets were a church being used for a multiracial school in Klerksdorp, the offices of the Congress of South African Trade Unions in Pretoria, a technical college in Lichtenburg which had admitted its first black students, a multiracial beerhall in Koster, and the magistrate's court in Sabie. A group calling itself the Boere Republikeinse Leër claimed responsibility for two of the five blasts.²⁰⁰ [²⁰⁰ *Sunday Times* 2 December 1991] The blasts occurred only a week after Umkhonto we Sizwe, which had launched a sabotage campaign in the early 1960s, had held celebrations in various parts of the country to commemorate its 30th anniversary.²⁰¹ [²⁰¹ 1962 *Survey* pp25-26]

A leading social scientist, Professor Lawrence Schlemmer, had earlier in the year estimated, on the basis of opinion surveys, that the AWB had a hard core of between 50 000 and 70 000 supporters and a wider support base of about 300 000. He said that the AWB had relatively more support in South Africa than

the IRA in Ireland.²⁰² [²⁰² *The Star* 15 August 1991]

The PAC, which had been involved in some of the preparatory meetings for the convention, subsequently withdrew from the negotiations and denounced the convention as a collection of people invited to talks by the government and not elected in a democratic manner. The PAC said that the government and the ANC were ‘stage managing the whole show’ and that it was a ‘charade and a farce’.²⁰³ [²⁰³ *Ibid* 17 December 1991] It was a waste of time to attend, because ‘CODESA cannot deliver a constituent assembly’, the PAC said, adding that it would start campaigns to destroy the convention.²⁰⁴ [²⁰⁴ *Business Day* 20 December 1991] Also absent from the talks was the Azanian People’s Organisation (AZAPO), which said that the convention was ‘unrepresentative of the majority of blacks or whites in this country’.²⁰⁵ [²⁰⁵ *The Citizen* 20 December 1991]

The convention set up five working groups that would meet in January and February 1992, prior to the second meeting of CODESA, due to be held before the end of March.²⁰⁶ [²⁰⁶ *Ibid* 19 December 1991] The first group would deal with the question of creating a climate for free political participation and the role of the international community. Two issues expected to be explored by the first group were the termination of military means to promote the objectives of political organisations and the political neutrality of the state media. During 1991 the ANC and its allies had repeatedly demanded the restructuring of the South African Broadcasting Corporation.²⁰⁷ [²⁰⁷ *Business Day* 26 September 1991] The second working group would examine constitutional principles, including whether South Africa should be a unitary state, or a geographical federation or confederation. The third working group would deal with transitional arrangements. The fourth would debate the future of the homelands. The fifth would discuss time frames.²⁰⁸ [²⁰⁸ *Sunday Times* 22 December 1991]

Mr De Klerk had said in November 1991 that it was a great misconception to believe that the ANC and its allies would inevitably be in a position one day to ‘implement their radical policies’.²⁰⁹ [²⁰⁹ *The Citizen* 22 November 1991] The NP had ‘never asked for a mandate to transfer all the power to the ANC or anybody else’.²¹⁰ [²¹⁰ *Ibid* 8 November 1991] Mr De Klerk said the government was looking for a system that practically enforces government by coalition’ and that he did not believe that he would be South Africa’s last white head of state.

The transitional government proposed by Mr De Klerk would evidently include a presidency composed of the leaders of the three largest parties and would remain in power for ‘at least one and probably several’ five-year parliamentary terms.²¹¹ [²¹¹ *Sunday Times* 22 December 1991] The government also took the view that differing parties should share not only political power but also responsibility.²¹² [²¹²

Rapport 22 December 1991²¹³] Whereas the government evidently saw the transitional power-sharing authority with its fully multiracial parliament as the forum that would negotiate a new constitution, the ANC believed that an interim government should be appointed for 18 months at the most and that its primary function should be to oversee the transition process before the holding of elections for a constituent assembly to draw up the new constitution.²¹³ [²¹³ *Sunday Star* 22 December 1991, *Sunday Times* 22 December 1991]

There was speculation in some of the Afrikaans newspapers that the 1992 parliamentary session, due to begin in the last week of January, would be the last Parliament that excluded Africans.²¹⁴ [²¹⁴ *Rapport* 22 December 1991] The minister of constitutional development, Dr Gerrit Viljoen, believed it was possible that during 1992 an interim constitution for a transitional government could come into operation. The new Parliament would then itself decide what mechanisms it wanted to negotiate the new ultimate constitution.²¹⁵ [²¹⁵ *Ibid*] However, Mr Mandela told the convention that it was inconceivable that a democratic constitution could be reached in any way but through a constituent assembly. He saw no reason why an election for such an assembly should not be possible in 1992. Mr Mandela also called on the government to make way for an interim government of national unity to supervise the transition to a nonracial democratic South Africa.²¹⁶ [²¹⁶ *The Citizen* 21 December 1991]

In a newspaper interview shortly before the convention, the chairman of the SACP, Mr Joe Slovo, said, ‘We don’t want to negotiate the constitution at CODESA, that’s the task of a representative body—a constituent assembly or whatever you call such an elected body.’ Mr Slovo said that the government and the NP would probably try to transform CODESA itself into some kind of constitution-making body, but added, ‘We are going to resist that.’²¹⁷ [²¹⁷ *Financial Mail* 20 December 1991]

Earlier in the year Chief Buthelezi had said that the establishment of a constituent assembly would lead to the formation of a white resistance movement similar to RENAMO in Mozambique and UNITA in Angola. Chief Buthelezi told a visiting Portuguese delegation that most whites, and he personally, rejected a constituent assembly because it was a mechanism the ANC wanted to use to establish itself as the only contender for power in South Africa.²¹⁸ [²¹⁸ *The Citizen* 10 June 1991]

During the year there were repeated allegations that the NP was building up an alliance with the IFP against the ANC. There were also repeated allegations that it was building up an alliance with the ANC against everyone else.

The official mouthpiece of the CP, *Die Patriot*, said that an incremental transfer of power from the government to the alliance between the ANC, the SACP and COSATU was taking place. It described this as ‘a takeover by stealth, a surreptitious giveaway, an iniquitous betrayal of a trusting electorate, a

surrender without a fight, a collapse of will'. The paper went on to ask, 'Will white South Africa allow the sell-out to continue?' It claimed that a story was doing the rounds that Mr De Klerk had privately admitted that he had 'lost control of events'.²¹⁹ [²¹⁹ *Patriot* Review and Comment 13 December 1991] The crux of the matter. Die *Patriot* said, 'is that the National Party conceded power, in principle, years ago. The fact is that the NP has no non-negotiables. It has no so-far-and-no-further fundamentals'.²²⁰ [²²⁰ *Ibid*]

Shortly before a preparatory meeting at the end of November 1991 for the convention, the PAC accused the ANC of 'being in cahoots with the regime', having made secret deals with the government 'to rule this country in alliance with the NP by decree for many years to come'.²²¹ [²²¹ *Sowetan* 28 November 1991] The government and the ANC denied these accusations. AZAPO also attacked the ANC and said the country was now witnessing a new alliance between 'the old bosses and a new Induna class'.²²² [²²² *The Citizen* 10 December 1991]

Allegations of collusion continued during December. *The Citizen* reported that senior members of smaller delegations believed that 'CODESA has been hijacked by the government, the ANC alliance, and the Transkei'. An IFP official said 'the whole thing smacks of dirty tricks and collusion between the government and the ANC'.²²³ [²²³ *Ibid* 20 December 1991] *The Sowetan* said in an editorial that CODESA 'carries with it the hopes of millions of South Africans', but added that it had 'turned black against black' and 'white against white'. The paper expressed its fear of 'great disaster: a new alliance, this time between the NP and the ANC, which will once again impose its will upon the country. That is a chilling thought because in that lie the seeds of civil war'.²²⁴ [²²⁴ *Sowetan* 20 December 1991]

Chief Buthelezi said that the activities of RENAMO and UNITA would look like child's play if large groups of men and women were left out of the negotiation process.²²⁵ [²²⁵ *Ibid* 17 December 1991] Earlier in the year the IFP-owned newspaper *Ilanga* had said that there was 'more and more suspicion among Zulu people that [the government] has done a secret deal with the ANC behind the backs of the IFP and the Zulu people'.²²⁶ [²²⁶ *Ilangal* 6 May 1991] Members of the ANC and the SACP privately stated that the NP and the ANC/SACP alliance were able jointly to steamroller the IFP.²²⁷ [²²⁷ Information supplied to the South African Institute of Race Relations in November 1991]

In the middle of the year, after two secret government payments amounting to R250 000 to finance two Inkatha meetings in 1989 and 1990 had been exposed, it was alleged that the government was biased in favour of the IFP and against the ANC. Later in the year the police admitted to funding a third meeting addressed by IFP leaders, in 1991. Mr De Klerk said he knew nothing about this. However, Mr Mandela dismissed Mr De Klerk's statement that he had not known of the covert funding. If this was the case, he said, Mr De Klerk was not fit to head a government. Mr Mandela made this remark during the course of his response to a statement by Mr De Klerk at the convention that the ANC's failure to terminate what it

called ‘armed struggle’ was the ‘one major obstacle to rapid progress within CODESA’. The ANC would have to terminate armed struggle before it could enter into binding agreements.

Mr De Klerk said that the ANC was the only party present at the convention with its own armed wing and secret arms caches. ‘An organisation which remains committed to an armed struggle cannot be trusted completely when it also commits itself to peacefully negotiated solutions.’ Unless the problem was resolved, ‘we will have a party with a pen in one hand while claiming the right to have arms in the other’.

In October 1991 Mr De Klerk had criticised the ANC for its mass action programme. He said, ‘Trying to take the country by storm will lead to a dead-end street. We are neither impressed nor intimidated by their aggressive demands. The people of South Africa are sick and tired of violence and destabilisation. Yet the ANC and its allies persist in planning and instigating mass actions, boycotts and gratuitous

protests.’²²⁸ [²²⁸ *Business Day* 8 October 1991] He warned that if the country became ungovernable the government had a lot of options to reverse this. ‘Unfortunately,’ he said, ‘they are not attractive ones.’²²⁹

[²²⁹ *The Star* 19 November 1991] In the same month other ministers said that the government was ‘gatvol’

of the ANC’s antics.²³⁰ [²³⁰ *Sunday Times* 10 November 1991] An ANC official said in December,

however, that mass action in the coming period was now more crucial than ever.²³¹ [²³¹ *The Citizen* 14 December 1991]

However, the chief of staff of Umkhonto we Sizwe and new general secretary of the SACP, Mr Chris Hani, said the ANC would not hand over arms or disband Umkhonto we Sizwe ‘until we have reached a situation where we are not ruled by the National Party government’. Umkhonto we Sizwe would reveal its arms caches only once an interim government was in place.²³² [²³² *Ibid* 21 December 1991]

Mr Mandela said it was unacceptable for Mr De Klerk to insist that the ANC hand over its arms to those regarded by the people as responsible for the ongoing massacres. Death squads continued to prowl the country and the right wing was arming itself. The perception still existed among blacks that the murder of innocent people was being committed by elements in the security forces.²³³ [²³³ *Ibid*]

The ANC was due to celebrate its 80th anniversary on 8 January 1992.²³⁴ [²³⁴ *Sowetan* 6 December 1991]

Umkhonto we Sizwe celebrated its 30th anniversary with rallies in various parts of the country on the weekend of 16 December 1991.²³⁵ [²³⁵ *The Weekly Mail* 13 December 1991]

The commander-in-chief of Umkhonto we Sizwe, Mr Joe Modise, said that the organisation reserved the right to upgrade and

expand its forces.²³⁶ [²³⁶ *Business Day* 17 December 1991] Reports that the Transkei Defence Force was training Umkhonto members were repeatedly denied during 1991. A senior officer of the Transkei Defence Force said at the Umkhonto rally in Umtata that his defence force and Umkhonto would go

back to the bush together in the struggle for freedom if negotiations failed.²³⁷ [²³⁷ *Sowetan* 17 December 1991] It was announced that members of Umkhonto were to be sent to India for training.²³⁸ [²³⁸ *The Citizen* 13 December 1991]

It was also reported that Umkhonto was training cadres in Venda and that training camps had been established in Botswana, Lesotho, Tanzania and Uganda. Libya and the Palestinian Liberation Organisation were said to be among those involved in training and supplying Umkhonto recruits. The training was in part designed to help Umkhonto overthrow the Ciskei administration, it was claimed.²³⁹ [²³⁹ *British intelligence digest*, quoted in in Aida Parker *Newsletter*, December 1991]

Towards the end of 1991 a bill was published to amend the definition of a voter in the Referendums Act of 1983 to include Africans.²⁴⁰ [²⁴⁰ Memorandum of the Objects of the Referendums Amendment Bill 1992] Dr Viljoen said that a referendum had no binding power but ‘naturally has tremendous moral authority’.²⁴¹ [²⁴¹ *The Citizen* 13 November 1991]

According to official statistics. South Africa had 3,3m white voters and 2,2m coloured and Indian voters.²⁴² [²⁴² *Business Day* 6 November 1991] The number of Africans over the voting age of 18 was 11,5m.²⁴³ [²⁴³ *Ibid*] According to an article published in the *South Africa Foundation Review*, rural voters—46% of whom were in the ten homelands—would have a decisive influence in a multiracial election. The region with the single largest proportion of voters was KwaZulu/Natal, with 4,3m voters, against 3,8m in the Pretoria/ Witwatersrand/Vereeniging (PWV) area. One in four voters was in KwaZulu/Natal and the eastern Transkei region, and one in five in the PWV area. The area with the next largest number of voters was the eastern Cape, Ciskei and the southern Transkei, with one in eight; and the northern Transvaal, also with about one in eight.²⁴⁴ [²⁴⁴ *South African Foundation Review*, Vol 17 no.11, November 1991]

A survey of black people on the Reef found that dissatisfaction with black politicians had grown rapidly: 33% of those surveyed had expressed disillusionment with black politicians in June 1990, but the proportion had risen to 54% a year later. Over the same period their disillusionment with white politicians had dropped from 54% to 46%.²⁴⁵ [²⁴⁵ *Sunday Star* 20 October 1991]

In December 1991 (prior to the CODESA meeting) it was reported that two thirds of whites and half of blacks in metropolitan areas had little confidence that negotiations would reduce violence. Even if a new constitution was agreed on, 63% of whites and 44% of blacks respondents expressed concern that it would not bring peace and harmony to the people of South Africa.²⁴⁶ [²⁴⁶ *Business Day* 10 December 1991]

SYNOPSIS AND UPDATE

Politics

A number of policy changes were made during the period under review. All racial laws were repealed except for legislation in terms of which the homelands, the tricameral Parliament and African local authorities had been established. Legislative changes led to a thaw in foreign relations and to a partial lifting of the sports and cultural boycotts and of economic sanctions. The year 1991 saw steps being taken to reduce violence in the form of the *National Peace Accord*, which was signed in Johannesburg in September 1991 (see *Constitutional Negotiations* below).

The repeal of racial legislation continued in June 1991 when Parliament repealed the Black Land Act of 1913, the Development Trust and Land Act of 1936, the Population Registration Act of 1950 and the Group Areas Act of 1966. The Internal Security and Intimidation Amendment Act was passed in the same month, abolishing indefinite detention without trial and other repressive provisions of the Internal Security Act of 1982. The new law, which limited detention to ten days, was hailed as a return to habeas corpus.¹ [¹ *The Star* 21 June 1991]

Although the Population Registration Act, which had made provision for all South Africans to be classified according to race, was repealed, the population register was to be retained for electoral purposes until a new negotiated constitution had been implemented.² [² *Ibid*] Officials were reported to have been 'turning a blind eye' for some time to questions regarding race in applications for passports.³ [³ *The Citizen* 21 June 1991]

In July 1991 a new Aliens Control Act came into effect, replacing all previous legislation regarding foreigners entering, leaving or being resident in the country. It defined an 'alien' as any person who was not a South African citizen and also increased fines for various offences. The maximum fine for illegal entry to or departure from South Africa was increased to R20 000 or five years' imprisonment.⁴ [⁴ *Ibid* 3 July 1991]

However, in spite of the removal of apartheid legislation a number of organisations continued to practise apartheid both overtly and covertly.

At its annual congress in Pietersburg (northern Transvaal) in October 1991 the Transvaal Municipal Association (TMA) decided to continue to restrict membership to white local authorities only. A member of the National Party (NP) and the deputy chairman of the management committee of the Pretoria City Council, Mr Cor Uys, proposed a motion calling on the association to open its ranks, which was defeated by 104 votes to 72. In rejecting the motion, Conservative Party members of the TMA said that black councillors preferred serving in their own organisations. NP and Democratic Party members

of the TMA argued that the association should adapt to a changing South Africa.⁵ [⁵ Ibid 4 October 1991]

The foreign ministers of the British Commonwealth met in New Delhi (India) in September 1991 and recommended lifting travel restrictions on South Africans as a first step in a programme to phase out sanctions. However, the proposed removal of economic sanctions was made conditional on further moves towards the creation of a multiracial democracy. The foreign minister of Canada, Mrs Barbara McDougall, who chaired the foreign ministers' meeting, said that for the first time the Commonwealth had a programme for the removal of sanctions.⁶ [⁶ Ibid 16 September 1991]

Sanctions against South Africa were lifted by a number of countries during the period under review. In September 1991 the Polish government signed a trade agreement with the South African government in Warsaw, formalising the end of the sanctions it had imposed on the country. The minister of trade and industry and tourism, Mr Org Marais, said that the agreement opened South Africa's doors to Polish exports free of surcharge, as well as providing for the strengthening of trade relations between the two countries.⁷ [⁷ *Business Day* 19 September 1991] The South African government was also successful in raising a five-year loan worth 400m German marks (R670m) in Germany after an absence of five years from international financial markets. Half of the issue was to be used to redeem a previous loan which was to mature in mid-December 1991 and the balance was to assist in financing the treasury and social development programmes.⁸ [⁸ *The Citizen* 20 September 1991]

A former United States assistant secretary of state for African affairs, Dr Chester Crocker, said in September 1991 during a visit to South Africa that he was certain that the US government wanted to lift remaining federal sanctions against South Africa 'as soon as possible'. He said that he believed that local and state sanctions could be lifted if South Africans agreed to issue a united appeal for their repeal. 'That point may come sooner than you think. But what is important is for all people in the opposition here [in South Africa] to have a role in the decision to lift sanctions,' Dr Crocker added.⁹ [⁹ *Business Day* 24 September 1991]

However, leaders of member churches of the World Council of Churches pledged at a meeting in Vereeniging (southern Transvaal) in October 1991 to continue to pressurise foreign governments to maintain economic sanctions against South Africa. The church leaders affirmed the view of the South African Council of Churches that all the conditions for the lifting of sanctions had not been met, and claimed that the South African government had not released all political prisoners and detainees. The meeting also said that the South African government continued to deny justice and political rights to the black people of South Africa.¹⁰ [¹⁰ *The Citizen, Sowetan* 7 October 1991] The African National Congress (ANC) said that it would recommend lifting all sanctions, including the oil embargo, if the government agreed to an interim government. The government and the ANC should come to an agreement on the principles underpinning a new constitution, the deputy director of foreign relations of the ANC, Mr

Stanley Mabizela, said.¹¹ [¹¹ Ibid 3 October 1991] The ANC, the Congress of South African Trade Unions and the South African Communist Party recommended in October 1991 that the sports, cultural and academic boycotts be halted and visa restrictions on South Africa be lifted immediately and unconditionally. However, they recommended that economic sanctions should be retained until an interim government was formed.¹² [¹² *Business Day, The Star* 1 October 1991]

In August 1991 the government granted a general amnesty to all exiles. About 3 000 exiles had already returned to South Africa by then.¹³ [¹³ *Business Day* 16 August 1991] The chairman of the southern Natal region of the ANC, Mr S Ndebele, said in September that 40 000 exiles had not yet returned to South Africa.¹⁴ [¹⁴ *Sowetan* 26 September 1991] It was generally believed that the agreement reached between the South African government and the United Nations High Commissioner for Refugees early in September would facilitate the repatriation of exiles.

The commissioner indicated in April 1991 his willingness to provide an estimated R113m to cover the costs of repatriation. Various foreign governments also promised aid to the repatriation programme:

- Canada pledged R14,6m for the repatriation and resettlement of refugees, of which R7,6m had already been made available at the time of writing;
- Britain intended giving the high commissioner R2,5m to assist exiles reintegrate into South African society;
- the United States promised R11,32m;
- Australia donated R5,2m through non-government organisations;
- France contributed R4m; and
- Sweden pledged R5,4m.

Other countries, such as Austria, Finland and Italy, made their contributions through the national co-ordinating committee for the repatriation of South African exiles.¹⁵ [¹⁵ *South* 19 September 1991, *The Weekly Mail* 27 September 1991]

In February 1991 Mr De Klerk said that there was a 'serious need for fundamental rationalisation' in the civil service and for 'interim arrangements' to cope with problems arising from the fragmentation of administration.¹⁶ [¹⁶ *The Weekly Mail* 22 February 1991]

The minister of foreign affairs, Mr R F (Pik) Botha, said in May 1991 that Africans still felt a psychological barrier to appointment as ambassadors for South Africa, as they felt uncomfortable about defending South Africa's policies abroad. He said that his department had appointed coloured people and Indians as ambassadors, but it had not yet appointed an African to an ambassadorial post.¹⁷ [¹⁷ *The Star* 8 May 1991] However, during 1991 advertisements appeared in a number of South African newspapers seeking to recruit Africans to the diplomatic service.

In September 1991 the president of the Public Servants' Association, Mr Johan van Wyk, warned of a high level of anxiety, discontent and insecurity in the public service. He said that the government could no longer rely on the loyalty of public servants. Public servants were seeking an assurance from the government that their jobs would be secure and their rights protected under a new constitutional dispensation, Mr Van Wyk said.¹⁸ [¹⁸ *The Citizen* 24 September 1991]

In October 1991 the British government announced that it would offer training for the civil service to five members of the ANC. A spokesman for the British government said that if the scheme was successful, members of other political groups would also be offered training.¹⁹ [¹⁹ *Ibid* 17 October 1991] The plan was criticised by the minister for administration, Mr P G Marais, who said that the necessary manpower already existed in South Africa.

The deputy minister of law and order, Mr Johan Scheepers, said in June 1991 that basic police training would be integrated in 1992 and that police colleges would be opened to all races. He added that 'drastic changes' were envisaged for the police and that members of the force had to make themselves ready for it by changing their attitudes.²⁰ [²⁰ *Ibid* 24 June 1991]

The People's Progressive Party (PPP), which had been banned in Bophuthatswana following the aborted coup against the president of Bophuthatswana, Chief Lucas Mangope, in 1988, disbanded in October 1991 and its members joined the ANC. The leader of the PPP, Mr Rocky Malebane-Metsing, who had fled from Bophuthatswana after the attempted coup, was elected to the national executive committee of the ANC at the organisation's national congress in Durban in July 1991.²¹ [²¹ *New Nation* 4 October 1991]

In September and October 1991 at least 20 members of the ANC fled from Phokeng (Bophuthatswana) to 'South Africa' following an alleged reign of terror by the Bophuthatswana police. The police attack was said to have started on 15 September 1991 after the funeral of an ANC member who had died in a car accident. While returning from the burial service, policemen allegedly ordered the mourners to disperse and threatened to shoot them if they did not. Police were then alleged to have followed the mourners to the home of the deceased where they arrested 28 people. Those arrested were then taken to the Tlhabane police station where they were assaulted.²² [²² *City Press* 6 October 1991]

The Bophuthatswana administration released 18 political prisoners in October 1991 amid mounting pressure for the release of Mr Johannes Simelane, who had been on a hunger strike for nearly two months. The Bophuthatswana minister of justice, Mr Godfrey Mothibe, said that the prisoners had been released because they had 'showed good attitudes and behaved well'. Mr Simelane, who was imprisoned for his part in the abortive 1988 coup in Bophuthatswana, was himself subsequently released in the same month, but was immediately admitted to the GaRankuwa Hospital for treatment.²³ [²³ *Sowetan* 22 October 1991]

Attempts in September 1991 by the Ciskei military ruler, Brigadier 'Oupa' Gqozo, to reintroduce tribal chiefs led to a wave of resistance by homeland residents and organisations such as the Border Civic Congress, the Hewu Residents' Association and the Zweledinga Residents' Association. Brig Gqozo had abolished the system of tribal chiefs when he came to power in March 1990 and had demoted chiefs installed by the previous administration. In September 1991 he started reinstalling the same chiefs and cutting his ties with community organisations.²⁴ [²⁴ *South* 24 October 1991] In an apparent reaction to the resistance, Brig Gqozo declared a state of emergency in the Ciskei in October 1991 to curb what he claimed was 'ANC-sponsored arson and terrorism'.

Following the announcement by Brig Gqozo, more than 100 people were arrested, political meetings were disrupted and door-to-door raids made by police in a crackdown on political protest. A member of the executive committee of the ANC, Ms Marion Sparg, said that Ciskei police had raided Mdantsane near East London, targeting youth movements and civic organisations. She added that detentions had taken place under section 29 of the Ciskei National Security Act of 1982, which allowed for indefinite detention without trial.²⁵ [²⁵ *The Argus* 2 November 1991]

By 6 November 1991, 528 people in the Ciskei, including 250 ANC members from Dimbaza (King William's Town), had been arrested. A member of the ANC regional executive committee, Mr Sam Kwelita, and the chairman of the Dimbaza Residents' Association, Mr Vuyisile Radoni were among those arrested.²⁶ [²⁶ *Sowetan* 6 November 1991]

In the same month a dispute resolution body for the Border region was set up in terms of the *National Peace Accord* in an attempt to resolve the crisis in the Ciskei. An agreement regarding the formation of a dispute resolution body was reached in Johannesburg between the chairman of the national peace accord committee, Mr John Hall, and a high-level delegation from the Ciskei.²⁷ [²⁷ *New Nation* 8 November 1991]

After Brig Gqozo and the president of the ANC, Mr Nelson Mandela, had held talks at a hotel in East London on 17 November 1991, it was announced that the Ciskei administration had agreed to lift the state of emergency and the ANC had undertaken to suspend the war-of-words between the organisation and the rulers of the Ciskei. The parties also agreed to refrain from further public statements about one

another and undertook to work together in an effort to bring peace to the region.²⁸ [²⁸ *The Citizen* 18 November 1991]

Mr Trevor Bailey, an attorney with the Legal Resources Centre in Johannesburg, which represented 14 civic associations in the Orange Free State and the Transvaal, said in August 1991 that negotiations to end disputes with African local authorities were continuing. Some negotiations, he added, were going well and residents had agreed to pay an interim fee pending full resolution of the disputes. Because of the rent boycotts, which had resulted in some cases, in the non-payment of mortgage bonds, financial institutions such as banks and building societies were reported to have become reluctant to advance housing loans to Africans.²⁹ [²⁹ *Business Day* 14 August 1991]

Political violence

According to statistics compiled by the South African Institute of Race Relations, there were 3 699 deaths from political violence in 1990, which represented a 163% increase on the 1 403 deaths recorded in 1989. The Institute recorded 2 513 deaths from political violence between 1 January and 30 November 1991 inclusive. The average daily fatality rate in political violence between January and November 1991 of 7,5 represented a decline on the rate for 1990 (10,1).

In an attempt to stop the violence in Natal and the Transvaal, an African National Congress (ANC) delegation led by the organisation's president, Mr Nelson Mandela, met a delegation of the Inkatha Freedom Party (IFP) led by its president and the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, in Durban in January 1991. Both parties called for an end to the violence, but their calls were not heeded and violence continued throughout 1991.

Following the signing of the *National Peace Accord* in September 1991 (see *Constitutional Negotiations* below) a national peace committee was formed, with an executive director of Barlow Rand, Mr John Hall, elected as chairman and a vice president of the South African Institute of Race Relations and presiding bishop of the Methodist Church, the Rev Dr Stanley Mogoba, as deputy chairman. Mr Hall explained that an interim peace secretariat would be set up to deal with allegations of violence while a subcommittee would draw up plans to implement the peace accord at grassroots level. Existing community initiatives dealing with violence would also be incorporated into the national peace initiative.³⁰ [³⁰ *The Citizen, The Star* 3 October 1991]

The peace committee also published a memorandum drawn up by the police and the administrations of the non-independent homelands which outlined implementation of the peace accord and the code of conduct for the police. Among the steps proposed were:

- the establishment of a co-ordinating committee for policy making, training, financial planning and the

drawing up of a staff policy for the police;

- the expansion of the police force;
- the integration of training for the various police forces from 1 January 1992; and
- the speedy implementation of the peace accord provision for disarming people who carried dangerous weapons at gatherings.

Six names, including those of five judges, were submitted to the minister of justice, Mr Kobie Coetsee, as candidates to chair the standing commission on public violence. The six people were Mr Justice I Mohamed, Mr Justice J J Trengove, Mr Justice Johan Kriegler, Mr Justice R J Goldstone, Mr Justice P E Streicher and Professor Laurie Ackerman. Judge Goldstone was appointed.³¹ [³¹ Ibid]

At the first meeting of the peace committee in October 1991 Mr Hall said that 12 formal complaints of violence and intimidation had already been made to the committee. According to a memorandum drawn up by the police and the administrations of non-independent homelands, attacks on the police had not decreased since the signing of the peace accord. The memorandum listed nine such attacks between 15 and 23 September 1991, in which a policeman had died and four had been injured. Lieutenant General Ronnie van der Westhuizen was appointed to head a special police investigation unit established in terms of the peace accord.³² [³² *Business Day* 3 October 1991]

In September 1991 the South African correspondent for the *Washington Post* and *The Observer*, Mr Allister Sparks, said that he was convinced that the violence sweeping through the country was not initiated at grassroots level. 'Ordinary township and village dwellers are being traumatised by it and they are desperate for it to stop. To the extent that political rivalry is a factor, it is political leaders, especially local leaders and "warlords", who are responsible, not their followers.' Although the violence initially seemed aimed at destabilising the ANC to the advantage of the IFP, he added, now the objective bore all the hallmarks of a planned operation aimed at sabotaging the *National Peace Accord* and, beyond that, the entire negotiating process. Mr Sparks cited an incident in which three gunmen had ambushed a crowd of IFP supporters who were marching to a rally in Tokoza (east Rand), killing more than 20 people, and causing retaliatory attacks in several townships on the Reef. 'Reporters have since established that the men reconnoitred the terrain and their escape route beforehand. They were professionals and many of the retaliatory attacks, too, were triggered by strategically placed gunmen,' Mr Sparks said.³³ [³³ *The Star* 18 September 1991]

Another commentator and journalist, Mr Joe Latakomo, said that the peace accord 'did not have a chance, not as long as the political leadership is playing games while people are dying. The signing of a document may make good international television [news], but it does little on the ground to produce the

atmosphere of peace that is necessary for democracy to work'.³⁴ [³⁴ Ibid]

After signing the *National Peace Accord*, Mr Mandela told a news conference that the ANC had no intention of dissolving its military wing, Umkhonto we Sizwe (MK), either then or in the future. 'It is a matter which is under discussion between the ANC and the government. We are discussing it in a spirit of reconciliation,' he said.³⁵ [³⁵ Ibid]

The chief of staff of Umkhonto we Sizwe, Mr Chris Hani, said in September 1991 that Umkhonto was not affected by the peace accord. 'I can't see why MK is being dragged in. We have in all frankness not been involved in acts of violence because we are bound by the *Pretoria Minute*. Furthermore, even the *D F Malan Accord* does not say MK should be dismantled.' He added, however, that Umkhonto had adhered to the peace accord, and at its recent national conference in Venda it had reconfirmed its commitment to negotiations.³⁶ [³⁶ Ibid]

In the same month a commander of Umkhonto, Mr Tokyo Sexwale, explained that the armed wing of the ANC had suspended recruitment because of insufficient resources. He said that the decision, which was contrary to a resolution taken at the national congress of the ANC in Durban in July 1991, was not a result of discussions between the government and the ANC, but had been taken for purely practical reasons.³⁷ [³⁷ *Business Day* 18 September 1991]

The ANC said that South Africans should be disarmed and restrictions enforced regarding the 'accessibility and ownership of weapons of war. The gun laws and large stockpiles of firearms in private hands, particularly among the white community, cry out for urgent attention. The white ultra-right has a vast arsenal of weaponry readily at its disposal, and weapons training is part of its political agenda', the ANC said in a statement in mid-September.³⁸ [³⁸ *The Citizen* 20 September 1991]

A member of the Alexandra Civic Organisation, Mr Richard Mdakane, said that township self-defence units, first set up in 1986, had been formed to protect citizens from the rising tide of crime and that they were similar to neighbourhood watches established in white areas. 'The perception that the units are organs of the ANC is mistaken. Had the self-protection units been controlled by any political organisation, this would soon have led to enormous problems, for if the ANC set up units, the Pan-Africanist Congress would soon set up their own—as would the Azanian People's Organisation and the IFP,' he said.³⁹ [³⁹ *Vrye Weekblad* 27 September 1991]

The police and the Human Rights Commission said that the number of deaths in political unrest fell after the signing of the *National Peace Accord*, with 163 lives lost countrywide in September 1991 compared to 170 in August.⁴⁰ [⁴⁰ *The Star* 2 October 1991] However, the Durban-based Black Sash repression monitoring group said early in October 1991 that the *National Peace Accord* had had little effect in

curbing unrest in Natal. The group pointed out that 65 people had died in political violence in the province in September as clashes between ANC and IFP supporters continued. The monitoring group said that although the Natal death toll for September was 35% less than for the previous two months, incidents of assault, arson and intimidation showed no decline. It alleged that both the ANC and the IFP had contravened the accord. The Black Sash monitoring group added that both Chief Buthelezi and the Zulu monarch, King Goodwill Zwelithini, had contravened the accord by vilifying ANC members at Shaka's Day rallies. It added that the ANC had also contravened the accord by attempting to book a venue at Enhlalakahle near Greytown (Natal) which was to be used on the same day for Shaka's Day celebrations to be attended by both King Goodwill Zwelethini and Chief Buthelezi.⁴¹ [⁴¹ *The Citizen* 4 October 1991]

Following the funeral in October 1991 of the assassinated general secretary of the Civic Associations of Southern Transvaal, Mr Sam Ntuli, at least 18 people were killed in one day in political violence in Tokoza alone.⁴² [⁴² *Business Day* 8 October 1991] Violence also occurred in Johannesburg, Soweto and Tembisa (east Rand). The previous month, 23 people were killed in Tokoza when gunmen opened fire on IFP supporters on their way to a rally.⁴³ [⁴³ *Ibid* 9 September 1991]

The Weekly Mail made allegations in October 1991 that former members of the South West African counter-intelligence unit, Koevoet, had been brought to the Reef and accommodated at Brits (central Transvaal), in order to seek out and kill political activists.⁴⁴ [⁴⁴ *The Weekly Mail* 4 October 1991] It was claimed that these allegations cast doubt on the sincerity of the authorities' desire to uphold the peace accord and to curb violence.

Constitutional negotiations

The period under review was characterised by attempts to remove the remaining obstacles to negotiations. Three major formal agreements, the *Groote Schuur Minute*, the *Pretoria Minute* and the *DF Malan Accord*, all aimed at removing these obstacles, were concluded between the government and the African National Congress (ANC) during 1990 and 1991.

By 30 April 1991 only 90 of 5 872 applications which had been received for indemnity from prosecution for 'political' offences had been rejected or were still being considered by indemnity committees.⁴⁵ [⁴⁵ *The Citizen* 1 May 1991]

By 3 July 1991, 1 040 political prisoners had been released and three general remissions of sentences for all prisoners had been effected.⁴⁶ [⁴⁶ *The Weekly Mail* 12 July 1991] At the end of July 1991 an ANC legal affairs official, Mr Penuell Maduna, said that the ANC was re-examining the cases of several hundred

unrest prisoners to see if they qualified for release as political prisoners. He said that the ANC still regarded the prisoner issue as an obstacle to negotiations but that it did not want negotiations to be further delayed by unrest cases that might be found to be non-political on closer scrutiny. Mr Maduna added that almost all the clearly identifiable political cases had been resolved.⁴⁷ [⁴⁷ *Business Day* 29 July 1991]

Towards the end of July 1991 a potentially serious impediment to negotiations appeared on the political scene in the form of reports that the government had covertly paid funds into a bank account of the Inkatha Freedom Party (IFP). The president of the ANC, Mr Nelson Mandela, warned that if the government continued with its 'double agenda of criminal operations while talking peace' the negotiation process could break down completely.⁴⁸ [⁴⁸ *The Citizen* 20 July 1991] This potential obstacle was removed, however, when the state president, Mr F W de Klerk, announced certain measures to deal with these allegations. They included the replacement of the minister of law and order, Mr Adriaan Vlok, by Mr Hernus Kriel and the replacement of the minister of defence, Mr Magnus Malan, by Mr Roelf Meyer on 1 September 1991.⁴⁹ [⁴⁹ *Business Day* 30 July 1991] Mr De Klerk also revealed that the government had decided to review all legislation pertaining to secret funds and that legislation would be passed, based on the following points of departure:

- secret actions would be undertaken only if they complied with specific and generally accepted norms and principles;
- political parties or organisations would not be financed from secret funds;
- proper mechanisms of control would be instituted to prevent malpractices; and
- all special projects run by security services outside their normal line of operation would be stopped.

In August 1991 Mr De Klerk also appointed an advisory committee from the private sector to advise him on whether existing secret projects met the requirement that they should not benefit political parties and whether it was in the national interest that they be continued.⁵⁰ [⁵⁰ *Ibid* 21 August 1991] The committee was also to provide advice on whether there were adequate control mechanisms for secret projects. At the same time Mr De Klerk also announced the termination of 41 secret government projects.⁵¹ [⁵¹ *Press* statement by the state president, Mr F W de Klerk, 30 July 1991]

A further agreement, the *National Peace Accord*, aimed at creating the right climate for negotiations, was signed on 14 September 1991 in Johannesburg by 29 signatories, including the government, the ANC, the IFP and trade unions.⁵² [⁵² *Sunday Times* 15 September 1991] The Azanian People's Organisation

(AZAPO) and the Pan-Africanist Congress (PAC) and their allies attended the conference and committed themselves to peace but refused to sign the accord. The key elements of the accord included:

- the provision of a code of conduct for political parties whereby they pledged to encourage and uphold a democratic culture of political tolerance;
- the establishment of a code of conduct for the South African Police;
- the appointment of a police board, with equal representation from the public and the police force, to advise on police policy;
- the setting up of a special police unit headed by a general to investigate allegations of misconduct by the police;
- the appointment of regional ‘police reporting officers’ to ensure the investigation of complaints against the police which might have the potential to affect detrimentally police/community relations;
- the establishment of a statutory commission headed by a retired judge or a senior advocate, to investigate the causes of violence and to make recommendations on its prevention and the generation of funds to combat violence;
- the setting up of special courts to deal solely with political violence;
- the establishment of a network of monitoring and enforcement mechanisms under a national peace secretariat to resolve disputes at national, regional and local levels. This was to include ‘regional dispute resolution committees’ and ‘local dispute resolution committees’;
- the establishment of permanent sub-committees on socio-economic reconstruction and development;
- the outlawing of the formation or operation of private armies;
- the outlawing of the carrying of weapons or firearms by members of the public attending any political rally or meeting;
- provision for a code of conduct to be drawn up for members of the defence force; and
- the recognition of the rights of individuals to establish ‘self-protection units’ with the right to bear licensed arms.⁵³ [⁵³ National Peace Accord, 14 September 1991]

In August 1991 the PAC said that it would not participate in constitutional negotiations because they

would culminate in power sharing and not a transfer of power to the majority of people, they would leave racial inequality intact and the government was not an acceptable vehicle for change.⁵⁴ [⁵⁴ *The Citizen* 21 August 1991] However, following a ‘patriotic front’ conference in October 1991 the PAC decided to participate in negotiations in an all-party conference and a meeting to arrange for the convening of a constituent assembly.

At its annual general conference in July 1991 the IFP said that it was not negotiating an alliance with any political party, including the National Party.(NP) and the ANC. The president of the IFP, Chief Mangosuthu Buthelezi, said that his party rejected the idea of a patriotic front alliance with the liberation movements.⁵⁵ [⁵⁵ *Sunday Star* 21 May 1991]

The efforts of the ANC and PAC at alliance-building centred around a ‘patriotic front’ conference, which was held from 25 to 27 October 1991. It was attended by the representatives of 92 organisations, including the two co-conveners, the ANC and the PAC, as well as the Congress of South African Trade Unions, the National Council of Trade Unions, the New Unity Movement, the Workers’ Organisation for Socialist Action and church and political organisations. Several homeland administrations were also represented at the conference.⁵⁶ [⁵⁶ *Sunday Times* 27 October 1991]

However, one of the original co-conveners, AZAPO, was stripped of its status as a co-convener because of a letter it had sent to the Democratic Party (DP) and other political parties involved in the tri-cameral parliamentary system, demanding their resignation from Parliament. Subsequently AZAPO withdrew from the conference.⁵⁷ [⁵⁷ *The Star* 21 October 1991]

The conference adopted a resolution calling for:

- a constituent assembly elected by proportional representation on the basis of universal suffrage to adopt a new constitution;
- a national strike on 4 and 5 November 1991 to protest against the introduction of value added tax;
- the normalisation of relations between traditional chiefs and ‘the people’;
- the establishment of an interim government or transitional authority that would, at the very least, exercise control over the security forces, the electoral process, the state media and defined areas of the budget;
- the convening, as soon as possible, of an all-party congress or a meeting to arrange for a constituent assembly. The conveners would be independent and neutral;

- the unconditional release of all political prisoners; and
- a general amnesty for all exiles.

The conference also resolved that the joint ANC/PAC liaison committee which had made preparations for the conference should be maintained to co-ordinate the patriotic front and convene another patriotic front conference in six months' time.⁵⁸ [⁵⁸ Ibid 28 October 1991] At a press conference after the patriotic front conference the ANC and the PAC said that they would brief AZAPO fully on the conference and would endeavour to bring it back into the patriotic front. They said that the IFP was welcome to join the patriotic front if it endorsed demands for a constituent assembly.⁵⁹ [⁵⁹ Ibid]

The issue of transitional arrangements came to the forefront during the period under review with several political parties and organisations making calls for various transitional structures. The NP called for a multiparty conference which would consist of the leaders of all those political parties and organisations 'with proven support'. In August 1991 the national executive committee of the ANC said that it was prepared to speed up the negotiation process and take the organisation into a neutrally convened multiparty conference leading to an interim government of national unity.⁶⁰ [⁶⁰ *Business Day* 2 August 1991] The secretary general of the ANC, Mr Cyril Ramaphosa, said that it was 'not inconceivable' that the multiparty conference would sit in 1991 or at the beginning of 1992. He suggested that the first item on the agenda of the conference be the institution of an interim government.⁶¹ [⁶¹ *The Weekly Mail* 9 August 1991]

The DP said that the multiparty conference should reach agreement on:

- procedures for the negotiation of a new constitution and the appointment of facilitators;
- a set of basic constitutional principles;
- procedures to ensure the legality, continuity and legitimacy of the new constitution; and
- setting up a transitional government, including an interim bill of human rights which would contain a code of conduct for political parties.⁶² [⁶² Democratic Party discussion document, *Discussion Paper on Transition* September 1991]

The IFP called for the immediate convening of a multiparty conference with the responsibility of working out its own ground rules and logistics. It said that the final decisions of such a conference

should be legitimised by a referendum based on universal adult suffrage.⁶³ [⁶³ *South African Update* July 1991] Chief Buthelezi said, however, that the IFP would ‘not go back to the drawing board’ with Mr De Klerk if a whites-only referendum rejected the proposals of a multiparty conference.⁶⁴ [⁶⁴ *Ibid*]

The ANC and the PAC called, through the patriotic front, for an interim government and an elected constituent assembly. Although the PAC originally also rejected an interim government, the period under review saw the organisation calling for what it termed a ‘transitional authority’, which would deal with certain aspects of government during the transitional period. Towards the end of August 1991 the publicity and information officer of the PAC, Mr Barney Desai, said that the PAC wanted an ‘independent interim authority’ in order to ensure that free and fair elections were held for a constituent assembly.⁶⁵ [⁶⁵ *Die Burger* 16 August 1991] In a joint statement with AZAPO, the PAC said that this ‘interim authority’ would have a clear mandate, a limited life and would not implement existing apartheid legislation.⁶⁶ [⁶⁶ *Sowetan* 27 August 1991]

The government rejected an interim government and an elected constituent assembly and offered its own alternatives, including changes to the constitution, to ensure that extra-parliamentary groups were able to influence government during the transitional period.

In September 1991 the DP outlined its own alternative for a forum to negotiate a new constitution. It said that in order to ensure the body negotiating the new constitution was representative of the widest crosssection of political opinion, the proposed multiparty conference should agree to the election of a constitutional forum to draw up a new constitution. It suggested that this body should consist of about 200 members elected by universal adult franchise as well as a rotating chairman or neutral facilitators who would convene meetings of the body drawing up the constitution. Parliament would provide for the approval of the draft constitution by a referendum of all adult South Africans, the DP said. It suggested further that elections in terms of the new constitution be held within three months of its becoming law and that the Appellate Division of the Supreme Court should appoint a panel of three judges to adjudicate disputes on constitutional principles and procedures during the interim period. The DP also proposed that the multiparty conference decide on the nature of the transitional government. The multiparty conference would then work toward a transitional government of national reconciliation composed of ‘significant sections (if not all) of the NP, the ANC, the DP, the IFP and other democratic parties’.

The DP suggested further the formation of multiparty cabinet committees which would be consulted before any legislation was introduced or any executive action taken. A council of leaders appointed by the multiparty conference and consisting of representatives from all the major political parties would, together with the state president, exercise all executive functions, carry out the decisions of the multiparty conference and resolve disputes. The DP advocated the integration of the public service during the transition period; the development of underdeveloped areas; the development of skills for blacks, especially in administration; the negotiation of new national symbols; and the negotiation and

institution of interim local government structures. It called for the provision of single departments rather than own and general affairs. The DP suggested that the multiparty conference negotiate an interim bill of human rights to be endorsed by Parliament in order to give it legal force.⁶⁷ [⁶⁷ DP discussion document, *Discussion Paper on Transition* September 1991]

The IFP rejected both an interim government and a constituent assembly.⁶⁸ [⁶⁸ *South African Update* July 1991]

In December 1991 the IFP released its draft constitutional proposals advocating a bicameral parliament elected by proportional representation on a common voters' roll plus a bill of rights. The party advocated a division of power between a state president and a prime minister who would head the cabinet.

The party suggested a state president with the power to:

- recall or dissolve parliament;
- appoint the prime minister;
- appoint the cabinet;
- appoint the chief justice and other judges of the supreme court;
- appoint the state governors;
- appoint and accredit ambassadors;
- appoint senior public servants;
- appoint senior officers of the armed forces;
- declare states of emergency or martial law; and
- extend clemency or pardon.

The president would also be commander-in-chief of the armed forces. The state president would appoint a member of the national assembly who appeared to enjoy the confidence of the assembly, as prime minister.

The prime minister would designate cabinet ministers to be appointed by the state president and would

preside over the cabinet. He would also be the head of the central government and the administration of the country. The proposals made provision for an executive council presided over by the state president and consisting of the prime minister and members of the cabinet.

The legislature would consist of an upper house (senate) and a lower house (national assembly). While either house would be empowered to initiate legislation (except on taxes and the budget, which would be the sole preserve of the national assembly), such legislation would have to be passed by both houses and assented to by the state president.

The senate would comprise 180 members representing the states or 'special interests' and its proceedings would be presided over by the president of the senate. The national assembly would comprise 400 members elected by proportional representation and would be presided over by a speaker.

The IFP proposed the division of the country possibly into ten states with metropolitan Johannesburg as the tenth state. States would be determined along economic, territorial, cultural, linguistic and political lines. The IFP said that it accepted the nine development regions as 'worthy of study and geographic amendment' to determine areas of jurisdiction for second-tier government. Each state would have a legislature elected by proportional representation plus an executive headed by a premier or a governor, who would represent the central government and the state president in his state. There would be a meeting of the state president and the state governors—presided over by the state president—at least once a year.

The proposals suggested that the state executive committees reflect all the parties represented in the legislature, in order to encourage cooperation and reconciliation. The powers of the states would be clearly set out in the constitution and they would have the sole right to legislate on these specified matters unless they specifically requested otherwise. Likewise, the states would have no jurisdiction to legislate on matters reserved for the central government. The party also suggested that provision be made in the constitution for the negotiated reincorporation of the 'independent' homelands. The proposals also suggested that the powers of traditional rulers be recognised.

The IFP suggested an independent judiciary composed of a supreme court in each state plus an appellate division which would be the highest court in the country. The chiefjustice of South Africa would be appointed by the state president in consultation with the prime minister. The judiciary would be able to interpret laws as well as pronounce upon the validity of legislation passed by parliament. Provision was also made for entrenched clauses which would require special provisions before they could be amended.

The party also suggested a civil service commission to take charge of supervision and recruitment of the public service, and ensure that the public service was representative of all groups.

The proposals called for professional armed forces and security services which would owe allegiance to the constitution only. These forces would be the responsibility of the state president and a state security council.

A preparatory meeting for the multiparty conference was held in Johannesburg on 29 and 30 November 1991. It was attended by the representatives of 20 political organisations and administrations. These were the administrations of Bophuthatswana, the Ciskei, KaNgwane, KwaNdebele, Lebowa, QwaQwa, the Transkei and Venda; the African National Congress (ANC); the Democratic Party; the Inkatha Freedom Party; the Labour Party; the National Party (NP); the National People's Party; the Pan-Africanist Congress (PAC); Solidarity; the South African Communist Party; the South African government; and a joint Transvaal Indian Congress/Natal Indian Congress delegation. The Afrikaner Weerstandsbeweging, the Azanian People's Organisation, the Conservative Party and the Herstigte Nasionale Party declined invitations to attend the meeting. After accusing the ANC and the NP of having secretly reached agreement on the major issues in advance, the PAC walked out on the final day of the meeting. The organisation said that it would decide at its congress on 16 December whether or not to attend the multiparty conference.⁶⁹ [⁶⁹ *Sowetan* 2 December 1991]

The meeting resolved to hold the first meeting of the multiparty conference, which was to be known as the Convention for a Democratic South Africa (CODESA), on 20 and 21 December 1991. The leader of the DP, Dr Zach de Beer, was elected chairman of a steering committee to finalise arrangements for CODESA.⁷⁰ [⁷⁰ *The Star* 2 December 1991] Each party or organisation was to be represented by a 12-person delegation.⁷¹ [⁷¹ *Ibid*] The meeting resolved to place the following items on CODESA's agenda:

- how CODESA's decisions would be legally enforced;
- the creation of a constitution-making body;
- the creation and installation of an interim government;
- the future of the homelands; and
- the role of the international community during the transition period.⁷² [⁷² *Sowetan* 2 December 1991]

Constitutional proposals

The period under review also saw the crystallisation of the constitutional proposals of four of the major political parties—the ANC, the DP, the IFP and the NP. The IFP's proposals are reported above and the ANC's in the chapter on *Constitutional Negotiations*.

At the end of August 1991 (subsequent to the writing of that chapter) the DP released a policy discussion paper on its constitutional proposals for South Africa.⁷³ [⁷³ DP policy discussion paper -

Constitutional Proposals 23 August 1991¹ The proposals espoused a federal system with eight to 12 federal states and a bicameral parliament. The plan called for a three-tiered government structure with central (federal), regional (state) and local government. It also advocated an independent judiciary and a separation of the powers of the legislature and the executive, as well as an entrenched constitution—which could be changed only by special majorities and procedures. It said that the ‘constitution should be supreme’ and interpretable by a constitutional court which would also interpret a bill of human rights. The DP also recommended the appointment of federal judges by a judicial appointments commission representing the judiciary and the legal profession, with appointments approved of by the senate. An ‘ombudsman’ would be appointed to investigate any alleged abuse of power or violation of basic rights and freedoms by the executive, the military or the police.

The DP proposals said that the legislature would consist of two houses, a national assembly and a senate. These houses would have equal powers except in respect of appropriation and fiscal issues where the national assembly would be able to veto objections from the senate. The national assembly would be elected by means of proportional representation at five-year intervals and would consist of 350 members. The senate would be elected every seven years, at the same time as the president was elected. Together with its legislative functions the senate would have the power to approve treaties and senior appointments to the public service which had been recommended by the president. Some 66 of the 100 senators would be directly elected by their constituents while 33 senators would be indirectly elected by all municipal councillors in each state, who would sit together as an electoral college. In all cases proportional representation would be employed and each state would be allowed to elect an equal number of senators. The president of the senate would be appointed by the president.

The DP said that the executive would consist of a president and a prime minister appointed by him as well as a cabinet appointed by the president on the advice of the prime minister. The cabinet would be drawn from all parties with more than 10% of the vote and in proportion to their electoral support countrywide. A directly elected executive president appointed for seven years using proportional representation and a system of run-offs to ensure majority support was advocated by the DP. The president would:

- be commander-in-chief of the defence force;
- appoint the prime minister, the president of the senate and the cabinet;
- formulate foreign policy and appoint ambassadors (with the senate’s approval);
- declare states of emergency and national disasters;
- declare referenda;
- commute judicial sentences, declare amnesties and grant pardons;

- confer titles and honours; and
- address both houses annually on the state of the nation.

The DP proposal said that a member of the national assembly capable of forming a cabinet which enjoyed the support of the assembly would be appointed prime minister by the president. He or she would hold office for the life of the national assembly and would allocate portfolios within the cabinet. If the prime minister and the cabinet ceased to enjoy the support of the national assembly, the president could dissolve the assembly. According to a member of the DP committee which drafted the proposals, Mr James Seife, the prime minister would be responsible for the day-to-day running of the country and ‘all those responsibilities not already abrogated to the president’.⁷⁴ [⁷⁴ Telephonic interview with Mr James Seife, 10 September 1991]

The DP further advocated a system of inter-house standing committees in which the members of each house would vote separately except for a standing committee set up to resolve any deadlocks between the two houses. The standing committees would be empowered to introduce legislation. There would also be a committee for each department of state to oversee financial matters, including the budget of each department.

The federal government would be empowered to exercise ‘those powers essential to the national interest’, including borrowing, citizenship, currency, customs and excise, defence, economic affairs, emigration, foreign affairs, foreign trade, interstate commerce, labour, mineral and energy affairs, national transportation and water affairs.

The DP favoured the reincorporation of the ‘independent’ homelands after negotiations with representatives of these homelands. It proposed the delineation of between eight and 12 states with the following criteria in mind: the rejection of states based on race or ethnicity, a community of interests of the population of an area, economic viability and potential, and administrative effectiveness. The DP offered the possibility of the states being created along the lines of the present nine economic development regions. Alternatively, they could be drawn up on a ‘metropolis-peripheral basis’ or by creating units of roughly equal population and/or wealth and power and/or geographic size.

The state governments would control education, health, land settlement, licensing, local government, local taxation, nature conservation, police, prisons, roads, tourism and town planning. A federal finance council comprising representatives of the federal government, state governments and expert bureaucrats would be established to examine state and federal budgets to determine the amount which each state would be able to claim from the federal treasury. Certain agencies such as the federal investigation bureau might require joint management by both central and regional structures. Joint committees of federal and state governments might also be established for the purpose of liaison and communication.⁷⁵

[⁷⁵ DP policy discussion paper - *Constitutional Proposals* 23 August 1991]

In September 1991 the NP published its constitutional proposals, which advocated a bicameral legislature and a multiparty cabinet.⁷⁶ [76 National Party constitutional proposals, *Constitutional Rule in a Participatory Democracy*, 4 September 1991] The proposals called for all legislation to be passed by both houses of parliament. The NP suggested that the first house of parliament be elected on the basis of proportional representation and a universal franchise. Legislation would be passed by simple majority except for entrenched issues, where a greater majority (such as a two-thirds majority) should be required. In the second house each region would be allocated an equal number of seats and each party which was represented in a region's legislative body and which had a minimum amount of electoral support would be allocated an equal number of such seats. The second house would be able to initiate legislation only on circumscribed matters which affected the specific interests of minorities and the regions. It would also deliberate and pass, by weighted majority, any legislation which dealt with these issues, legislation amending the constitution and amendments to entrenched legislation. The second house of parliament would also deliberate on those bills approved by the first house for which increased majorities were not required and would pass these by simple majority.

The NP said that the executive should be composed of a collective multiparty body known as the 'presidency', as well as a multiparty cabinet. The presidency would consist of the leaders of the three largest parties in the first house or as many additional leaders (in order of support) as might be required to represent the majority of voters. Decisions would be taken by consensus and the chairmanship would rotate on an annual basis. A state president might also be elected from the ranks of the presidency on such a basis. The presidency would appoint ministers to a multiparty cabinet which would be obliged to carry out the policies of the presidency. The presidency and the cabinet would be impeachable by a motion of no confidence in the two houses.

The NP suggested that regional governments should be based on the present nine development regions. Each region would elect a legislative council using proportional representation in electoral districts within the regions. However, a part of the legislature might also be indirectly nominated by third-tier structures or by subregions. Each regional executive authority would consist of five leaders from political parties which had a predetermined level of representation in the legislative council. The executive committee would function as a cabinet with each member responsible for a specific portfolio. Decision-making procedures would make provision for the protection of minority interests.

The NP said that a local government system should be negotiated by the residents of each local area and a charter promulgated for each local authority. The NP proposals emphasised that local government should be an autonomous, elected tier of government with its own area of jurisdiction vested with legislative, fiscal and executive authority. Only one nonracial local authority would be established for each town or city. Councils would be elected on a ward basis, with delimitation taking into account both voter numbers and property valuation. Half of the councillors in each local authority would be elected on a common voters' roll on which the name of all residents would appear, while the other half could be elected by a voters' roll which would contain only the names of owners, ratepayers and lessees. The NP insisted that even at local government level special decision-making measures, such as increased

majorities, should be employed for certain circumscribed 'sensitive matters'. The proposals also called for geographical neighbourhoods to be allowed the option of 'self-determination' over community interests by forming neighbourhood councils. These areas would be voluntarily agreed upon and the neighbourhood council would be elected by all the residents of an area. It would have the power to levy additional taxes on its residents for specific projects within its area of jurisdiction. The neighbourhood council would be empowered to:

- regulate norms and standards for the residential environment;
- grant licences and permits for property use;
- provide communal facilities;
- provide for security matters and civil protection; and
- be responsible for any other matters that could be allocated to it through national or regional legislation, eg local education.⁷⁷ [⁷⁷ Ibid]

Population

According to the Urban Foundation, the South African population (including all ten homelands) was 38,4m in 1991. The number of people living in the white-designated area was 21,6m, with Africans making up 57% of this total. The total population of the Transvaal, at 10,4m, was slightly less than the combined population of the three other provinces (11,2m). The African population of the ten homelands was 17m, while the combined Asian, coloured and white population of the homelands was 59 500.⁷⁸ [⁷⁸ Urban Foundation, *Population trends: Demographic model*, 1990]

The head of the Central Statistical Service (CSS), Dr Treurnicht du Toit, said in September 1991 that the national census, which had been conducted in March 1991 in South Africa (excluding the 'independent' homelands) had revealed that the population had been overestimated in previous CSS estimates. He said that although results were still preliminary ones, it appeared that the population of South Africa (excluding the 'independent' homelands) was 26,5m rather than 31,3m, which was the figure obtained in the 1985 census and adjusted annually for subsequent increases.⁷⁹ [⁷⁹ Central Statistical Service, *Preliminary Results of Census 91*, September 1991]

The difference of nearly 5m between the previous population estimate and the census figure could have a significant impact on estimates of a range of socio-economic indicators, including the number of children of school-going age, the number of unemployed and the housing shortage.

Housing and urbanisation

The Urban Foundation (UF) said in 1990 that 59% of the total population of South Africa (including the ten homelands) would be living in urban areas in 1991. About 46% would be living in the major metropolitan areas, such as Cape Town, Durban, Johannesburg and the Orange Free State goldfields. Further projections by the UF were that 63% of the total population would be urbanised by the year 2000 and 66% by 2010. Migration from rural areas would account for approximately one third of the increased urban population, with about 300 000 people moving into urban areas every year between 1990 and the year 2000, according to the UF.⁸⁰ [⁸⁰ Urban Foundation, *Policies for a New Urban Future: Population Trends, 1990*]

UF research showed that in African townships in the Pretoria/ Witwatersrand/Vereeniging (PWV) region there was an average occupancy rate per stand of between ten and 11 people. The UF also estimated that there was a shortage of 1,2m housing units in South Africa (including the ten homelands).⁸¹ [⁸¹ Urban Foundation, *Policies for a New Urban Future: Housing for All, Proposals for a National Housing Policy, 1990*]

To facilitate management of the urbanisation process, legislation was enacted during the period under review to shorten procedures for township establishment, to allow for the establishment of less formal townships with minimum standards of services, and to enable the authorities to exercise greater control over informal settlement. Informal housing became accepted as a means of providing the population with shelter as a majority of South Africans were unable to afford formal housing without extensive subsidies.

The Prevention of Illegal Squatting Amendment Act, which was passed in 1990, allowed for the establishment and regulation of settlements in 'transit areas' by the government or provincial administrations, where informal settlement had occurred outside the jurisdiction of a local authority. The Less Formal Township Establishment Act, passed in July 1991, allowed for the more rapid establishment of informal townships. The government envisaged that these townships would be upgraded as and when the communities could afford to do so.

The minister of planning, provincial affairs and national housing, Mr Hernus Kriel, said in August 1990 that the government was committed to ensuring that all South Africans (including those in the ten homelands) were provided with shelter, either formal or informal, by the year 2000. The National Housing Advisory Council was instructed to investigate options for a national housing strategy. The results of its investigation were expected to be available at the end of 1991.⁸² [⁸² *The Star* 4 June 1991]

According to Mr Kriel, altogether 40 464 houses were built for Africans in 1990.⁸³ [⁸³ *Business Day* 3

April 1991⁸⁴] Indications in April 1991 were that the number built in 1991 would be less than this figure.⁸⁴

[⁸⁴ *Housing in Southern Africa* July 1991]

Affordability places severe restrictions on housing provision for Africans. Research indicated that in 1991 between 60% and 80% of urban African households had an income of between R400 and R800 per month. After other expenses, including food and transport, had been taken into account, only 9% (or between R35 and R75) was left for expenditure on housing. This amount allowed a maximum housing mortgage of between R8 500 and R18 000.⁸⁵ [⁸⁵ *The Citizen* 1 June 1991] The average cost of houses built for Africans between January and April 1991 was R34 304 and the average figure for building plans passed in the same period was R36 809.⁸⁶ [⁸⁶ *Housing in Southern Africa* July 1991]

The financing and provision of housing were inhibited during the period under review by township violence and bond boycotts. Many lending institutions withdrew from the African housing market because of bond boycotts and dangers associated with the repossession of houses in the townships. The general manager of home loans at the Standard Bank, Mr Eric Tomlinson, said in September 1991 that the Perm and the Standard Bank were the only financial institutions still investing substantial capital in African housing.⁸⁷ [⁸⁷ *The Star* 27 September 1991] The chief executive of Amalgamated Banks of South Africa, Mr Piet Badenhorst, said in October 1991, 'The financial services industry is being severely criticised for not lending in a major way in black [African] areas, but how can the industry be expected to lend when the normal processes of law cannot be enforced?'⁸⁸ [⁸⁸ *Business Day* 2 October 1991]

The president of the Civic Associations of Southern Transvaal (CAST), Mr Moses Mayekiso, said that there was ignorance of the intricacies involved in the granting of bonds and bond repayments, and the policies of the different financial houses. He suggested that there was no easy access to information in this regard, and added that banks were hasty in foreclosing when people could not repay their mortgage bonds. In September 1991, after CAST had threatened to call a comprehensive bond boycott, the Mortgage Lenders' Association organised a meeting with CAST members. It was decided to form a joint working committee to address the issue of housing finance.⁸⁹ [⁸⁹ *Ibid* 1 October 1991]

The amount budgeted in 1991/92 for housing and infrastructure was R1,56bn (or 1,8% of the total budget). Included in the housing budget were allocations of R913m for African housing, R99m for coloured housing, R63m for Indian housing and R82m for white housing.⁹⁰ [⁹⁰ *Update* 16 July 1991]

As a result of a decision in 1990 to phase out the National Supplies Procurement Fund, which had been established in 1970 to protect South Africa against the effects of sanctions, an amount of R1,2bn was made available for social spending over the following three years. In 1990 an amount of R319m from this fund was spent on African housing.⁹¹ [⁹¹ *Business Day* 14 March 1991] The sale of strategic oil

reserves in 1991 netted about R1bn, of which an amount of R407m was allocated for basic site-and-service infrastructure on 53 770 sites, R31m was allocated for the upgrading of hostels, R17m was allocated for improving sports facilities and R9m for the provision of community facilities.⁹² [92 Information supplied by Mr E J van Eck of the Central Economic Advisory Service, 17 September 1991]

The Independent Development Trust (IDT), which was established by the government in 1990 with an injection of R2bn to help with social upliftment, had allocated most of its funds by May 1991. The largest single allocation (R750m) was for capital subsidies of R7 500 each to enable 100 000 people to buy serviced sites. Development of the sites was expected to start at the end of 1991 and to continue for two years.

Private organisations devised a number of finance schemes to enable those who did not qualify for a conventional mortgage bond to borrow money to buy a home, and to minimise the risk of lending in the low-income housing market. The IDT, together with UAL Merchant Bank and the UF, introduced Collateralised Housing Investment Paper (CHIPs) to attract investment from private companies to finance housing costing less than R12 500 per unit. The Perm announced a salary-linked home finance scheme in 1990, which was backed by the borrower's pension or provident fund, and which would enable repayment of loans based on an agreed proportion of the individual's salary.⁹³ [93 *Update* 16 July 1991]

Accumulated rent and service arrears as a result of the rent and services boycotts in African townships (particularly in the Orange Free State and the Transvaal) amounted to R1,1bn at the end of December 1990, an increase of R386m over the amount owed at the end of December 1989. The townships with the largest arrears were those in the Vaal Triangle (southern Transvaal) and those comprising greater Soweto. A number of townships had various services, including electricity and water, discontinued as a result of mounting rent and services arrears. Mr Kriel said in April 1991 that by mid-March six townships in the Cape, 16 in the Orange Free State and seven in the Transvaal had had certain services cut off.

Eskom estimated that between 60% and 70% of the South African population did not have access to electricity. It said that it had the capacity to supply the entire country with electricity, but the costs involved in distribution made this difficult. It added that it would be virtually impossible to reach everyone through the present electricity grid, and that it was therefore supporting research into alternative energy sources.⁹⁴ [94 *Engineering News* 26 July 1991]

In 1991 Eskom and the DBSA entered into an agreement aimed at co-ordinating the electrification process through combining Eskom's capital base and technical skills with the DBSA's development skills and its ability to mobilise concessionary finance. The first project involving both organisations was a DBSA loan of R17m to the KaNgwane Electricity Supply Corporation, a project to be run jointly by Eskom and the KaNgwane administration.

With the signing of the Abolition of Racially Based Land Measures Act in July 1991, the Group Areas Act of 1966 and other legislation which had provided for the segregation of residential areas were repealed. The new legislation was widely welcomed. However, it met some criticism for the inclusion of a section which enabled neighbourhood residents to write their own bylaws pertaining to urban standards, including hygiene, overcrowding and the removal of 'nuisances'. The African National Congress said that these provisions were 'racist' and that they were merely an attempt to maintain segregated residential areas under another guise.

The Upgrading of Land Tenure Rights Act was also promulgated in July 1991 and gave freehold ownership rights to all holders of 99-year leasehold rights. It was expected to extend home ownership to an additional 1,3m people.

The enactment in June 1990 of the Discriminatory Legislation regarding Public Amenities Repeal Act provided for the repeal of the Reservation of Separate Amenities Act of 1953, which had reserved public facilities for use by specific race groups.⁹⁵ [⁹⁵ *RSA Policy Review*, vol 3 no 8, September, 1990] The new legislation was criticised for not making discrimination in respect of admission to public facilities an offence. Discrimination continued to occur in a number of towns countrywide. For instance, use of facilities was in some cases limited to residents of a town and ratepayers, while fees for use by 'non-residents' (ie township residents) were increased. This effectively excluded black people from making use of many municipal facilities. A survey into the segregation of municipal facilities in the Transvaal was conducted by *The Star* in March 1991. It found that of 45 towns surveyed, 17 showed blatant discrimination through the display of petty apartheid signs and the refusal to allow blacks to use amenities, 22 exercised 'backdoor' discrimination by charging non-residents higher fees and six towns showed no discrimination at all.

Health and welfare

In May 1991 the minister of national health, Dr Rina Venter, announced the restructuring and rationalisation of health services. The changes were seen as cutting across racial divisions, streamlining administration and ensuring more efficient use of limited financial resources. Only one 'role player' would be responsible for each of the primary, secondary and tertiary levels of health care. The 13 academic hospitals were to become autonomous bodies, funded by the government, but with the authority to raise additional funds. Primary health care was to become the responsibility of local authorities alone. Those local authorities (mainly black) which were unable to provide the required local health services would be able to call on-neighbouring local authorities (mainly white) for assistance.

In November 1991 the Medical Association of South Africa (MASA) and the National Medical and Dental Association accused Dr Venter of 'lacking leadership' and called for her resignation. Their criticism followed the publication in June 1991 of proposed amendments to the Medical Schemes Act of 1967 which sought to end enforced direct payment of suppliers of medical schemes, which the government believed led to 'overutilisation, overservicing and abuse of benefits'. The chairman of

MASA, Dr Bernard Mandell, said that the proposals would give medical aid schemes unlimited powers to control the use and provision of services. 'Our overriding concern is that the bill does not address the strong and urgent need for efficiency and equity in the entire health-care system,' he added.⁹⁶ [⁹⁶ *Financial Mail* 29 November 1991]

However, the executive director of the Representative Association of Medical Aid Schemes, Mr Rob Speedie, said that he favoured the proposed legislation as he believed it would cut the cost of health care dramatically. Mr Speedie blamed overuse of health-care services, abuse of medical aid funds by patients and health-care providers and the 'runaway costs' of medicine for what he termed the crisis in health care.⁹⁷ [⁹⁷ *Ibid*]

The African National Congress (ANC) said in November 1991 that it envisaged a future health service in which the private health sector was 'accountable to, and is under the overall control of, the government'. It added that funds would be redistributed from the private to the public health sector in a comprehensive national service. However, the ANC said it did not intend to nationalise the private health sector.⁹⁸ [⁹⁸ *The Star* 8 November 1991]

Dr Max Price of the Centre for the Study of Health Policy at the University of the Witwatersrand said in June 1991 that the proportion of gross domestic product spent in South Africa on medical services (5,6%) was appropriate for the country's current stage of development. However, he pointed out that 20% of patients (who were mainly white) consumed 56% of all public and private health expenditure on health services. In terms of spending, patients in the private health care sector received five times more per head than patients in the public sector, Dr Price said.

More than two thirds of the public sector health budget was allocated to the provinces during the period under review. The provincial health budgets increased by only 1% between 1989/90 and 1990/91, but by an average of 16% between 1990/91 and 1991/92. Hence, funds allocated to the provinces showed a real decrease between 1989/90 and 1991/92, resulting in cuts in provincial health services and high increases in charges to patients.

The 1990 annual report of the registrar of medical aid schemes said that as at 31 December 1989, 2,3m people were members of medical aid schemes and a total of 6,1m people were beneficiaries of such schemes. However, large numbers of Africans remained outside medical aid schemes. While 30% of coloured people, 33% of Indians and 69% of whites were beneficiaries of such schemes, only 5% of Africans were beneficiaries.

Speaking in March 1991 at a graduation ceremony of the Medical University of Southern Africa (MEDUNSA), the deputy president of the ANC, Mr Nelson Mandela, expressed concern at the low number of black doctors who were graduating annually. He said that of 1300 doctors who graduated each year, only 300 were black, and of these, only 120 were African. Among the graduates in March 1991 was the first African ophthalmologist.

The worsening state of health in South Africa was indicated by figures provided in the government's *1990 Health Trends in South Africa*. Malnutrition rates for coloured people and Indians in 1988 were at their worst levels since 1980 and the rate for Africans in 1988 at its worst level since 1985. The report showed that between 1986 and 1989 the number of cases of tuberculosis (TB) among Africans had increased by 22% and among coloured people by 35%.⁹⁹ [⁹⁹ *Fast Facts Eight*, 1991] The South African National Tuberculosis Association warned that there could have been as many as 100 000 cases of TB and 6 000 deaths from the disease in 1989.

The 1991/92 health budget allocated R37m to the construction of four new hospitals. These were in Botshabelo (Orange Free State), Durban, Garankuwa (Bophuthatswana) and Pretoria respectively, and were to serve predominantly African areas. The total cost of construction of the four hospitals at 1990 prices was R1,3bn, so the amount allocated in 1991/92 would cover only 3% of estimated costs.¹⁰⁰ [¹⁰⁰ *Business Day* 16 April 1991] The construction of a new 800-bed hospital in Soweto was again deferred by the government for the ninth successive year.

Dr Venter said that in 1990 only 5 882 black patients had been admitted to white hospitals (constituting only 4% of all admissions), despite the desegregation of hospitals in May 1990. She added that 22 provincial hospitals, most of which were in the Transvaal, had admitted no African patients in 1990.

In July 1991 the government announced that it would spend R1,5m on a publicity campaign against acquired immune deficiency syndrome (AIDS) which would begin in mid-August and make use of billboards, newspapers, pamphlets, radio and television. In the same month Dr Venter said that R5m would be spent on training personnel from the 14 education departments in the country to enable them to provide AIDS education in schools by 1992.¹⁰¹ [¹⁰¹ *Ibid* 30 July 1991]

The *Sunday Times* said in August 1991 that every day in South Africa ten people die of politically motivated violence, 24 people die of TB, 31 people die in road accidents, 33 people die of smoking related illnesses and 300 people become infected with the human immuno-deficiency virus (HIV) which results in AIDS.¹⁰² [¹⁰² *Sunday Times* 25 August 1991]

In October 1991 Mr Justice D Levy dismissed with costs a defamation suit brought by a Brakpan (east Rand) businessman, Mr Barry McGeary, in the Witwatersrand Local Division of the Supreme Court in Johannesburg, against a doctor who had divulged to two medical colleagues that Mr McGeary had AIDS. Mr McGeary had instituted the claim alleging breach of confidence and invasion of privacy by the doctor. (Although Mr McGeary died before the case was concluded, permission was given for the case to be continued by representatives of his estate.) The case was said to be the first in South Africa to test the rights to privacy of people diagnosed as being infected with HIV.¹⁰³ [¹⁰³ *The Citizen* 17 October 1991]

In October 1991 the Department of National Health and Population Development revealed that since 1982, 893 cases of AIDS had been diagnosed in South Africa (excluding the 'independent' homelands). Nearly a third of these cases were diagnosed in 1991. The department said that heterosexual contact was now the most common mode of transmission, and that 126 children were known to have contracted the disease from their mothers.¹⁰⁴ [¹⁰⁴ Ibid 5 October 1991]

The Development Bank of Southern Africa said in the same month that there could be as many as 12m HIV-positive South Africans by the year 2000 if AIDS education failed to halt the spread of the disease. The bank said that 4,5m people between 15 and 64 years of age and 700 000 infants could die of the disease by the turn of the century. It expected AIDS to spread fastest among urban people and in the armed forces.¹⁰⁵ [¹⁰⁵ *The Star* 2 October 1991]

The Independent Development Trust announced in September 1991 that it was to finance 52 health and welfare projects, involving expenditure of R166m. The trust said that it would focus funding on primary health care, rural and community development and the training of welfare workers.¹⁰⁶ [¹⁰⁶ Ibid 20 September 1991]

In February 1991 the Vatcom Report, published by the Department of Finance, said that 16,3m South Africans (or 45% of the population) were living below 'minimum living levels'. The report said that 2,3m of this number, mainly young children and lactating mothers, were in dire need of nutritional support to combat malnutrition. In June 1991 the executive director of Operation Hunger, Mrs Ina Perlman, said that her organisation was feeding 1,6m people daily, including 20 000 whites. She believed that more than 25 000 people were dying of hunger each year.

In his budget speech in March 1991 the minister of finance, Mr Barend du Plessis, announced that R220m had been set aside for aid to the poor owing to the extra burden of value added tax, which was to be introduced in October 1991. He said that this amount would be made available to government departments and non-government organisations to help feed children up to the age of 12 years, expecting and lactating mothers, the elderly and certain unemployed people. In terms of the number of people described in the Vatcom Report as needing assistance, the amount set aside in the budget worked out to only R13,50 per person.

The head of the Department of Paediatrics at Baragwanath Hospital (Soweto), Professor John Pettifor, said in October 1991 that 40% of children admitted to hospitals countrywide were underweight and about 10% suffered from diseases associated with severe malnutrition. He believed that the number of malnourished children seen by Baragwanath Hospital had increased dramatically over the previous three years and attributed the increase to worsening unemployment and rapid urbanisation.¹⁰⁷ [¹⁰⁷ Ibid 17 October 1991]

The Child Care Amendment Act, which was promulgated in June 1991, abolished the requirement that a child's racial classification had to be the same as that of the adoptive parents. The development manager of the National Council for Child and Family Welfare, Dr Margriet Herman, said in response to the amendment that of 4 600 children in homes associated with her organisation in 1990, only 323 had been placed for adoption and a further 389 had been returned to their parents. She hoped that the new legislation would enable more children to be adopted.

The deputy minister of planning, Mr Andre Fourie, said in March 1991 that the government committed itself to equal pensions for all races within five years. The cost of introducing parity in pensions for all races in South Africa (including the ten homelands) was estimated at R6bn. From 1 April 1991 old-age pensions per month were as follows: Africans, R225; coloured people and Indians, R263; and whites, R304. This meant that between 1965 and 1991 the ratio of white to African old-age pensions had been reduced from seven to one, to 1,4 to one.

In March 1991 the minister of foreign affairs, Mr R F (Pik) Botha, announced that the government would allow the United Nations (UN) High Commissioner for Refugees to assist in the repatriation of exiles. The number of exiles who were expected to return to South Africa was about 40 000, and the UN estimated the cost of repatriation to be R100m.

Education

The gap between per capita expenditure on African and white education narrowed from 18 to one in the 1969/70 financial year to four to one in 1989/90. African education expenditure improved from 6% to 25% of white expenditure over the same period.¹⁰⁸ [¹⁰⁸ *Fast Facts Five*, 1991] Likewise, the share of African education spending in the total education budget improved from 16% in 1969/70 to 48% in 1991/92, compared with a decrease in white education expenditure from 70% to 33% of the total education budget over the same period.¹⁰⁹ [¹⁰⁹ *Fast Facts Three*, 1991] In January 1991 the extent to which state spending on African education had improved was reflected by the professor of philosophy at the University of Natal (Durban), Dr James Moulder, who said that 'the priority was no longer [one] of reducing the expenditure gap between white and black, but rather of reducing the funding-gap between urban African and rural African education'.¹¹⁰ [¹¹⁰ *The Star* 10 January 1991]

However, the reductions in the gap between African and white expenditure did not fundamentally redress particular backlogs in education. For instance, although there was a slight improvement in overall pupil/classroom ratios at African schools between 1988 and 1990, the 1990 pupil/classroom ratios were still very high, with ratios of up to 51 to one at primary schools still common. Persistent backlogs in African education were also evident in the increase of 75% between 1987 and 1989 in the number of pupils involved in double sessions or the platoon system.

To some extent such backlogs were not caused by lack of commitment on the part of the government but by unrest in the townships. According to the minister of education and training, Dr Stoffel van der Merwe, the government had built 3 255 classrooms for schools under the control of the Department of Education and Training (DET) each year between 1985 and 1990. Speaking in May 1991, Dr Van der Merwe said that since 1984 more than 6 017 classrooms had been damaged or destroyed in incidents of unrest at a cost of R78m.¹¹¹ [111 Statement by the minister of education and training, Dr C J van der Merwe, 13 May 1991]

In May 1991 Dr Van der Merwe said that there was no longer a need on the part of blacks to fight for a non-discriminatory education system as this was on the government's reform agenda.¹¹² [112 *The Citizen* 14 May 1991] An indication of government commitment to reform in education was evident in an announcement in April 1991 by the minister of education and culture (House of Assembly), Mr Piet Clase, that future education policy would not be based on race. He also said that the government proposed a single education system for the whole country.¹¹³ [113 Speech by the minister of education and culture (House of Assembly), Mr P J Clase, 24 April 1991] Similar principles were contained in the education renewal strategy (ERS) document, which was published in June 1991.

Dr Van der Merwe stated in the same month that the government's intention was not to open all schools summarily, since such action would result in conflict and the disruption of education. Rather, he said, it was policy to open schools where communities requested it, or when school facilities were no longer utilised economically by one race group such facilities would be opened to other race groups. He also stressed that the concept of abandoning race as a criterion for determining policy would not necessarily affect cultural diversity in education.¹¹⁴ [114 *RSA Policy Review*, vol 4 no 8, September 1991]

A number of interim measures were taken by the government which were seen as moving towards a non-discriminatory education system. These interim measures began with the three models announced by Mr Clase in September 1990, which allowed white parents to vote on options for admitting black pupils to white schools. By the beginning of 1991, 205 white schools had been opened to all races on the basis of model B (which allowed a school's management council to determine its admissions policy). A total of 6 059 black students thereby gained admission to white schools. In January 1991 a previously white school in Johannesburg was transferred to the Department of Education and Culture (House of Delegates) and was reopened as a nonracial school.

A suggestion made by the ERS discussion document was that a central education authority be established alongside regionally based departments of education. Speaking in June 1991, Dr Van der Merwe said that with a current pupil population of almost 7m in South Africa, a single education department would be an 'unmanageable and uncontrollable monstrosity'. He added, however, that he envisaged an umbrella body which would determine overall policy, but with such a policy being carried out by various regional education departments.¹¹⁵ [115 *Ibid*] A similar perspective was expressed by the

director general of national education, Dr Johan Garbers, who said that the ERS document proposed that 'broad policy for all the regions be determined by a central department' but that regional institutions also be given some autonomy. He insisted that 'no provision will be made for the demarcation of education authorities according to racial groups and no extension of the so-called own affairs departments is envisaged'.¹¹⁶ [¹¹⁶ Ibid, vol 4 no 9, October 1991]

Another positive step on the part of the government was the desegregation of the previously white Edgewood College (Durban), which was announced in September 1991.¹¹⁷ [¹¹⁷ *Sowetan* 2 September 1991]

In the same month the Department of National Education, in accordance with the ERS document's recommendation that race no longer feature as a determining factor in education policy, set up various committees to 'formulate general policy regarding norms and standards for syllabi, certification and examinations'.¹¹⁸ [¹¹⁸ *The Weekly Mail* 27 September 1991]

Early in October 1991 the government also announced the transfer of 29 empty white schools to various black education departments. These included the transfer of 18 schools to the DET, ten schools to the Department of Education and Culture (House of Representatives) and one school to the Department of Education and Culture (House of Delegates).¹¹⁹ [¹¹⁹ *Business Day* 4 October 1991] A further ten schools were transferred to these departments later in the same month and another two were transferred to technical colleges.¹²⁰ [¹²⁰ *The Citizen* 18 October 1991]

A major policy guideline stated by Mr Clase in April 1991 was that a future education curriculum should be relevant to the country's needs, in particular to the provision of career-oriented education. In August 1991 Mr Clase stated that future education policy would channel about a third of pupils into career-oriented institutions, ie technical colleges. He said that the rest would have access to academic education and tertiary institutions, ie technikons and universities, from which middle-level and high-level technologists and management would be drawn.¹²¹ [¹²¹ *Business Day* 27 August 1991]

The statement was in keeping with recommendations made by a committee of investigation into career education, commissioned by the Department of Education and Culture (House of Assembly) and whose results were published in October 1990. The committee had recommended that at senior secondary school level subject choices should be differentiated into a senior secondary academic preparation course, limited to between 25% and 35% of pupils, and a senior vocational preparation course.¹²² [¹²² Department of Education and Culture (House of Assembly), 'The evaluation and promotion of career education: summary report', 1 October 1990]

Commenting in October 1991 on these proposals, the executive director of the Cape Education Department, Dr Schalk Walters, said that specialisation at school should be limited to the senior secondary standards, with the overall function of school education being the provision of a generally formative education to supply 'schooled, educated and informed citizens', who

were not simply geared towards providing labour units for the economy. Such a system, in his view, would ultimately meet employers' demands for various types of manual and intellectual skills.¹²³ [123 Walters S, 'The contribution of formal education to manpower training, ' *Manpower development for the new South Africa*, national symposium, 2-4 October 1991]

A similar proposal was contained in the ERS document, which argued that the senior secondary school curriculum should be rationalised and be characterised by 'opportunities for learners to construct subject packages leading either to generally oriented education or vocational education'.¹²⁴ [124 Department of National Education, *Education Renewal Strategy Discussion Document*, June 1991]

The proposals regarding the orientation of school curricula were prompted by concern over a relative oversupply of unskilled labour and an undersupply of skilled labour, especially middle-level and high-level manpower (as defined by the National Manpower Commission). During the period under review there was a reversal of the trend in which university student enrolment increased at a faster rate than enrolment at technikons. While between 1980 and 1985 enrolment at universities increased by 39% compared with an increase of 26% at technikons, in the five-year period ending in 1990 the increase in technikon student enrolment was 92% compared with an increase of 25% in university student enrolment.

The extent to which the university education system overemphasised academic as opposed to vocational training was reflected in the fact that more than 40% of all university degrees awarded in 1989 were conferred by arts faculties. While 13% of degrees awarded in 1989 were in the natural sciences and engineering, a mere 1,8% of degrees conferred in the same year were in the mathematical sciences, according to the vice rector of the University of Pretoria, Professor Philippus Smit. The number of diplomas awarded at technikons in the 1980s increased at a faster rate than the number of degrees awarded at universities over the same period. Thus, diplomas awarded by technikons showed an annual average increase of 55% between 1985 and 1988, compared with an annual average increase of 19% in degrees awarded by universities.¹²⁵ [125 National Manpower Commission, *Annual Report*, 1989, RP45/1990]

The ERS document recommended that universities be 'statutorily empowered to limit student intake in designated study programmes in accordance with manpower needs'. The document also suggested that an investigation be undertaken into the possibility of linking student intake to the financing of universities.¹²⁶ [126 Department of National Education, *Education Renewal Strategy Discussion Document*, June 1991] Cuts in subsidies to universities over the period under review necessitated increases in student fees and hindered teaching and research services. However, an output-based subsidy system (as suggested by the ERS) was also seen as a stimulus to universities to rationalise their services.

A measure which was also likely to encourage universities to rationalise their student intake was the government's shift from bursary grants to bursary loans, as shown by draft legislation for a loan scheme

to be established by the Independent Development Trust. The legislation would enable loans to be repaid through the receiver of revenue, with individuals who had received student loans having repayments deducted by their employers.¹²⁷ [¹²⁷ *The Weekly Mail* 9 August 1991]

In 1990, in response to consistently low matriculation pass rates in subjects such as biology, mathematics and physical science, the DET produced new curricula for its teacher training programme in these subjects to ensure that teachers became competent to teach these subjects up to standard 10.¹²⁸ [¹²⁸ Department of Education and] The Department of Education and Culture (House of Assembly) introduced an experimental mathematics teaching programme at 24 junior primary schools in the western Cape during 1990.

The DET also developed an experimental programme in which its curriculum for junior primary education was adapted to reflect a vocational orientation more clearly. The programme had been in existence since 1985 and in 1990 it involved 1455 primary schools. The programme's intended function was to 'familiarise the pupil with modern technology from as early an age as possible'.¹²⁹ [¹²⁹ *Business Day* 4 December 1991]

In October 1991 the rector of the Peninsula Technikon, Mr Franklin Sonn, said that 30% of workers had received no education, 36% had a primary school education only and 31% had received secondary education. He said that only 3% had degrees or diplomas and that up to 50% of workers could not read or write.¹³⁰ [¹³⁰ *Ibid* 5 December 1991]

One of the causes of the high level of illiteracy was the lack of compulsory education for Africans throughout South Africa. According to the South African Institute of Race Relations, in 1991 there were 3,5m to 5m children of schoolgoing age not in school. The Institute suggested that it would require R2bn in expenditure on additional teachers and classrooms to redress this problem.¹³¹ [¹³¹ *Ibid* 17 December 1991] According to Dr Garbers, if a system of universal compulsory education were to be introduced, an additional 20 000 teachers would be required to maintain a current aggregate pupil/teacher ratio of 32 to one. If additional teachers were not appointed, the aggregate pupil/teacher ratio would increase to about 35 to one under a compulsory education system.¹³² [¹³² *Ibid* 6 December 1991]

An effect of the lack of compulsory education was the high dropout rate among African pupils at primary school level, with 25% of pupils in 1990 leaving in sub A, compared with 8% in standard 6 and 12% in standard 10. The ERS recommended the implementation of a policy of national compulsory education for the first seven years of schooling. According to Dr Van der Merwe, the suggestion, in the ERS document, of universal compulsory education was an ideal which could not 'be implemented overnight, because there is not enough money to pay teachers or to make facilities available'. He indicated, however, that the feasibility of a policy of compulsory education was being considered by the

government.¹³³ [¹³³ Ibid 19 June 1991]

Land, agriculture and the environment

Three of the bills proposed in 1991 in the *White Paper on Land Reform* pertained to land issues. The Abolition of Racially Based Land Measures Bill and the Upgrading of Land Tenure Rights Bill were enacted in July 1991, while the Rural Development Bill was scrapped in November 1991.

The Abolition of Racially Based Land Measures Act repealed all legislation which had limited the right to live in certain areas to certain race groups, including the Black Land Act of 1913 and the Development Trust and Land Act of 1936. These acts had provided for certain land to be allocated to Africans, who were excluded from buying land in the white-designated area. The Abolition of Racially Based Land Measures Act also made provision for the phasing out of the South African Development Trust (SADT) through its activities being taken over by other statutory bodies. Restrictions on land acquisition by coloured people and Indians were lifted and an advisory commission on land allocation was established to advise the state president on acquiring, allocating and utilising land for settlement and agricultural development.¹³⁴ [¹³⁴ Ibid 18 December 1991]

The Upgrading of Land Tenure Rights Act provided for the upgrading and conversion of inferior land ownership rights in both urban and rural areas to full ownership and for the transfer of tribal land to full ownership by the tribe, provided that the land had been surveyed.¹³⁵ [¹³⁵ *Sowetan* 2 October 1991]

The purpose of the Rural Development Bill was to provide for the establishment of a national rural development corporation, the laying out and management of agricultural settlements and the regulation of agricultural settlement by tribes, in order that a national rural strategy could be developed and implemented. It was scrapped in November 1991 after a wide range of organisations had expressed opposition to it.¹³⁶ [¹³⁶ *Business Day* 6 December 1991]

In September 1991, following a ruling by the Appellate Division of the Supreme Court in Bloemfontein that the forced removal of the Magopa community near Ventersdorp (western Transvaal) in 1984 had been illegal, the community was allowed to return to settle permanently on its land. The Magopa community had been the last 'black spot' to be removed and members of the community had started returning to their land in 1987.¹³⁷ [¹³⁷ Ibid 20 November 1991]

On 16 August 1991, 162 445ha of land in the far north-western Cape province were gazetted as a national park. The Richtersveld National Park was the country's first national park to be co-managed by conservationists and the local population. A contract between residents of the area and the National Parks Board stated that residents would be paid rent for the use of the land and that cattle grazing would

continue, albeit on a smaller scale.¹³⁸ [¹³⁸ Ibid 13 December 1991]

Two proposed dune mining projects caused some controversy in 1991. In May 1991 the military leader of the Transkei, Major General Bantu Holomisa, confirmed that Rand Mines planned to mine dunes on the southern Transkei coast for titanium. One effect of the mining was expected to be the stripping of indigenous trees in the Nxaxo and Kobangaba forests. However, employment for 600 people over a 30-year period would be created by the project. An alternative suggestion by the Wildlife Society of Southern Africa that a nature reserve be established was rejected. In August 1991 Gen Holomisa confirmed that studies of the implications of the project were continuing. Residents in the area had objected that their villages would be destroyed if the mining went ahead.¹³⁹ [¹³⁹ Ibid 12, 13 December 1991]

During 1991 Richards Bay Minerals decided to defer a decision regarding the mining of the St Lucia dunes (northern Natal) for heavy minerals until the outcome of an environmental impact study, which was to be published late in 1991, was known. The company argued that the project would create 650 long-term jobs and stimulate the economy of the area and that after mining operations had been completed, the dunes and vegetation could be restored to their original state.¹⁴⁰ [¹⁴⁰ *The Star* 2 October 1991]

The Department of Environment Affairs reported in June 1991 that erosion in South Africa had resulted in an annual loss of 300m tonnes of soil.¹⁴¹ [¹⁴¹ *Business Day* 30 August, 20 September 1991] A director of the Anglo American Corporation of South Africa, Mr Clem Sunter, said that the average rate of soil formation in Africa was less than 0,1 tonne per hectare per year and that the current rate of soil loss exceeded this figure 30 times.¹⁴² [¹⁴² Ibid 27 November 1991]

In September 1991 the African National Congress (ANC) published a document detailing its policy on the environment. It said that companies which had environmentally friendly operations should be subsidised and those which had operations which were damaging to the environment should be financially penalised. It said that these proposals were in line with modern economic theory on controlling pollution in a free-market economy. The ANC also proposed that the needs of nature conservation be balanced with those of the rural communities.¹⁴³ [¹⁴³ *Saturday Star* 14 December 1991]

In October 1991 the president of the ANC, Mr Nelson Mandela, said that his organisation was committed to the conservation of wildlife and that it would try to abide by the internationally accepted standard that 10% of a country should be set aside as nature reserves. He said that apartheid had alienated Africans from the land and had, therefore, made conservation more difficult. Mr Mandela added that the creation of national parks could be part of the solution to poverty as they would generate wealth and employment. Once this fact became evident, he believed, it would encourage support for

conservation.¹⁴⁴ [¹⁴⁴ *Sowetan* 27 September 1991]

In a statement on its environmental policy published in 1991, the Inkatha Freedom Party (IFP) said that, 'In pursuing our development programmes, we will endeavour to see that no person enriches himself at the cost of the health or well-being of others. We will hold liable those who deplete biological wealth or damage the health of people or eco-systems. Any person or body who pollutes our environment, whether through chemicals, noise or degradation of the visual environment should contribute to the costs of rehabilitation of that environment.'

'Air and water pollution must be held at levels which will not cause permanent injury to humans, plants or animals.'

The IFP said it would 'create greater awareness of how the water cycle works and of the importance of key aquatic ecosystems. We will manage the water demand to give an efficient and equitable allocation among competing users'.

Further, the IFP statement said, 'our coastal scene is deteriorating and many marine resources have been depleted. We will pay more attention to controlling land-based sources of marine pollution, protection of major coastal wetlands, seagrass beds and coral reefs'.¹⁴⁵ [¹⁴⁵ *The Star* 23 September 1991]

In 1991 plantations took up 1,1%, or 1,2m, hectares of South Africa's total land area. Little timber farming was allowed in catchment areas in order to conserve water resources. A spokesman for the Department of Forestry, Mr Bosman Olivier, said in October 1991 that in order to meet the projected demand for wood in the year 2010, a further 30 000ha of land would have to be planted with trees each year, and that such forests would generally have to be provided by the private sector. The director of the Forest Owners' Association, Mr Mike Edwards, said that although there had been criticism regarding the planting of exotic trees which damaged the environment, indigenous forests could not sustain domestic need. He argued that the growing of exotic trees preserved the country's natural forests.¹⁴⁶ [¹⁴⁶ *The Citizen* 26 September 1991]

In September 1991 an executive member of the Transvaal Agricultural Union (TAU), Mr Tom Moodie, said that the agricultural sector of the economy was in a severe decline. He pointed out that the total net income of farmers had dropped by 19% in 1990 and in 1991 it would drop a further 25%, to R4,87bn, mainly as a result of high interest rates.¹⁴⁷ [¹⁴⁷ *Ibid* 24 July 1991] The TAU said that the government should provide increased protection for the agricultural sector, particularly as it employed 1,4m people, and indirectly fed and clothed another 7m.¹⁴⁸ [¹⁴⁸ *Business Day* 22 August 1991] The annual report for 1990 of the Land Bank showed that as at the end of 1990 farmers owed R3,2bn in long-and medium-term loans.¹⁴⁹ [¹⁴⁹ *The Citizen* 31 July 1991]

The minister of agricultural development in the House of Assembly, Dr Kraai van Niekerk, said in March 1991 that white agricultural debt totalled R17bn. He stated that while the government would continue to give assistance to farmers who suffered because of natural disasters, losses that could have been avoided by better planning would not be subsidised.¹⁵⁰ [¹⁵⁰ *Ibid*] According to the deputy minister of agriculture, Mr Tobie Meyer, the government aimed to have a viable farming community but not all farmers would be able to stay on the land. He said that since 1984 about 2 940 farmers had been sequestrated. Between January and July 1991 a total of 275 farmers had been sequestrated, which was an increase of 57% on the number of sequestrations in the same period in 1990. An agricultural economist, Mr Symond Fiske, said that in the early 1980s only three or four farmers had gone insolvent every year.¹⁵¹ [¹⁵¹ *Business Day* 9 September 1991]

A new policy for the subsidisation of agriculture was to conform to recommendations made by the special economics adviser to the minister of finance, Dr Japie Jacobs, after he had conducted a study of agricultural finance. His recommendations, which were published in September 1991, were that:

- the debt of state debtors, which amounted to more than R1,1bn, should be transferred to the Land Bank;
- agreement should be reached between the banks and co-operatives about the division of crop earnings, depending on the respective share of input credit provided to the farmer;
- co-operatives' claims to crops should be abolished;
- the Land Bank should stop functioning as a non-profit organisation, and should accumulate capital and reserves;
- protection of farmers under the Agricultural Credit Act of 1966 should be abolished, but farmers should still be able to appeal for a 90-day deferment of sequestration;
- co-operatives should be allowed to trade with non-members and be involved in manufacturing; and
- there should be no more tax concessions for co-operatives.¹⁵² [¹⁵² *Ibid* 30 August 1991]

In September 1991 Dr Van Niekerk told a delegation that a single agriculture ministry would be better able to manage farming in South Africa and that the amalgamation of the ten ministries of agriculture into one had become a possibility. It was reported that there was strong opposition from homeland ministers to this proposal.¹⁵³ [¹⁵³ *The Citizen* 5, 11 December 1991 Training, *Annual report*, 1990, RP56/1991]

A month after enactment of the Abolition of Racially Based Land Measures Act, about 200 African farmers met to form the National African Farmers' Union, which was to be a parallel organisation to the whites-only South African Agricultural Union. It was reported in *African Business* in July 1991 that many African farmers believed that if they were given the same assistance that had been given to white farmers, they could repeat the success of African farmers in Zimbabwe.¹⁵⁴ [¹⁵⁴ *Ibid*]

In the same month it was announced that the SADT would make 80 farms in the northern Transvaal available to Africans. The farms had full infrastructure and could accommodate large-scale farming. The move was welcomed as representing a rare opportunity for Africans to become involved in commercial farming.¹⁵⁵ [¹⁵⁵ *Business Day* 4 October 1991]

In 1991 the Independent Development Trust loaned R42m to the South African Sugar Association as part of its community development programme. The money was to be used for starter loans to 15 000 small sugar farmers in KaNgwane, KwaZulu and the Transkei, which would bring the total number of small sugar producers to 48 000.¹⁵⁶ [¹⁵⁶ *Update Fifteen* 1991, p4]

Agricultural training occurring under the auspices of the white Department of Agriculture was made available to people of all races on a non-discriminatory basis from the beginning of 1991.¹⁵⁷ [¹⁵⁷ *RSA Policy Review*, vol 4 no 9, October 1991] In February 1991 an agricultural college was opened in Nelspruit (eastern Transvaal). It was the first in the country to provide on-the-spot irrigation training, and aimed to provide practical and theoretical training on a nonracial basis.¹⁵⁸ [¹⁵⁸ *Ibid*, vol 4 no 8, September 1991]

The economy and business

According to the Central Statistical Service (CSS), real economic growth as measured by gross domestic product (GDP) at constant 1985 prices was -0,9% in 1990, compared to 2,1% in 1989. The governor of the South African Reserve Bank, Dr Chris Stals, said at an economic conference in Italy in April 1991, that South Africa would plunge into ungovernability by 1996 if the annual growth rate remained at around 1% while the population increased by 2,5% a year. The easing of sanctions and the anticipated readmission of South Africa to international financial markets could stimulate an average growth rate of 3% a year in the period 1992 to 1994, according to the chief economist of Sanlam, Mr Johan Louw.

Net foreign reserves rose by R2,9bn in 1990 compared to a decline of R1,2bn in 1989. At the end of August 1991 the gold reserves of the reserve bank were at their highest level (5,9m fine ounces) since the end of February 1988.¹⁵⁹ [¹⁵⁹ *Hansard* 19 (joint meeting) cols 10572-10573, 27 May 1991; *The Weekly Mail* 24 May 1991]

In June 1991 the outgoing president of the Chamber of Mines of South Africa, Mr Clive Knobbs, said that the possible closure of ten gold mines (which had recorded working losses of R75m in 1990) would mean the loss of substantial foreign exchange, the contraction of South Africa's GDP by an estimated R3,5bn and the direct loss of 88 000 jobs, with the likelihood of an additional 48 000 jobs being lost in service or mining-related industries. According to the minister of mineral and energy affairs and public enterprises, Dr Dawie de Villiers, 14% of South Africa's gold production was mined at a loss in 1990.

The commercial rand trading average for 1990 was 38,6 American cents. By August 1991 the commercial rand had declined to 34,8 American cents. In June 1991 the real effective exchange rate of the rand was 1,5% lower than in December 1990.¹⁶⁰ [¹⁶⁰ Republic of South Africa, *Upgrading of Land Tenure Rights Act*, 5 July 1991]

The average inflation rate for 1990 as measured by the consumer price index was 14,4%, compared to 14,7% in 1989. The year-on-year increase in the food price index for July 1991 was 18,5% for the lower-income group, 17,3% for the middle-income group and 16,5% for the higher-income group.

South African exports (including gold) totalled R60,6bn in 1990, an increase of 3,1% on exports in 1989. In the first five months of 1991 South Africa's merchandise exports rose by 8,7% compared to the same period in 1990. The total trade surplus during the first five months of 1991 (R6,5bn) was about 2% more than during the same period in 1990 (R6,4bn).¹⁶¹ [¹⁶¹ *Rural Development Bill*, 1991]

During 1991 various foreign governments began to lift sanctions against South Africa. In December 1990 members of the European Community (EC) decided at a meeting in Rome to lift the voluntary ban on new investment in South Africa which had been imposed in 1986. In April 1991 the EC member states agreed to lift the trade ban on Kruger-rands and on iron and steel imports, but the passage of this legislation was blocked by the Danish government's coalition partners. Sanctions imposed under the Comprehensive Anti-Apartheid Act of 1986 were lifted by the president of the United States, Mr George Bush, in July 1991. The sanctions lifted included the embargo on new investment in South Africa. The American assistant secretary of state for African affairs, Mr Herman Cohen, told the South African government in November 1991 that the US would repeal the Gramm Amendment the following year, and so enable South Africa to borrow, if necessary, from the International Monetary Fund.¹⁶² [¹⁶² *The Star* 10 September 1991]

Japan announced the lifting of sanctions against South Africa in October 1991, including bans on investment, the importation of iron and steel and air links. Japan also lifted the 'voluntary restraint' which had prevented Japanese companies from importing Krugerrands and other gold coins. The only ban to remain in place was on the export of computers for military use.¹⁶³ [¹⁶³ *The Citizen* 17 August 1991]

South African businessmen believed that the immediate beneficiaries of the lifting of Japanese sanctions would be South Africa's raw material producers. Iscor announced in October 1991 that it had concluded

a R1bn iron ore deal with six major Japanese steel manufacturers.¹⁶⁴ [¹⁶⁴ *The Weekly Mail* 1 August 1991]

Leaders at the Commonwealth summit meeting held in Harare (Zimbabwe) in October 1991 announced the lifting of visa restrictions, cultural and scientific boycotts and restrictions on tourism and direct air links. The heads of government of the Commonwealth states also agreed to lift trade and financial sanctions once 'appropriate transitional mechanisms' had been agreed upon to enable all parties to participate fully in the negotiations. However, the arms embargo was to remain in force until the establishment of a post-apartheid government.¹⁶⁵ [¹⁶⁵ *Business Day* 19 June 1991, *Sunday Tribune* 23 June 1991]

In March 1991 Dr Stals emphasised the reserve bank's commitment to a 'policy of financial stability with the predominant objective of protecting the internal and external value of the rand'. The 1991 *Budget Review*, which was published in March 1991, said that fiscal and monetary discipline should aim at establishing a base for the emergence of a favourable investment climate for both local and overseas capital. The minister of finance, Mr Barend du Plessis, presented a more expansionary budget in March 1991 which the reserve bank said was justified by the depressed economic conditions and the need for social spending.¹⁶⁶ [¹⁶⁶ *Business Day* 5 June 1991] In the 1991/92 budget social spending comprised 42% of total budgeted expenditure, an increase in real terms of 1% over social expenditure in the 1990/91 budget.

During 1991 the administrations of the Ciskei, the Transkei and Venda adopted fiscal systems proposed by South Africa, which were to limit growth in spending and restructure expenditure to cater for socio-economic upliftment.

In his budget speech in March 1991, Mr Du Plessis announced that value added tax (VAT) (at a rate of 12%) would replace general sales tax on 30 September 1991. Brown bread and mealie meal were to be permanently zero-rated. However, widespread opposition to the rate at which VAT was to be introduced led Mr Du Plessis to announce in August 1991 that VAT would be introduced at 10%. Furthermore, he announced that canned pilchards, dry beans (including soya beans), fresh milk, lentils, mealie rice, powdered milk and milk blends, rice, samp and whole mealies for human consumption would be zero-rated until March 1992. The Congress of South African Trade Unions (COSATU), the National Council of Trade Unions (NACTU) and 12 independent trade unions called for a two-day stayaway in protest against VAT on 4 and 5 November 1991, unless certain demands were met. These demands were for:¹⁶⁷ [¹⁶⁷ *The Star* 11 May 1991; Huntley, Siegfried and Sunter C, *South African Environments into the 21st Century*, Human and Rousseau Tafelberg, 1989]

- the zero-rating of basic foods, electricity, medicine, medical supplies and water;
- the negotiation of satisfactory poverty-relief programmes;

- the provision of relief for the small business sector;
- an end to ‘unilateral economic decision making’ by the government and big business; and
- the establishment of a jointly agreed forum for socio-economic restructuring through negotiations.¹⁶⁸
[¹⁶⁸ *Business Day* 11 September 1991]

The stayaway was widely supported countrywide. However, the government declined to give way to the demands of the unions.

In November 1990 the state president, Mr F W de Klerk, announced the establishment of a ministry for regional development. In May 1991 the new regional industrial development programme (RIDP) replaced decentralisation measures. The new programme sought to encourage businesses to establish undertakings where ‘comparative advantage’ existed. According to the RIDP, projects in all regions except for the Pretoria/Witwatersrand/Vereeniging (PWV) and Durban regions would be eligible to receive 100% of an establishment grant and of an output-based incentive provided by the RIDP. Projects in regions adjoining the PWV and Durban areas, as well as in the western Cape, would be eligible for 60% of the establishment grant and 100% of the output-based incentive. Once the RIDP was fully operational, it was estimated that it would cost less than R500m a year.

Debate on a post-apartheid economic system for South Africa continued throughout the period under review, with nationalisation and other means of redistributing resources as the dominant themes. At its national conference in Durban in July 1991 the African National Congress (ANC) said that it advocated a mixed economy in which an efficient private sector would be encouraged and supported. However, in September 1991 the president of the ANC, Mr Nelson Mandela, said that under an ANC government, mines and financial institutions would be nationalised.¹⁶⁹ [¹⁶⁹ *The Star* 8 October 1991] At a conference on affirmative action arranged by the ANC’s constitutional committee in October 1991 in Port Elizabeth, it was proposed that a state levy equal to one third of each individual’s assets be payable over 10 years in order to eliminate the disparities created by apartheid.¹⁷⁰ [¹⁷⁰ *Clarion Call*, vol 1, 1991] In the same month the ANC outlined a comprehensive policy on foreign investment, which guaranteed foreign investment in South Africa against nationalisation without fair compensation.¹⁷¹ [¹⁷¹ *Business Day* 8 October 1991]

The main umbrella organisations which facilitated African economic empowerment, the Foundation for African Business and Consumer Services (FABCOS) and the National African Federated Chamber of Commerce and Industry (NAFCOC), expanded their activities considerably during 1991. The activities of FABCOS were expanded predominantly through a series of joint ventures with big companies.

In August 1991 FABCOS and Fedics, the largest catering service in South Africa, announced that they

had set up a company called Fabfoods to develop the catering industry in African areas. FABCOS was to hold 60% of the shares in Fabfoods and Fedics 40%. The development of the African catering industry was to be achieved by identifying informal sector operations and entrepreneurs which could benefit from training and development. The first phase of the project was to concentrate on opening fast-food outlets at service stations managed by FABCOS members. Fabfoods would also provide training in the correct handling and presentation of food as well as in supplying semi-prepared meals.¹⁷² [¹⁷² *The Citizen* 5 September 1991, *Business Day* 19 September 1991]

Fabtrade International, an import and export company, was launched by FABCOS, Intertrade International and S Montsi and Associates in September 1991. The chief executive officer of the marketing wing of FABCOS, Mr Jabu Mabuza, said that the company would enable African business to expand into the rest of Africa. He said Fabtrade International had already set up a network of African and offshore contacts.¹⁷³ [¹⁷³ *Business Day* 10 September 1991]

In the same month the South African Reserve Bank accepted an application for preliminary authorisation to establish Future Bank, a financial institution to be run as a joint venture by FABCOS and Wesbank. The bank aimed to provide financial assistance to FABCOS members, most of whom were active in the informal sector. In October 1991 the Southern Africa Hauliers' Association, an affiliate of FABCOS, Nedfin and Finansbank announced a R250m truck-financing scheme which would provide finance to trucking entrepreneurs.¹⁷⁴ [¹⁷⁴ *The Argus* 3 September 1991]

The National African Farmers' Union was launched by NAFSOC in July 1991. Its aim was to facilitate African entry into the formal farming sector as part of the restructuring process undertaken by NAFSOC since 1989. Also in 1991 NAFSOC launched the National African Federation for the Building Industries to cater for the interests of small builders.¹⁷⁵ [¹⁷⁵ *Saturday Star* 9 March 1991]

National Sorghum Breweries (NSB), which was privatised in 1991, became the first enterprise to afford Africans the opportunity of participating in a large company as owners, directors, managers, distributors and shareholders. In May and June 1991 NSB issued nearly 40m shares, mainly to Africans. According to the company's prospectus, NSB had the largest informal distribution network in South Africa, involving about 500 000 people (mainly women).¹⁷⁶ [¹⁷⁶ *Sunday Times* 1 September 1991]

The Businesses Act, which abolished licensing boards and all licensing requirements in some 76 business categories, was passed by Parliament in May 1991. Licensing control was retained only over businesses hawking or providing meals, certain types of health facilities and entertainment.

The director of the Free Market Foundation, Mr Leon Louw, said in October 1991 that on a scale of zero to 100 (with 100 representing the regulation of businesses in the mid 1970s and zero representing the ideal deregulated situation) the situation in South Africa had shifted to a point which could be

represented by a score of 50.¹⁷⁷ [¹⁷⁷ Ibid]

During 1991 the South African Chamber of Business held talks with the government to facilitate greater state involvement in the development of small business. The deputy minister of trade and industry and tourism, Mr Dawid de Villiers Graaff, announced in October 1991 that a special division would be created within the Department of Trade and Industry and Tourism to promote small business. The division would emphasise the provision of venture capital and the transfer of technology to small businesses, as well as training for small business.¹⁷⁸ [¹⁷⁸ *Business Day* 10 September 1991]

According to the CSS, full-time employment in the informal sector in South Africa (excluding the 'independent' homelands) increased by more than 20% between October 1989 and October 1990. The informal sector's contribution to the economy amounted to about 8% of the GDP in 1990. An economic consultant to the Development Bank of Southern Africa, Mr Wolfgang Thomas, estimated in July 1991 that 90% of the people employed in the informal sector were African.

The political violence in the townships as well as the economic recession affected businesses adversely during the latter part of 1990 and during 1991. Many spazas in mining areas were forced to close down because of retrenchments in the mining industry. According to the managing director of the marketing branch of the South African Taverners' Association, Mr David Moshapalo, the turnover of taverns had declined by 50% between 1990 and 1991 as a result of political violence. The taxi industry was also affected by the violence, with the average monthly income of taxidriviers declining by about 50% between 1990 and 1991.

According to a director of Econometrix, Mr Mike Bester, growth in African consumer spending during the period under review was a result of the narrowing of the wage gap and higher-than-expected wage increases, especially in the lower-income group.

In 1990/1991 an estimated R840m was spent by the corporate sector on social upliftment programmes. During 1991 social responsibility investors began to place greater emphasis on funding development projects that would create self-sufficiency.

Employment

According to the Central Statistical Service, the economically active population increased from 10,1m in 1985 to 11,1m in 1990 (ie by 10%). The proportion of blacks in high-level manpower occupations (excluding education and nursing) increased from 3% (4 987) in 1965 to 14,2% (71 499) in 1989. The proportion of blacks in middle-level manpower positions increased from 24,8% (243 002) in 1965 to 48,6% (995 956) in 1989. The Department of Manpower said that Africans occupied only 4% (ie 18 370) of all high-level positions (excluding educationalists and nurses) in 1985, while African women occupied only 0,6% (ie 2 828) of all high-level positions (excluding educationalists and nurses) in that

year.

A survey conducted in 1991 by the Business School of the University of the Witwatersrand among South Africa's top 100 companies found that women made up only 13% of management and less than 1% of board members, although they represented 36% of the work force.

In September 1991 the Conservative Party published documents alleging that Transnet was restricting white employment in favour of other races (especially Africans). According to the documents, Transnet had been directed by its top management to reduce white management by 25% by the year 2000.¹⁷⁹ [¹⁷⁹ *African Business* July/August 1991] In reaction to the allegations the minister for economic co-ordination and public enterprises, Dr Dawie de Villiers, said that discrimination in any form was unacceptable to the government. He pointed out that training programmes had been established to make equal opportunities available to employees of state corporations. Dr De Villiers emphasised that promotions were based purely on merit.¹⁸⁰ [¹⁸⁰ *City Press* 14 July 1991]

The uncertainty about the future of the present public service was highlighted in October 1991, when the president of the African National Congress (ANC), Mr Nelson Mandela, announced that the ANC planned to have public servants trained in the United Kingdom for integration into a post-apartheid public service. Mr Mandela said that the present public service was not suited to the changing needs of South African society.¹⁸¹ [¹⁸¹ *Sowetan* 25 September 1991] However, the minister for administration, Mr Piet Marais, said that the necessary manpower already existed in South Africa and that there were enough training facilities to train civil servants in South Africa.¹⁸² [¹⁸² *Hansard* 12 (A) q col 1167, 23 April 1991]

In the period June 1989 to June 1990 there was a net gain of 9 008 immigrants. A survey by Market Research Africa in 1991 found that 250 000 urban white South African adults saw themselves as potential emigrants in the following five years, which could exacerbate the skills shortage in South Africa. However, the shortage had become less acute as a result of the economic recession and a sharp fall in the demand for skills. The acquired immune deficiency syndrome (AIDS) was expected to lead to a worsening of the skills shortage by the beginning of the 21st century.

In 1990 accountants, artisans, computer programmers and analysts, engineers and medical practitioners were included in a list of occupations in which there was a critical shortage of manpower, and which was compiled by the National Manpower Commission (NMC). The minister of home affairs, Mr Eugene Louw, said that it was important to maintain a balance between the protection of the local labour market and the admission of immigrants who could create job opportunities.

The number of apprentices indentured decreased from 9 891 in 1989 to 9 054 in 1990. The sectors in which increases in the number of indentured apprentices took place in 1990 were the mining, motor and

automobile, printing and transport industries, while the building and metal industries experienced a decline in the number of indentures registered. Only 7 132 apprenticeship contracts were completed in 1990 compared to 12 933 in 1985.

In 1990 the government and the manufacturing sectors provided the most job opportunities in the formal sector (17% and 19% respectively).

According to a survey undertaken by Education for Employment in Alexandra (Johannesburg) and published in September 1991, the unemployed (who comprised about 55% of the people in the township who were surveyed) admitted that robbing the rich was their main means of survival.¹⁸³ [¹⁸³ *The Star* 26 February 1991]

The NMC said that 4,5m people could not find employment in the formal sector in South Africa (including the 'independent' homelands) in 1990. About 3,5m people were involved in the informal sector and 1m had no form of employment, it added. The Development Bank of Southern Africa (DBSA) found that registered unemployment amounted to 30% of the economically active population in the 'independent' homelands in 1989 and 29,7% in 1990. A report compiled by the Bureau of Market Research at the University of South Africa in September 1991 claimed that the surplus of semi-skilled and unskilled workers could rise to 11,5m by the year 2005. This meant that in 2005 about 57% of the labour force would have to earn a living in the informal sector or be unemployed, the report said.¹⁸⁴ [¹⁸⁴ South African Reserve Bank, *Quarterly Bulletin*, September 1991]

In a special report entitled 'South Africa: an inter-regional profile', published in September 1991, the DBSA said that the economy would have to grow by 7% a year to create enough jobs to accommodate school leavers. The report also found that the number of workers moving to the urban areas outnumbered the actual jobs available by more than three to one.¹⁸⁵ [¹⁸⁵ *Ibid*]

In August 1991 Dr De Villiers said that the Department of Manpower had approved 667 job-creation projects which would provide an estimated 60 000 jobs over a period of 15 months.

The average monthly pay of unskilled and semi-skilled workers working on member mines of the Chamber of Mines of South Africa in 1990 was R841 compared to R170 in 1980. From 1986 to 1990 the average number of migrants employed on gold and coal mines affiliated to the chamber fluctuated by less than 15% on each side of the 500 000 mark. According to the chamber, the number of mineworkers whose jobs were at risk on South Africa's gold mines had been reduced from 100 000 in June 1990 to 30 000 in June 1991, owing to effective cost-cutting measures.¹⁸⁶ [¹⁸⁶ Midlands Chamber of Industries, *M C I Bulletin*, 5 August 1991]

The president of the South African Institute of Mining and Metallurgy, Mr Richard Beck, said in September 1991 that the future of the South African mining industry was being jeopardised by the growing shortage of skilled manpower.¹⁸⁷ [¹⁸⁷ Information supplied by the South African

Institute of Race Relations]

The average cost of living for a black family of five in a South African township in 1991 was R1 217,31 per month compared to R1 033,26 in 1990, according to the *South African Township Annual*.

The All Media and Products Survey found that between September 1989 and June 1990 the average monthly household income of Africans was R662; of coloured people, R1 279; of Indians, R2 005; and of whites, R3 931. According to the Helen Suzman professor of political economy at the University of the Witwatersrand, Professor Charles Simkins, the African share of personal income in 1990 was 33%, while that of whites was 54%.

The South African Domestic Workers' Union estimated that at least three out of every ten families in Soweto had a full-time or part-time domestic employee in 1990. According to the union, some domestic workers earned as little as R90 a month.¹⁸⁸ [¹⁸⁸ *The Star* 22 October 1991]

The chairman of Sasol, Mr J Stegmann, said in September 1991 that South Africa had 'priced itself out of competitive markets' both in terms of its remuneration of semi-skilled and unskilled workers and in terms of the payment and average productivity of skilled workers. However, the general secretary of the National Union of Metalworkers of South Africa, Mr Moses Mayekiso, disputed this, saying that the wages of South African workers were 'slave wages' in comparison with those of workers in Europe and other parts of the world.¹⁸⁹ [¹⁸⁹ *Ibid*]

According to Andrew Levy and Associates, wage settlements in 1990 averaged 17,4%. There was an average wage increase of 15,3% between June and October 1991 compared to the same period in 1990.

The ratio of average real earnings of whites and Africans in the manufacturing sector was 4,4 to one in 1980 compared to 3,4 to one in 1989. In the construction sector the ratio of average real earnings of whites to Africans was 5,5 to one in 1980 and five to one in 1989. The ratio of average real earnings (including the value of rations) of whites and Africans in the agricultural sector was 15 to one in 1980 and 15,6 to one in 1988.

According to the Vatcom report published early in 1991, 16m people in South Africa (including the ten homelands), or 45% of the population, lived below 'minimum living levels'. Some 2,3m of this number were in dire need of nutritional support to combat the effects of malnutrition. Professor Simkins estimated that 33% of African urban households lived below the minimum living level in 1990 while 83% of Africans in rural areas and in the homelands lived below this level.

Labour relations

There were 198 registered trade unions in 1990 compared with 212 in 1989. Membership of unions grew

from 2,1m in 1989 to 2,4m in 1990, comprising 24% of the economically active population. The Congress of South African Trade Unions (COSATU) remained the largest union federation in 1991, claiming a signed-up membership of 1,2m workers. In March 1991 a new multiracial union federation, the Federation of Independent Trade Unions, was formed.

In September 1990 the government, unions and employers signed the Laboria Minute, ending two years of protracted negotiations between these groups over the scrapping of certain amendments made in 1988 to the Labour Relations Act (LRA) of 1956. In line with this agreement, the LRA was amended in early 1991, incorporating many of the issues raised in the minute. Further issues would await a comprehensive overhaul of the act.

In 1991 COSATU and the National Council of Trade Unions (NACTU) agreed to sit on the National Manpower Commission (NMC) on the understanding that this body would be restructured to form a negotiating forum having the power to vet new legislation and to intervene actively in the labour field. In July 1991 the NMC submitted to the minister of manpower recommendations for its own restructuring. NMC members agreed that the commission should remain an advisory body and that it should consist of employer and employee representatives in equal numbers. However, in October 1991 COSATU withdrew from the NMC because, it said, of failed attempts to restructure the commission to deal with broad economic issues in addition to labour-related ones. In November 1991 COSATU and NACTU attended a meeting of the NMC at which the minister of manpower announced that the body would be restructured.

During the period under review the commission made recommendations on the inclusion of domestic workers and farmworkers under labour legislation. In September 1991 the NMC recommended that domestic workers should be included immediately under the Basic Conditions of Employment Act (BCEA) of 1983, the LRA, the Unemployment Insurance Act of 1966 and the Workmen's Compensation Act of 1941. It was divided, however, on whether they should fall under the Wage Act of 1925. In early 1991 a draft bill extending the BCEA to farmworkers was criticised by COSATU and withdrawn.

A second draft bill was published in June 1991. Both this bill and one amending the Unemployment Insurance Act to include farmworkers were tabled in Parliament but not passed. In the same month, the NMC published its recommendations on the inclusion of these workers under the LRA, subject to certain amendments taking into account special conditions in farming. As with domestic workers, the NMC was divided on whether farmworkers should be included under the Wage Act.

In November 1991 the minister of manpower announced that amending legislation to bring farmworkers under the LRA and Wage Act was in the pipeline, although Wage Act amendments would come into effect only after two years to give farmers an opportunity to bridge their present financial problems.

During the period under review unions put forward views on a post-apartheid economic system for South Africa. At its national congress in July 1991 COSATU reiterated its support for a democratic

socialist system in the long term. It called for joint negotiations between the government, employers and the union movement on the economic restructuring of the country. Despite initial opposition to joint discussions on the economy, in November 1991 the minister of manpower said that he had sent invitations to COSATU and organised business to discuss a joint economic forum.

The question of union independence from political parties and movements also came under scrutiny. While COSATU confirmed its continuing participation in the African National Congress/South African Communist Party alliance, it stressed the need for it to remain an independent partner. At its congress in December 1990 NACTU reaffirmed its principle of non-affiliation to political organisations. On the question of whether union officials should be allowed to wear two hats (ie a party political hat and a union hat), COSATU, at its congress, voted that all but paid, full-time officials could occupy leadership positions in political organisations. Strong opposition to the principle of two hats had been voiced by some of the federation's affiliates, notably the South African Clothing and Textile Workers' Union.

At its congress in July 1991 COSATU outlined certain rights it believed should be contained in a new constitution, including the right to strike; union independence from government, employers and political parties; democratic and accountable government; a democratically planned economy; and equality between men and women. In July 1991 NACTU published a draft workers' manifesto for discussion among its affiliates. Among other things, it enshrined the right of all workers to collective bargaining, education and training, and to strike.

Violent conflict between members of COSATU affiliates and the United Workers' Union of South Africa (UWUSA) continued during the period under review. In July 1991 *The Weekly Mail* published secret government documents showing that UWUSA had received R1,5m from the government. The documents described the union as a secret project under the joint control of the security police and the KwaZulu administration.

COSATU and UWUSA were both signatories of the *National Peace Accord* in September 1991. NACTU said it would take the accord to its members for a decision on whether it should sign it or not.¹⁹⁰ [190 Ibid]

A feature of wage settlements was the first-ever profit- and performance-based wage settlement between the Anglo American Corporation of South Africa's Ergo gold mine (Brakpan, east Rand) and the National Union of Mineworkers (NUM). The Ergo deal heralded a similar agreement between the NUM and the Chamber of Mines of South Africa in August 1991.

A survey of labourers' wages by the Labour Research Service (LRS) for the first six months of 1991 showed that the average increase was around 20,7%, almost equal to the average increase for the same period in 1990 of 20,9%. The average wage earned by labourers was around R182 a week, the LRS said.

During the period under review COSATU held discussions with the government about extending 'South Africa's' LRA to all the homelands.

The number of strikes decreased from 942 in 1989 to 885 in 1990, but the number of workers involved in strikes increased from 197 504 in 1989 to 341 097 in 1990. The number of mandays lost increased from 1,5m in 1989 to 2,7m in 1990.

On 4 and 5 November 1991 COSATU, NACTU and a number of other unions called for a national 'general strike' in protest against the government's introduction of value added tax (VAT). The stayaway was reported to be the largest ever in South Africa's history. According to the South African Chamber of Business, support for the stayaway on the Witwatersrand, in the eastern Cape and the Durban region was between 80% and 100%; in Bloemfontein, Pietermaritzburg and Pretoria, between 60% and 80%; and in northern Natal, on the Orange Free State goldfields and in the western Cape, between 20% and 40%.

Violence which broke out during the stayaway on the Anglo American Corporation's President Steyn gold mine (Welkom) led to the death of 84 people. A spokesman for the mine said initial inquiries showed that the violence began when night shift workers were prevented by other workers from going on shift.¹⁹¹ [¹⁹¹ South African Reserve Bank, *Annual Economic Report* 1991] Anglo sent home about 5 000 workers in an effort to stop the violence. According to the NUM, among the dead were people who were not employees at the mine, which, it said, 'raises the question of the role of the third force. It also raises the question of what Anglo American has done to prevent non-mine employees entering mine premises'. Management said it could not comment on the causes of the violence because the standing commission on violence and intimidation had been asked to investigate this question, but confirmed that one person killed and one injured were non-employees.¹⁹² [¹⁹² *Business Day, The Star* 9 October 1991]

Transport

Research conducted by the Council for Scientific and Industrial Research indicated that the need for good roads and a safe and reliable public transport system were among the most important basic needs of the black community. The need for roads was seen to be more important in poorer areas.

In 1991 the national roads budget was R2,1m, a decrease of 21% on the previous year's figure of R2,7m. In August 1991 the director general of transport, Mr Ronnie Meyer, said that the proportion of the transport budget that was spent on roads had decreased from 73% in 1975 to 41% in 1990 and that the emphasis had shifted from development to maintenance of the roads system.¹⁹³ [¹⁹³ *The Star* 28 October 1991] The Department of Transport received R204m from the R1bn that the government obtained through the sale of strategic oil reserves in 1991. The deputy director general of transport, Mr Malcolm Mitchell, said that these funds would be used to recondition 500km of secondary roads.¹⁹⁴ [¹⁹⁴ *Ibid* 30 September 1991]

The kombitaxi industry's share of commuter transport grew from 29% in 1987 to 44% in 1990. There was a corresponding decline in the shares of the bus and rail industries from 29% to 24%, and from 21% to 16% respectively. The flexibility and lower fares of taxis were seen as major contributing factors to the growth in the kombitaxi industry. Average monthly commuting costs in 1990 were as follows: buses, R65; taxis, R64; and trains, R70.¹⁹⁵ [¹⁹⁵ *Business Day* 14 October 1991]

As the kombitaxi industry was deregulated, with few restrictions on who was allowed to operate a taxi and how many vehicles were allowed to operate in a particular area, the number of operators grew very quickly between 1987 and 1990.¹⁹⁶ [¹⁹⁶ *Ibid*] The marketing manager of the Southern Africa Black Taxi Association, Mr Jabu Mabuza, said in August 1991 that violence was 'gripping the industry' because there were too many taxis making demands on too few ranking facilities, and called for the establishment of a control board to regulate entry into, and operations within, the industry.¹⁹⁷ [¹⁹⁷ *Sunday Times* 1 September 1991, *The Star* 2 September 1991]

A special survey in 1991 of the bus industry conducted by *South African Transport* concluded that operating conditions were so poor that the existence of the industry was at stake.¹⁹⁸ [¹⁹⁸ *Business Day* 20 September 1991] Spokesmen for the bus industry attributed this decline to the high rate of inflation in the industry (21% in 1991), the debilitating effects of unrest, decreasing subsidies and declining passenger numbers. A number of bus companies, including Port Elizabeth Tramways, closed down and others were rationalised. Putco put its services up for tender during 1991.

The managing director of the South African Rail Commuter Corporation, Mr Kobus Nel, said in December 1991 that currently 30% of the costs of the corporation were recoverable from commuter fares and 70% from the government in the form of subsidies. He added that by 1995, 45% of costs would be recoverable from fares, 10% from revenue on the corporation's property, 20% from regional services council subsidies and 25% from central government subsidies.¹⁹⁹ [¹⁹⁹ *The Star* 4 October 1991, *Sowetan* 17 October 1991]

Foreign relations

After 2 February 1990 South Africa rapidly reversed its international isolation. By the end of October 1991 new South African missions had been opened in Bulgaria, Czechoslovakia, Hungary, Morocco, Namibia, Poland, Romania, Rwanda, the Soviet Union and Turkey. At the time of writing a total of 38 countries had representation in South Africa or would shortly establish it. This was ten more than at the beginning of 1990. Twenty-nine of the 38 had embassies in Pretoria—six more than on 2 February 1990. South Africa had ambassadors in 30 countries and representatives in another 23.²⁰⁰ [²⁰⁰ *African Business*

July/August 1991]

Further official contacts were established towards the end of 1991. The new president of Zambia, Mr Frederick Chiluba, announced that Zambia would open a trade mission in South Africa.²⁰¹ [201 National Sorghum Breweries, *Prospectus*, 1991] Particularly striking was the rapid establishment of links with central and eastern European countries. The Soviet Chamber of Commerce and Industry and various South African business organisations signed a contract in July.²⁰² [202 *Sunday Times* 6 October 1991] The government of Czechoslovakia invited South African businessmen to an investment forum in November²⁰³ [203 *Business Day* 18 October 1991] and the country's foreign and trade minister visited South Africa to sign business agreements.²⁰⁴ [204 *The Citizen* 7 September 1991] The Romanian foreign minister also visited South Africa in the hopes of establishing economic co-operation.²⁰⁵ [205 *Daily Dispatch* 13 September 1991]

South Africa announced in August 1991 that it would recognise the three Baltic republics—Estonia, Latvia and Lithuania—which had broken away from the Soviet Union.²⁰⁶ [206 *The Citizen* 18 October 1991, *Business Day* 21 October 1991] In November the minister of foreign affairs, Mr R F (Pik) Botha, visited Moscow and signed an agreement restoring consular relations.²⁰⁷ [207 *The Citizen IS* October 1991] The Soviets were reported to have mentioned to the African National Congress (ANC) that they were planning to open a mission in Pretoria, causing the ANC's senior foreign affairs official, Mr Thabo Mbeki, to say he would convey this request to the ANC. The Soviets had, however, told Mr Mbeki that they were not seeking the ANC's permission but merely informing it of their decision.²⁰⁸ [208 *Business Day* 30 September 1991] On two occasions during the year planned visits to the Soviet Union by the president of the ANC, Mr Nelson Mandela, were called off.²⁰⁹ [209 *Ibid*] It was believed in government circles in Pretoria that the Soviets wanted to receive the state president, Mr F W de Klerk, in Moscow before Mr Mandela.²¹⁰ [210 *The Star* 2 October 1991] In the event, Mr De Klerk called off his visit, planned for December, because of the uncertainty arising from the disintegration of the Soviet Union.

Towards the end of 1991 and early in 1992 an exhibition on 'Russia and Southern Africa' was held in Botswana, Johannesburg, and Stellenbosch (western Cape). The exhibition, illustrating contact between South Africa and Russia between 1720 and 1991, was sponsored by De Beers Centenary and the Centre for Science, Technology and Social Initiative of the Soviet Union.

Mr Joe Slovo, the retiring general secretary of the South African Communist Party, which Mr De Klerk had legalised on 2 February 1990 after a 30-year ban, attacked the president of the Soviet Union, Mr

Mikhail Gorbachev, for dissolving the Communist Party of the Soviet Union ‘as if it were his personal property’. Mr Slovo said Mr Gorbachev ‘is colluding in the chorus of vilification against Lenin, the greatest Soviet and world revolutionary which this century has produced’. Mr Slovo also attacked ‘the indecent haste with which the new Soviet establishment is rushing to make friends with racist Pretoria’.²¹¹ [²¹¹ *Business Day* 26 September 1991]

In October Mr Botha visited the People’s Republic of China, apparently keeping the government of the neighbouring Republic of China (Taiwan) informed, so as not to jeopardise South Africa’s longstanding relationship with that country.²¹² [²¹² *Ibid* 17 October 1991]

Among the countries visited by Mr De Klerk during the year was the Arab state of Oman, where Mr De Klerk stopped in November 1991 en route from Israel to the Republic of China.²¹³ [²¹³ *Saturday Star* 27 April 1991] Speaking in Bethlehem, (Israel) whither he accompanied the state president, Mr Botha told Palestinian leaders that South Africa wanted to deal with Israel and the Arab world in a non-partisan way. South Africa had 500 000 Muslims for which the government had regard and concern, Mr Botha said. South Africa also had good relations with Muslim Arab countries such as Jordan, and Egypt and wanted to deal with both Jews and Muslims in an impartial manner.²¹⁴ [²¹⁴ *The Star* 5 September 1991]

According to the Sunday newspaper *Rapport*, Israel and China were the 24th and 25th countries visited by Mr De Klerk as state president.²¹⁵ [²¹⁵ *The Citizen* 16 September 1991]

In her speech opening the British parliament at the end of October 1991, Queen Elizabeth II said South Africa had made ‘significant progress’ in 1991 towards abolishing apartheid and its ‘peaceable replacement by a nonracial democratic system of government acceptable to all South Africans’. She added that ‘measures restricting South Africa’s access to foreign capital should be relaxed now’.²¹⁶ [²¹⁶ *Beeld* 6 November 1991] However, the South African ambassador in London was not allowed to participate in the Remembrance Day ceremonies at the Cenotaph in Whitehall on 11 November.

Mr De Klerk announced in June 1991 that South Africa would sign the nuclear weapons non-proliferation treaty. Mr Botha said South Africa had ‘certainly developed the capacity and potential to produce an explosive nuclear device’, but had never tested such a weapon. He refused to confirm or deny whether South Africa possessed such a device.²¹⁷ [²¹⁷ *Business Day, The Star* 12 November 1991]

The ban on flights by South African Airways (SAA) over Africa was lifted during 1991. Scheduled flights were opened to a number of new destinations, among them Nairobi (Kenya), and Kenya Airways inaugurated twice-weekly flights to Johannesburg in December.²¹⁸ [²¹⁸ *The Citizen* 6 August 1991] Following the lifting of American sanctions, SAA flights to New York began again in November.²¹⁹ [²¹⁹

Engineering News 6 September 1991] SAA sent an aircraft to Moscow in December to fetch the Moscow State Circus.²²⁰ [²²⁰ *Finance Week* 30 May 1991] It was reported that Czechoslovak Airlines would open an office in Johannesburg in January 1992.²²¹ [²²¹ *McCaul C, No Easy Ride*, South African Institute of Race Relations, p51] and that the Malaysian airline would begin flights to South Africa in April 1992.²²² [²²² *Business Day* 9 August 1991]

Mr Botha said in June 1991 that South Africa had in the past three years given R99m in financial aid to 16 African countries. He named them as Angola, Cape Verde, the Central African Republic, Comores, Equatorial Guinea, Gabon, Ivory Coast, Lesotho, Malawi, Mozambique, Namibia, Swaziland, Togo, Zaire and Zambia.²²³ [²²³ *Update Sixteen*, 1991]

In December the deputy minister of foreign affairs, Mr Renier Schoeman, said that in the first 11 months of the year 70 official delegations from African states other than the Southern African Development Co-ordination Conference (SADCC) countries had visited South Africa. In the past two or three years trade with the rest of the continent had increased by between 20% and 25%.²²⁴ [²²⁴ *Business Day* 10 December 1991] Not all South African exports to Africa were beneficial. Twenty people, allegedly gangsters, were reported to have been murdered in Mozambique by the necklace method.²²⁵ [²²⁵ *Beeld* 30 October 1991]

Although trade delegations from more than 50 countries were reported to have visited South Africa during 1991, few foreign investors were prepared to commit money to the country, fearing political instability and future economic policies.²²⁶ [²²⁶ *The Citizen* 30 November 1991]

The number of foreign non-American companies with direct investments in South Africa nevertheless increased by 23 to 456 in 1991, reversing a four-year declining trend. The Washington-based Investor Responsibility Research Center (IRRC) said in November 1991 that of the companies that still had direct investment or employees in South Africa, 156 were British, 132 German and 104 American. No American company had made new investments in South Africa since the president of the United States (US), Mr George Bush, lifted the ban on new investment in the country in July 1991. Although the number of American disinvestments had dropped from a high of 56 in 1987 to only one in 1991, the number of American companies present in South Africa was 'the lowest it has ever been'. The total number of disinvestments from South Africa since 1984 now stood at 403, the IRRC said.²²⁷ [²²⁷ *Ibid* 24 July 1991]

According to the Institute of American Studies at the Rand Afrikaans University, of the 215 American companies which disinvested between 1981 and August 1991, none sold South African subsidiaries to black management, and black workers were given minority stakes by only two—Coca-Cola and Ford.²²⁸

[²²⁸ *Business Day* 21 October 1991]

It was announced in December that the British glass group Pilkington was withdrawing from South Africa and selling its interests to a locally based multinational company and that the Swiss owners of the South African company Everite were also disinvesting, the latter as part of international restructuring. *Business Day* commented in an editorial that these divestments were a reflection of outsiders' concern that investment would not be safe in the new South Africa, that nationalisation without fair compensation was not out of the question and that excessive state intervention could spoil the economy.²²⁹ [²²⁹ *The Citizen* 29 November 1991]

The secretary general of the ANC, Mr Cyril Ramaphosa, said in October 1991 that a new government would not be keen to honour international loans granted to the present government.²³⁰ [²³⁰ *Ibid* 22 November 1991] The ANC had earlier expressed opposition to a five-year bond issue lead-managed for the government by Deutsche Bank.²³¹ [²³¹ *The Star* 29 August 1991] In November the Independent Development Trust shelved plans for a \$100m Eurobond issue to help fund a national school and clinic building programme after the ANC had raised objections.²³² [²³² *Sunday Times* 10 November 1991]

The general assembly of the United Nations unanimously urged all countries to restore sporting, cultural, scientific and academic exchanges with South Africa because of progress made towards ending apartheid. In its annual resolution on apartheid in December 1991, the assembly also encouraged countries to review and lift remaining economic sanctions as South Africa created a new transitional multiracial government and drafted a democratic, nonracial constitution.²³³ [²³³ *Beeld* 11 June 1991]

It was announced in September 1991 that the US government was to donate R7m to the Inkatha Freedom Party (IFP) and R12,5m to the ANC to help them prepare for negotiations.²³⁴ [²³⁴ *Ibid* 7 June 1991] It was also reported that the ANC was in danger of losing some of its foreign support if it transformed itself from a liberation movement into a political party. Some of the funds pledged and/or received by the ANC from abroad included the following: R54m in 1991 from Sweden²³⁵ [²³⁵ Information supplied to the South African Institute of Race Relations, Pretoria, 26 November 1991] R30m each from Germany and Switzerland; R25m from France;²³⁶ [²³⁶ *Business Day* 6 December 1991] R15,8m from Spain;²³⁷ [²³⁷ *Sunday Tribune* 13 October 1991] \$15m from African countries, including R1m from Libya; \$15m from Australia; \$10m from Indonesia;²³⁸ [²³⁸ *Beeld* 15 November 1991] R6,4m from Denmark; and R4,8m from Finland.²³⁹ [²³⁹ *The Citizen* 12 November 1991]

According to one report the ANC had received R270m from one country in Europe alone since the 1960s. This was apparently Sweden.²⁴⁰ [²⁴⁰ *Rapport* 10 November 1991] In 1989 the ANC and the South West African People's Organisation (SWAPO) had received R142m from the Swedish government.²⁴¹ [²⁴¹ *Business Day* 1 November 1991]

The ANC's arts and cultural department reported that it had been swamped by applications from foreign musicians and other artists wanting to perform and work in South Africa. However, people in the entertainment industry said the processing of the applications was being slowed down by an ANC/Pan-Africanist Congress committee's insistence that the artists be thoroughly investigated to ensure that they had not contravened the cultural boycott.²⁴² [²⁴² *Ibid* 28 June 1991]

Miss Nadine Gordimer, the South African writer of a number of political novels and short stories, was awarded the Nobel Prize for literature in 1991. On her trip to Sweden in December to collect the prize (worth about R2,8m) she called for continued economic sanctions against South Africa.²⁴³ [²⁴³ *Ibid* 4 December 1991]

POPULATION

Key Points

- According to the Urban Foundation, the population of South Africa (including all ten homelands) is 38,5m.
- Africans make up 76%, Asians 3%, coloured people 9% and whites 13% of the total.
- Some 89% of Asians, coloured people and whites are already urbanised, while only 50% of Africans are urbanised.
- A total of 18m South Africans are under the age of 19, four fifths of whom are African.
- More than half the African population is under the age of 19 years.

Population Registration Act

On 17 June 1991 the Population Registration Act of 1950 was repealed by the tricameral Parliament. Only the Conservative Party opposed the repeal.¹ [¹ *The Star* 18 June 1991]

The act had defined South Africans in racial terms. As most apartheid laws were based on this definition, the Population Registration Act had been the cornerstone of apartheid.² [² *The Citizen* 12 June 1991]

The Population Registration Act Repeal Act made provision for people born after 27 June 1991, the date on which the legislation was enacted, to no longer be classified in terms of race. However, past race classifications would be retained on the population register (which had been in existence since 1950).³ [³ *Ibid* 26 June 1991]

The government said that the latter measure was necessary as a racially defined constitutional dispensation, which relied on the population register, was still in place. Race classification would disappear only once the Republic of South Africa Constitution Act of 1983, which had provided for the establishment of the tricameral Parliament, was repealed (see 1983 *Survey* p71)⁴ [⁴ *The Star* 19 June 1991]

Population statistics

According to the Urban Foundation the population of South Africa (including all ten homelands) in 1991, broken down according to race and area, was as follows:⁵ [⁵ Urban Foundation, *Population Trends: Demographic Projection Model*, 1990]

Total Population of South Africa: 1991

African

Asian

Coloured

White

Total

White-Designated area

Cape Province

2 326 100

38 700

2 767 700

1 339 600

6 471 100

Natal

1 079 300

793 300

112 800

620 900

2 606 300

Orange Free State

1 692 100

—

70 800

330 200

2 093 100

Transvaal

7 169 200

152 200

319 800

2 777 400

10 418 500

Sub-Total

12 265 600

984 200

3 271 100

5 068 100

21 589

Total population of South Africa 1991 (continued)

African

Asian

Coloured

White

Total

'Independent' homelands

Bophuthatswana

2 403 000

500

10 100

6 000

2 419 600

Ciskei

838 600

900

4 200

2 900

846 600

Transkei

3 440 900

2 900

7 400

7 000

3 458 200

Venda

556 100

400

100

800

557 400

Sub-Total

7 238 600

4 700

21 800

16 700

7 281 800

Non-independent homelands

Gazankulu

607 00

—

200

900

608 100

KaNgwane

496 100

—

1 100

500

497 700

KwaNdebele

516 100

—

200

—
516 300
KwaZulu
5 211 00
3 500
3 500
2 100
5 220 100
Lebowa
2 276 300
200
1 000
1 800
2 279 300
QwaQwa
451 800
—
500
800
453 100

Sub-total

9 558 300

3 700

6 500

6 100

9 574 600

Total

29 062 500

992 600

3 299 400

5 090 9

Population Growth

Population figures for the various race groups for particular year from 1911 to 1990 are given below:⁶ [6
Department of Statistics, *South African Statistics*, 1990]

South African population ^a :1911-1990

African

Asian

Coloured

White

Total

1911^b
4 091 000
152 000
525 000
1 276 000
6 044 000
1936^b
6 597 000
220 000
770 000
2 004000
9 591 000
1951^b
6 597 000
367 000
1 103 000
2 642 000
12 672 000
1970^b
15 340 000

630 000

2 051 000

3 773 000

21794 000

1990^c

28 258 600

978 300

3 244 400

5 052 100

37 533 400

a

Including all ten homelands

b

Figures for the year 1911, 1936, 1951 and 1970 are given as these were census years.

c

The 1990 population figures was provided by the Urban Foundation

The optimum annual population growth rate for developed countries is 0,68%, while the mean rate of increase in Africa is 2,9%. Between 1985 and 2000, the annual rate of increase in South Africa will have dropped by 25% for Asians and coloured people and 16% for whites, but by only 6% for Africans. By the year 2000 only whites will have achieved the optimum rate of population increase.⁷ [⁷ *Fast Facts No 4*, 1991, South African Institute of Race Relations, May 1991]

Between 1990 and 2010 the Asian and coloured proportions of the population will diminish by less than

two percentage points, to 2% and 7% of the total respectively. The white proportion will, however, decrease by three percentage points, to 10% of the total. The most dramatic change will be that of the African population, which will increase by six percentage points to 81% of the total.⁸ [⁸ Ibid]

The Urban Foundation, in its publication entitled *Population Trends: Demographic Project Model*, gave the following projected annual growth rates:⁹ [⁹ Urban Foundation, *Population Trends: Demographic Projection Model*, 1990]

Project annual population growth rates: 1985-2000

	<i>African</i>
	Coloured
	Indian
	White
1985-1990	2,9%
	1,87%
	1,71%
	0,80%
1990-1995	2,85%
	1,68%
	1,48%
	0,77%
1995-2000	

2,76%

1,41%

1,28%

0,67%

The Urban Foundation provided the following projections for the South African population (including all ten homelands) from 1991 to 2010:¹⁰ [¹⁰ Ibid]

Project South African population: 1991-2010

African

Coloured

Indian

White

Total

1991

29 062 500

3 299 400

992 600

5 090 900

38 445 400

1995

32 515 100

3 526 700

1 052 900

5 248 700

42 343 400

2000

37 260 000

3 782 600

1 122 100

5 427 700

47 592 400

2005

42 508 800

4 006 100

1 178 100

5 589 800

53 282 800

2010

48 497 800

4 242 500

1 236 400

5 757 300

59 734 000

Between 1991 and 2010, the total population of South Africa will increase by 55%, with the African population contributing nine tenths of this increase. By the year 2000 African numbers will equal the total popul

Acquired immune deficiency syndrome (AIDS) and population growth

There were widely differing perceptions in 1990 and 1991 of the effects of acquired immune deficiency syndrome (AIDS) on population growth, some experts predicting that it would halt or even reverse population growth, while more cautious predictions suggested that it would merely reduce the rate of population increase.¹¹ [11 Hamilton R, *Social and Economic Update 14*, South African Institute of Race Relations, May 1991]

According to Dr Robert Schall of the Institute for Biostatistics at the South African Medical Research Council in Parow (Cape), at worst the African population of South Africa (including the ten homelands) would increase from 25m people to 37m in 2002, after which it would slowly decline to 33m in 2020. His more optimistic scenario was that the African population would at no stage show a decline in numbers. Instead, it would increase to 38m in 2000 and 41m in 2010, after which it would remain almost static for at least a decade.¹² [12 Ibid]

The chief economist of Nedbank, Mr Edward Osborn, believed that as a result of AIDS, the total South African population in 2010 would be at its same level as in 1990, ie 38m. The population would then begin to grow to 45m by 2020. Mr Osborn said, 'I cannot emphasise clearly enough that we must have realistic population projections, which take account of the AIDS epidemic. It is almost absurd that the Urban Foundation, for example, is projecting a national population of some 60m people by 2010 ... when if AIDS is taken into account, the population will probably be of the order of 40m people. There is a vast difference [between these two figures] and it would be totally wrong and wasteful to plan housing development and urban development for numbers that will never materialise, at least in this time span.' He added that long-term planning for schools, hospitals, houses, electricity, water supply and urbanisation would be 'profoundly affected' by the discrepancies between the two sets of figures.¹³ [13 Ibid]

In *Facing AIDS—a Strategy Manual*, Mr Andre Spier and Ms Marceile Edwards suggested that the South African population could continue to grow after the year 2000, albeit at a reduced rate, and then peak at between 55m and 57m around 2010 (in comparison with an estimated figure of 65m without AIDS). The total population in 2020 could be 50m or less, after which it could start to rise again.¹⁴ [14

Ibid₁

Impact of population growth on natural resources

According to Messrs Eddie Koch, David Cooper and Henk Coetzee, authors of *Water, Waste and Wildlife*, South Africa's natural resources will not be able to support predicted population growth by the year 2020 unless drastic measures are taken to conserve the relatively meagre water supply and to protect it from pollution. Steps must also be taken to distribute water more evenly and prevent increasing soil erosion, which affects urban water supply.¹⁵ [¹⁵ *The Star* 1 May 1991]

A lecturer in the Department of Geography at Rhodes University, Dr Alex Weaver, estimates that by the year 2020, domestic and industrial demand for water will outstrip available supply unless judicious management schemes are implemented.¹⁶ [¹⁶ Weaver A, 'Rotating the cube', *Indicator SA*, April 1990] Dr J H Schoeman, the deputy director general of national health and population development, said in 1989 that he believed that South Africa's population would be 80m by 2020, which was the maximum capacity in terms of natural resources such as water. In global terms South Africa is a dry country with an average annual rainfall of 483mm, whereas the world's average is 860mm.¹⁷ [¹⁷ *Ibid*]

The high concentration of the population in informal settlements will have an adverse effect on water supplies unless measures are taken to provide inhabitants with adequate water and sanitation facilities. An example is the greater Durban area, whose population is expected to increase from 3m to nearly 6m by the year 2010. At present half of the greater Durban area's population are shackdwellers.¹⁸ [¹⁸ Urban Foundation, *Population Trends*, 1990]

According to Messrs Koch, Cooper and Coetzee, not enough is being done to protect water supplies from contamination by industrial effluent, fertilizers, soil erosion and municipal dumps.¹⁹ [¹⁹ Koch E, Cooper D and Coetzee H, *Water, waste and wildlife: the politics of ecology in South Africa*, Johannesburg, Penguin, 1990]

Urban/rural population distribution

According to the Urban Foundation, in 1991, 2000 and 2010 the South African population (including all ten homelands) will be distributed as follows:²⁰ [²⁰ Urban Foundation, *Population Trends: Demographic Projection Model*, 1990]

Urban/rural population distribution: 1991, 2000 and 2010

African

Other

1991 White-designated area

Metropolitan^a

6 971 200

6 440 200

Urban^b

1 942 900

1 969 300

Rural^c

3 351 500

913 900

Sub-total

12 265 600

9 323 400

Ten homelands

Metropolitan^a

4 537 700

10 100

Urban^b

1 125 800

13 300

Dense settlements^d

2 293 000

—

Rural^c

8 841 100

36 100

Sub-total

16 796 900

59 500

Total

29 062 500

9 382 900

2000 White-designated area

Metropolitan^a

10 168 500

7 304 500

Urban^b

2 514 600

2 106 300

Rural^c

3 351 500

864 800

Sub-total

16 034 600

10 275 600

Ten homelands

Metropolitan^a

6 637 000

9 700

Urban^b

1 694 100

12 800

Dense settlements^d

2 967 400

—

Rural^c

9 926 900

34 300

Sub-total

21 225 400

56 800

Total

37 260 000

10 332 400

2010 White-designated area

Metropolitan^a

14 299 300

81 172 200

Urban^b

3 292 200

2 245 800

Rural^c

3 351 500

766 600

Sub-total

20 943 000

11 184 600

Ten homelands

Metropolitan^a

9 345 300

9 100

Urban^b

2 398 000

11 800

Dense settlements^d

3 885 000

—

Rural^c

11 926 500

30 700

Sub-total

27 554 800

51 600

Total

48 497 800

11 236 200

a

Metropolitan areas comprise Bloemfontein, Cape Town, Durban, East London, the Orange Free State goldfields, Pietermaritzburg, Port Elizabeth, Pretoria and the Witwatersrand. Parts of these areas fall into the homelands

b

Urban areas are defined as cities and towns not regarded as metropolitan, eg Kimberly and Rustenburg

c

Rural areas have relatively low population densities and relatively high proportions of income derived from agriculture

d

Dense settlement are peri-urban areas in the homelands where people do not derive

The number of coloured people, Indians and whites in metropolitan and urban areas will rise by 22%, or nearly 2m people between 1991 and 2010. This increase will be almost entirely the result of natural population growth, as these groups are already significantly urbanised. (Some 89% of coloured people, Indians and whites were urbanised in 1991.)²¹ [²¹ *Fast Facts* No 4]

The number of Africans living in metropolitan and urban areas will increase by 99% between 1991 and 2010. A total of 14m Africans will be added to the metropolitan and urban population. By 2010, 68% of Africans will be living in metropolitan or urban areas, or dense settlements. The rural African population is expected to increase by 20% or 3m people between 1991 and 2010, all of this increase occurring in the homelands, putting renewed pressure on already scarce resources.²² [²² *Ibid*]

The Indian and white population of rural and urban areas will remain unchanged through to 2010, while the number of Indians and whites in metropolitan areas will increase. The coloured population of rural areas will decline by 29% between 1991 and 2010. In 1991, 85% of the coloured population was urbanised. By 2010 this figure will be 92%.²³ [²³ *Ibid*]

Age projections for the South African population

In March 1990 Professional Marketing Review gave the following projections for proportions in various age groups by race in 1990 and 2000:

Proportions of the South African population in various age groups: 1990 and 2000

0-9 yrs

20-64yrs

65yrs

1990

2000

1990

2000

1990

2000

African

52,2

50,9

44,6

45,7

3,1

3,4

Asian

41,8

36,8

54,9

58,5

3,3

4,5

Coloured

46,3

40,7

50,5

55,4

3,3

3,9

White

32,2

30,2

58,9

60,3

8,8

9,4

The absolute number of South Africans under the age of 19 years will increase from 18m in 1990 to 23m in 2000. In 1990 Africans in this age group accounted for 80% of the South African population; by the year 2000 the proportion will be 84%. In contrast, the proportion of Asians, coloured people and whites in this age group will decline.

In 1990 the South African population over the age of 65 years numbered 1,5m, of which Africans made up 60%, The African proportion of the elderly group will increase by 4% by the year 2000. The ageing

African population (ie 65 years and over) will grow by 390 000 and the combined Asian, coloured and white population of elderly people will increase by 128 000 over this period.

In 1990 just over half the African population was under the age of 19 years and this proportion will remain relatively unchanged until the year 2000. Between 1990 and 2000, the African population in this age group will grow by 4,1m while the combined population under 19 years in the Asian, coloured and white groups will grow by only 97 000.²⁵ [25 Ibid]

These figures have far-reaching implications for socio-economic planning. In the next decade there will be an increased pressure on the education system by Africans, and diminishing numbers of white children needing schooling. However, among whites there will be an increasing need to support large numbers of elderly people.²⁶ [26 Ibid]

Emigration and immigration

In each year between 1950 and 1990 the following number of people emigrated from, and immigrated to, South Africa:²⁷ [27 Central Statistical Service (CSS), *South African Labour Statistics*, 1990]

Emigration and immigration: 1950-1990

Year

Emigration

Immigration

Net gain (loss)

1950

14 956

13 663

(1 293)

1951

15 546

15 890

344

1952

9 877

18 975

9 098

1953

10 324

17 267

6 943

1954

11 461

16 719

5 258

1955

12 636

16 684

4 048

1956

13 031

15 238

2 207

1957

11 034

14 631

3 597

1958

8 954

14 701

5 747

1959

9 502

12 598

3 096

1960

12 705

9 805

(2 900)

1961

15 046

16 373

1 327

1962

9 162

20 972

11 810

1963

7 272

38 013

30 741

1964

8 293

40 896

32 603

1965

9 479

38 337

28 858

1966

10 289

48 051

37 762

1967

11 289

38 937

27 648

1968

10 945

40 548

29 603

1969

9 313

41 446

32 133

1970

2 278

41 523

32 245

1971

8 407

35 845

27 438

1972

7 884

32 776

24 892

1973

6 401

24 016

17 615

1974

7 428

35 910

28 428

1975

10 255

50 464

40 209

1976

15 641

46 239

30 598

1977

26 000

24 822

(1 178)

Emigration and immigration: 1950-1990 (continued)

Year

Emigration

Immigration

Net gain (loss)

1979

15 694

18 680

2 986

1980

11 363

29 365

18 002

1981

8 791

41 542

32 751

1982

6 832

45 784

38 952

1983

8 247

30 483

22 236

1984

8 550

28 793

20 243

1985

11 401

17 285

5 883

1986

13 711

6 994

(6 717)

1087

11 174

7 953

(3 221)

1988

7 767

10 400

2 633

1989

4 911

11 270

6 359

1990

4 722

14 499

9 777

In the last four decades South Africa's largest net gains of immigrants were 40 209 (in 1975), 38 952 (in 1982) and 37 762 (in 1966). Only six years within this period saw net losses: 1950, 1960, 1977, 1978, 1986 and 1987. All but one of these years were associated with marked increases in political violence.

The 'brain drain'

The Central Statistical Service provided the following figures regarding the net gains or losses of various professional people between 1978 and 1990:²⁸ [Figures provided by CSS, 20 June 1991]

Emigration and immigration of accountants:1978-1990

Year

Emigration

Immigration

Net gain (loss)

1978

313

161

(152)

1979

215

168

(47)

1980

156

268

112

1981

128

297

169

1982

92

335

243

1983

104

257

153

1984

100

244

144

1985

140

128

(12)

1986

288

49

(239)

1987

186

51

(135)

1988

158

83

(75)

1989

111

85

(26)

1990

64

107

43

Total

20

Emigration and immigration of engineers: 1978-1990

Year

Emigration

Immigration

Net gain (loss)

1978

764

417

(347)

1979

548

463

(85)

1980

334

863

529

1981

263

1 350

1 087

1982

192

1 729

1 537

1983

298

1 081

783

1984

305

952

647

1985

469

529

60

1986

449

238

(211)

1987

383

308

(75)

1988

286

390

104

1989

229

380

151

1990

233

573

340

Total

4 753

9 273

4 520

Emigration and immigration of medical practitioners: 1978-1990

Year

Emigration

Immigration

Net gain (loss)

1978

244

106

(138)

1979

146

117

(29)

1980

74

161

87

1981

60

167

107

1982

36

212

176

1983

38

176

138

1984

56

219

163

1985

70

143

73

1986

97

57

(40)

1987

106

60

(46)

1988

83

75

(8)

1989

40

73

33

1990

29

149

120

Total

1 079

1 715

636

South Africa experienced the highest net loss of accountants, engineers and medical practitioners in 1978, while in 1982 the country acquired the skills of the largest number of professional people since 1978. Of the three professions, the accounting profession has lost the most people through

Race reclassifications

The minister of home affairs, Mr Gene Louw, said in Parliament in June 1991 that between 1983 and 1990, 9 151 people had applied to be reclassified racially. Of these, 7 127 applications had been granted. The Department of Home Affairs was unable to provide comprehensive figures for race reclassification since 1950.²⁹ [²⁹ *The Citizen* 20 June 1991]

In 1989, 1 229 people applied to be reclassified of whom 1 123 were successful. The total number of applications received and granted for 1989 and 1990 was as follows:³⁰ [³⁰ *Hansard* (A) 6 q cols 498-499, 14 March 1990; Department of Home Affairs, Annual report, 1990]

Race reclassification:1989 and 1990

1989

1990^a

AppAppAppAfrican to coloured

369

327

183

African to Griqua

1

1

—

African to Indian

4

4

5

African to other Asian

9

8

—

Chinese to coloured

1

1

—

Chinese to Indian

—

—

1

Chinese to Malay

—

—

1

Chinese to white

—

—

2

Coloured to African

2

1

9

Coloured to Chinese

15

15

2

Coloured to Griqua

5

5

—

Coloured to Indian

56

55

31

Coloured to Malay

13

13

4

Coloured to other Asian

1

0

—

Coloured to white

573

519

138

Griqua to coloured

—

—

1

Indian to coloured

59

59

23

Indian to Malay

17

17

8

Indian to white

10

7

3

Malay to Chinese

1

1

1

Malay to coloured

23

23

6

Malay to Indian

33

33

23

Malay to white

10

9

5

Other Asian to coloured

4

4

—

Other Asian to Indian

—

—

1

White to Chinese

2

2

—

White to coloured

14

12

12

White to Indian

3

3

3

White to Malay

4

4

1

Total

1 229

1 123

463

^a The number of applications made in 1990 is unavailable

Key Projections

- According to the Urban Foundation, by the year 2000 the South African population (including all homelands) will be 47,6m.
- Africans will comprise 78%, Asians 2%, coloured people 8% and whites 11% of the total.
- Between 1991 and 2010 a total of 14m Africans will be added to the metropolitan and urban population.
- Between 1991 and 2010, 3m more Africans will be added to the rural population.
- AIDS will not reduce population numbers absolutely, but it may result in a slowing in the rate of population growth by the year 2000,

Political Organisations

Key Points

- The African National Congress (ANC) claimed to have enrolled 700 000 members by July 1991 and to have established 14 regional offices in South Africa.
- The number of South African Communist Party (SACP) members on the national executive committee of the ANC is believed to be between 20 and 37.
- The ANC committed itself to strategies of mass action to press for its demands for a constituent assembly and an interim government.
- From 2 to 6 July 1991 the ANC held its first legal national conference in South Africa since 1958.
- The Azanian People's Organisation, which in April 1991 claimed a membership of over 250 000, refused to participate in negotiations with the government and to suspend its strategy of armed struggle.
- The Conservative Party continued to protest against government-initiated reforms and to demand a white general election.
- The Democratic Party elected Dr Zach de Beer as its sole leader in September 1990 and committed itself to a role independent of other political parties.
- Inkatha transformed itself into a fully fledged political party in December 1990, to be known as the Inkatha Freedom Party (IFP). It claimed a membership of 1,8m in July 1990, and called for a devolution of power on a regional basis.
- In 1990 the National Party opened its membership to all races.
- Leadership of the Pan-Africanist Congress (PAC), which claimed a membership of over 200 000 in March 1991, was conferred on Mr Clarence Makwetu in December 1990 following the death of the PAC's previous president, Mr Zephania Mothopeng.
- The PAC committed itself to the creation of a constituent assembly in August 1990 but rejected the concept of an interim government in March 1991.
- The press officer of the SACP, Mr Essop Pahad, said in March 1991 that the SACP supported the creation of a genuine multiparty democracy.
- The United Democratic Front, which had been formed in 1983, was dissolved in August 1991.
- The Black Consciousness Movement-aligned Azanian Students' Movement accused its charterist rival,

the South African National Students' Congress, of preventing it from operating on some university campuses,

- The IFP Youth Brigade claimed a membership of 718 000 in 3 500 branches, mainly in Natal and the Transvaal.

African National Congress (ANC)

National conference

The African National Congress (ANC) held its first national consultative conference in December 1990 in Johannesburg following the lifting of the ban on the Organisation in February 1990 (see *1989/90 Survey* p676). The conference was attended by 1589 delegates from 14 internal regions of the ANC, 31 external regions, the ANC Women's and Youth leagues and the military wing of the ANC, Umkhonto we Sizwe. Twenty-two ANC departmental representatives also attended the conference. Outlining its programme of action, the ANC declared 1991 'a year of mass action for the transfer of power to the people'.¹ [¹ *Mayimye* February 1991]

Membership and formation of structures

Since the lifting of the ban on the Organisation in February 1990, the ANC has established 14 regional offices in the four provinces and the Transkei. By the time of writing (July 1991) the ANC claimed to have enrolled 700 000 members.² [² *Business Day* 3 July 1991]

The ANC Women's League was relaunched in August 1990. Since then the league has established 500 branches countrywide.³ [³ *Mayibuye* April 1991] Opening its first national conference in April 1991, the president of the ANC, Mr Oliver Tambo, said the position of women in the democratic movement left much to be desired.⁴ [⁴ *The Citizen* 26 April 1991] A member of the ANC's national executive committee, Ms Gertrude Shope, was elected as president of the women's league, defeating the head of the ANC's Department of Social Welfare, Mrs Winnie Mandela, who was elected as a member of the executive committee. The president of the United Democratic Front, Mrs Albertina Sisulu, was elected vice president.⁵ [⁵ *Ibid* 29 April 1991] Mrs Mandela had earlier been found guilty of the kidnapping of four youths and being an accessory after the fact of the subsequent assault. After her conviction her husband, Mr Nelson Mandela, said that he was sure his wife's name would be completely cleared. 'The last word on this matter has not been spoken,' he added. 'I have never believed that she was guilty of assaulting anyone. Judgement of the court has confirmed this. My faith in her is fully vindicated. The witnesses who accused her of assault and other crimes have been thoroughly discredited. The judge found her

guilty of not reporting assaults committed by others. Application for appeal has been filed. I trust that soon her name will be cleared.’⁶ [⁶ Ibid 15 May 1991]

The ANC Youth League was relaunched in October 1990, with the merging of the South African Youth Congress, the Congress of South African Students and the South African National Students’ Congress.⁷ [⁷ *New Nation* 12 October 1990]

Communist Party members on the executive

Controversy has surrounded the number of South African Communist Party (SACP) members holding influential positions in the upper structures of the ANC. The alliance between the SACP and the ANC, overlapping membership and the SACP’s reluctance to reveal its full membership has made it difficult to ascertain the number of communists holding positions on the ANC’s national executive committee (NEC).

The research director of the International Freedom Foundation, Mr Warwick Davies-Webb, said that of the 56 officials elected to the NEC at the national conference of the ANC in July 1991, 30 were SACP members with a further six possibly being members. Of the remaining 24 ex-officio members who had taken up their positions to date, four were SACP members and a further four were possible members.⁸ [⁸ Interview with the research director of International Freedom Foundation, Mr Warwick Davies-Webb, 29 July 1991]

Various newspapers put the number of SACP members on the NEC of the ANC at anywhere between ‘less than a third’, ‘no more than 20 members’ or held that SACP members dominated the NEC, ‘37 of them elected out of the 50 chosen’ at the national conference.⁹ [⁹ *The Citizen* 8 July 1991, *The Star* 14 July 1991, *The Weekly Mail* 26 July 1991]

Return of exiles and release of political prisoners

According to the national co-ordinating committee for the repatriation of South African exiles, less than 3% of 40 000 exiles have been repatriated to South Africa. It said in April 1991 that more than 19 000 people were still waiting to return, while an estimated 20 000 other exiles, ‘mainly Pan-Africanist Congress’, were still abroad.¹⁰ [¹⁰ *The Weekly Mail* 26 April 1991]

The ANC had set up a detention center at Quatro (Angola) in 1979. Claims of the torture and murder of dissidents imprisoned after mutinies in Umkhonto we Sizwe in 1984 were rife. However, by the end of May 1991 the ANC claimed to have released all detainees held by it.¹¹ [¹¹ *The5tor6June1991*]

The deputy head of international relations of the ANC, Mr Stanley Mabizela, said in July 1991 that 120 ‘South African spies’ had been released by the ANC and had been transferred from camps in Angola and Uganda to settlements at Mazimbu and Dakawa (Tanzania).¹² [¹² *Ibid* 4 July 1991] He denied that ANC dissidents had been tortured and jailed, although he said ‘third degree measures’—including torture—had been used to obtain information from the agents.

There was an unconfirmed report of the arrest of ten Zulu-speaking guerrillas, branded ‘Inkatha bandits’, at the Dakawa camp just prior to the national conference of the ANC in July 1991.¹³ [¹³ *Sunday Star* 21 July 1991]

Mr Nicholas Dyasop of the returned exiles co-ordinating committee (RECOC) said that until the United Nations High Commissioner for Refugees and the International Committee of the Red Cross had access to ANC detention centers, RECOC could not believe claims made by the ANC that all dissidents had been released.¹⁴ [¹⁴ *Fast Facts No* 511, 1991]

In April 1991 the chief of staff of Umkhonto we Sizwe, Mr Chris Hani, reiterated the ANC’s demand for all political prisoners to be freed, following the release of 41 ANC prisoners from Robben Island (Cape Town).¹⁵ [¹⁵ *The Citizen* 17 April 1991] At the time of writing a total of 669 political prisoners had been released in terms of agreements between the government and the ANC (see chapter on *Political Developments*).

Mass action

In February 1991 the director of information of the ANC, Dr Pallo Jordan, said the government had accepted mass action as legitimate, following an agreement with the government regarding the ANC’s suspension of armed activities (see below). The ANC said that its agreement in August 1990 to suspend the armed struggle in no way included a suspension of mass action.¹⁶ [¹⁶ *Mayibuye* March 1991; *QC Eighteen*, 1991, p2] During the period under review the ANC engaged in mass action campaigns for the resignation of black councilors and for a constituent assembly (see chapter on *Constitutional Negotiations*).

Constitutional issues

During the period under review, the ANC continued to express its demands for an interim government and a constituent assembly.

In January 1991 the ANC said that an interim government was needed because the present government

‘cannot continue to play both referee and player in the negotiating process’.¹⁷ [¹⁷ *The Citizen* 25 March 1991] Responding to views expressed by the state president, Mr F W de Klerk, the director of international affairs of the ANC, Mr Thabo Mbeki, said in March 1991 that he agreed with the idea of ‘informal channels’ to give extra-parliamentary groupings a voice in Parliament, but the ANC could not accept co-option on to existing government structures. ‘You cannot form an interim government by appending people to existing government structures.’¹⁸ [¹⁸ *The Star* 1 February 1991, *City Press* 10 March 1991] According to the ANC, the function of the interim government should be to supervise elections for a constituent assembly and to oversee the transition to a democratic order.¹⁹ [¹⁹ *The Star* 12 March 1991]

In March 1991 Mr Mbeki said that the ANC believed that a constituent assembly was the best body to draw up a constitution. According to the ANC, the constituent assembly should be elected by universal franchise on a single voters’ roll with proportional representation.²⁰ [²⁰ *The Citizen* 25 January 1991, *City Press* 10 March 1991] In the same month the ANC, with its alliance partners, the SACP and the Congress of South African Trade Unions (COSATU), launched a signature campaign to demand a constituent assembly and an interim government.²¹ [²¹ *The Star* 12 March 1991]

In January 1991 the ANC called for the convening of an all-party conference, possibly to include the Inkatha Freedom Party (IFP) and the Conservative Party, as the first step towards the establishment of a new constitution. While still advocating an elected constituent assembly and an interim government, the ANC said that if the all-party conference received a popular mandate, it could continue as a constitution-making body and/or an interim government.²² [²² *The Weekly Mail* 11 January 1991]

In April 1991 the secretary general of the ANC, Mr Alfred Nzo, said the ANC wanted Mr De Klerk and his cabinet to resign, suspend the constitution and create an interim government which would rule by decree. Asked whether the ANC had made this demand of Mr De Klerk and his government, Mr Nzo replied, ‘We have not yet reached that stage of negotiations. Once obstacles are cleared, these would be put on the table.’²³ [²³ *The Citizen* 23 April 1991]

Armed struggle and self-defence units

In August 1990 the ANC declared. ‘The armed struggle can only be abandoned altogether (as distinct from its suspension in a ceasefire) when a new constitution has been democratically adopted. Then the free, united and democratic nation shall build a national army, representative of all the people, and accountable both to society and to the government of the day.’²⁴ [²⁴ *Mayibuye* July/August 1990] Justifying the maintenance of ANC underground structures, a commander of Umkhonto we Sizwe, Mr Sipiwe Nyanda, said, ‘We cannot say that the changes instituted are irreversible. We cannot say that there will

not be a right-wing backlash. Within the [government] there are forces who want to destroy the ANC and reverse the current process. The fact that there are death squads on the prowl calls for us to maintain our underground structures.’²⁵ [25 Ibid December 1990]

In February 1991 the ANC signed the *D F Malan Accord* with the government regarding the definition of the ANC’s suspension of the armed struggle (see *Appendix*). This involved the cessation of attacks by means of armaments, firearms, explosives or incendiary devices, infiltration of men and materials, creation of underground structures, statements inciting violence, threats of armed action, and military training in South Africa. While the agreement did not specify what kind of arms ANC cadres inside the country would be entitled to keep, the ANC said AK47s would not be handed over to the police.²⁶ [26 *QC Eighteen*, 1991, p2]

In April 1991 the ANC released a document entitled ‘For the sake of our lives! Guidelines for the creation of people’s self-defence units’. It called for the formation of armed self-defence units in the townships as a response to the ongoing violence. According to the document, members of Umkhonto we Sizwe would play an important role in setting up these units. The ultimate aim was to weld the units into a people’s militia which would merge with Umkhonto we Sizwe as a basis for a ‘people’s army and police force’ in a ‘liberated’ South Africa.²⁷ [27 *Mayibuye* February 1991]

Sanctions

In April 1991 a member of the ANC’s national executive committee, Mr Govan Mbeki, denied that he had condemned sanctions and disinvestment by foreign companies while addressing a meeting of the Royal African Society in Cambridge (England). Referring in his speech to a post-apartheid South Africa, Mr Mbeki said that economic growth would have to be achieved through both domestic savings and foreign investment, the latter being especially important. ‘We are therefore sensitive to the fact that a democratic South Africa will have to provide a climate that will be attractive to the potential foreign investor.’ Mr Mbeki revealed that the ANC and COSATU were working on an investment code which would include measures aimed at redressing structural racial inequalities, which he believed would be the legacy of apartheid. Commenting on the speech, the ANC said that Mr Mbeki had stated categorically that sanctions had to remain in place until apartheid was completely destroyed.²⁸ [28 *The Citizen, The Star* 19 April 1991]

In April 1991 Mr Mandela criticised foreign governments and local business for rushing to lift sanctions, but praised the United States (US) government for its ‘exemplary attitude’. He said that the US government had been in regular contact with the ANC ‘and has not treated the issue of sanctions as if the only people who matter are the South African government’. Mr Mandela urged foreign governments to consult black people before lifting sanctions.²⁹ [29 *Business Day* 23 April 1991]

Violence

In December 1990, the ANC stated in a resolution at its national consultative conference held in Johannesburg, that the wave of violence sweeping the country, particularly the Reef, was aimed at destabilising the growth and consolidation of the ANC and other democratic forces, to ensure the government dictated the pace of transition in terms of its own agenda. The ANC claimed that the violence was multifaceted and that it was orchestrated through various government agencies, namely the security forces, community councilors, warlords, vigilantes, death squads, certain bantustans and white right-wing elements.³⁰ [³⁰ *Mayibuye* February 1991]

In January 1991 an ANC delegation led by Mr Mandela met a delegation of the IFP led by its president and the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, in an attempt to stop the violence in Natal and the Transvaal. Following the meeting, both parties called for an end to the violence and said steps would be taken to prevent acts of violence among their members. Both parties also said that they were committed to political tolerance and freedom of political activity.³¹ [³¹ *Ibid* March 1991] However, despite the agreement, violence in both Natal and the Transvaal continued (see chapter on *Political Developments* and see *Appendix*).

Addressing an international conference of journalists in Kyoto (Japan) in April 1991, Mr Mandela claimed that disputes between rival black groups were no longer the major cause of township violence and suggested that the security forces were involved in a deliberate campaign to foment unrest. ‘What we are witnessing is an attempt to bludgeon African communities into submission.’ The aim was ‘to instil a psychosis of mistrust and security’. Mr Mandela claimed that as a result of the persistent violence, opposition parties were less convinced than many international leaders of the irreversibility of the dismantling of apartheid.³² [³² *Business Day* 24 April 1991] Mr Mandela added that the government’s attitude to the violence reflected ‘cynical irresponsibility or is evidence of connivance at acts of organised terror in the hope that they will succeed in destroying or seriously crippling the ANC’.³³ [³³ *The Citizen* 6 April 1991]

1991 national conference

The ANC held its 48th national conference, its first legal conference in South Africa since 1958, in Durban from 2 to 6 July 1991.³⁴ [³⁴ *Sowetan* 2 July 1991] The conference was attended by 2 354 delegates and about 350 observers from foreign countries and other political parties.³⁵ [³⁵ *Daily Dispatch* 26 June 1991] Delegates included business people, unemployed people, students and teachers. Their average age was 34 years.³⁶ [³⁶ *Cape Times* 8 July 1991]

A controversial resolution, supported by the outgoing national executive committee (NEC) and the ANC Women's League, calling for a 30% quota of women on the NEC, was shelved after an emotional debate and replaced with a compromise resolution supporting affirmative action for women.³⁷ [³⁷ *The Weekly Mail* 5 July 1991]

The national conference reaffirmed the ANC's commitment to the negotiation process but stated that a campaign of violence, aimed at 'destabilising society, intimidating people, undermining and weakening the ANC, its allies and the rest of the democratic movement', was an obstacle to this process. The conference accepted the suspension of the armed struggle but resolved to develop and extend the ANC's armed wing, Umkhonto we Sizwe.³⁸ [³⁸ *New Nation* 12 July 1991, *Sunday Star* 7 July 1991]

The conference resolved to keep the ANC as a national liberation movement rather than to convert it into a conventional political party.³⁹ [³⁹ *Sunday Star* 7 July 1991]

The national conference supported the report of the commission on strategy and tactics which recommended particular emphasis on mass action as well as maintaining international support, underground structures and Umkhonto we Sizwe. The conference also resolved to maintain the ANC's alliance with the SACP and to continue support for sanctions.

Intense lobbying surrounded the election of the new NEC and the deputy president's post. Mr Mandela, the outgoing deputy president, was elected unopposed as president of the ANC. The previous president, Mr Oliver Tambo, was elected to the reconstituted post of national chairman. Mr Walter Sisulu became deputy president of the Natal midlands. The general secretary of the National Union of Mineworkers, Mr Cyril Ramaphosa, was elected secretary general.⁴⁰ [⁴⁰ *The Star* 5 July 1991, *Cape Times* 6 July 1991; 7710 *Citizen* 6, 8 July 1991]

Reacting to the decisions taken by the conference, the minister of constitutional development and planning, Dr Gerrit Viljoen, denounced the ANC for its 'greater and more organised commitment to violence'.⁴¹ [⁴¹ *The Citizen* 8 July 1991]

Afrikaner Volkswag (AV)

In an interview with *Barometer* in September 1990 the leader of the Afrikaner Volkswag (AV) and chairman of the Stigting Afrikaner-vryheid, Professor Carel Boshoff, said that a 'volkstaat' (nation state) for Afrikaners was the only way of restoring their freedom as a nation and maintaining their identity. Professor Boshoff said, 'Safeguards for minorities which aim at frustrating black power have not worked

in the past, nor can they work in the future. In the meantime, Afrikaners are being led to believe that some magic formula will be found which will prevent one group from being dominated by another.’⁴² [⁴² *Barometer* September 1990]

In February 1991 Professor Boshoff announced the acquisition by the AV of Orania, a small village in the northern Cape, as a first step towards the development of an Afrikaner ‘volkstaat’.⁴³ [⁴³ *The Star* 11 February 1991] Professor Boshoff alleged that a group of 40 supporters of the ‘volkstaat’ movement had bought the 483ha of land which comprised the village from the Department of Water Affairs in January 1991.⁴⁴ [⁴⁴ *The Citizen* 9 February 1991] However, following a claim by the director general of public works and land affairs, Mr C W van Niekerk, that his department had not sold Orania, which was registered as a farm, to the AV but to a businessman, Professor Boshoff said that the group had in fact bought Orania from a businessman and had formed a private company called Orania Bestuurdienste (Orania Management Services). Commenting on approximately 400 coloured people who would be forced to move following the sale of Orania, Professor Boshoff said that the AV had offered to help them move. He added, ‘Anyone who buys a private property certainly does not buy any of the existing residents along with it. The slavery era, after all, ended long ago,’⁴⁵ [⁴⁵ *Ibid* 9 April 1991] (see chapter on *Land and Agriculture*). Following the removal of the last coloured people from the area, Orania was launched as an exclusively white homeland in April 1991.⁴⁶ [⁴⁶ *Rapport* 14 April 1991]

Afrikaner Weerstandsbeweging (AWB)

In August 1990 the leader of the Afrikaner Weerstandsbeweging (AWB), Mr Eugene TerreBlanche, said the talks between the government and the African National Congress (ANC) in Pretoria had brought the Afrikaner revolution a step closer (see chapter on *Constitutional Negotiations*). He said the unleashing of ‘forces in the Afrikaner people will be difficult to control’. He insisted that the government was committed to surrendering to the demands of the ANC and, through this, laying the foundation for the subjugation of the white nation’s politics, economy and culture.⁴⁷ [⁴⁷ *The Citizen* 8 August 1990]

In October 1990 Mr TerreBlanche said that his Organisation would not accept the result of a referendum on a new constitution. Instead, he said, the AWB supported the holding of a general election. Mr TerreBlanche said that the Afrikaners would never hand their land over to terrorists and would protect it if necessary.⁴⁸ [⁴⁸ *Ibid* 11 October 1990] In the same month the AWB said they would use force to restore law and order the moment the government capitulated.⁴⁹ [⁴⁹ *The Star* 27 October 1990]

In November 1990 Mr TerreBlanche led a delegation of right-wing leaders in a meeting with the state president, Mr F W de Klerk. Addressing a meeting of AWB supporters afterwards, Mr TerreBlanche

expressed anger that Mr De Klerk saw the AWB's plan for a boerestaat as 'impractical and unrealistic'. Naming numerous African groups that had their own homelands, he said the 'boers' just wanted what other ethnic groups already had.⁵⁰ [⁵⁰ *The Citizen* 10 November 1990]

In a letter faxed to the ANC offices in December 1990, Mr TerreBlanche said that if the ANC were to march over 'boer territory', AWB commandos would deal with its deputy president, Mr Nelson Mandela, 'fast and efficiently'. He said promises and expectations created by the government were not recognised by the AWB as they were acting without a mandate from the electorate.⁵¹ [⁵¹ *The Star* 7 December 1990]

In February 1991 a number of AWB members from the eastern Transvaal region broke away to form a new Organisation called the Boere Kommando. An AWB commando leader, Mr Gawie Volshenk, was appointed as the interim convener of the new Organisation, which said it had broken away because of the AWB's administration and Mr TerreBlanche's leadership. Mr TerreBlanche dismissed the allegations as nonsense and implied that many of the members who broke away were government agents who had attempted to infiltrate AWB commandos.⁵² [⁵² *Sowetan* 26 February 1991]

Commenting in March 1991 on how the right wing would respond to the reform initiatives of the government, Mr TerreBlanche said that for the present the government could expect steps such as organised industrial action by its supporters in industry and the civil service, including the defence force and the police, as well as getting the agricultural sector to withhold production. He suggested that such action would have a far more devastating effect than black stayaways and strikes. Finally, he said that those on the right would fight for their rights if an unacceptable solution was imposed. Mr TerreBlanche said that in the past eight months, the AWB had provided paramilitary training to several thousand members who had been formed into commandos. He stressed that the purpose of the training was self-defence and protection of property. Mr TerreBlanche said that if it came to an armed struggle, the security forces would either split, or come out in favour of the right.⁵³ [⁵³ *The Citizen* 7 March 1991] The Wenkommando (Victory Commando) was launched in May 1990. In March 1991 it was reported that it had recruited 'thousands', including highly trained policemen, military servicemen and paramilitary personnel.

In April 1991 Mr TerreBlanche warned that the AWB would forcibly remove blacks from the land they were reoccupying. He said the reoccupation of land by blacks in the wake of the repeal of the Black Land Act of 1913 and the Development Trust and Land Act of 1936 had brought South Africa to the crossroads. He said. 'It is our land. We are being challenged by the ANC. They are not gathering to plough the land, but to deploy their military power.'⁵⁴ [⁵⁴ *The Star* 26 April 1991] Conservatives should unite to kill ANC members if they invaded white homes or property, he said.⁵⁵ [⁵⁵ *The Citizen* 19 April 1991]

Azanian People's Organisation (AZAPO)

In April 1991 the publicity secretary of the Azanian People's Organisation (AZAPO), Mr Strini Moodley, claimed that AZAPO's membership was well in excess of 250 000. He said the northern Transvaal was its strongest area with a membership of 70 000.⁵⁶ [⁵⁶ *Sowetan* 26 April 1991]

Negotiations and related issues

In August 1990 AZAPO said that it rejected negotiations at present because they did not provide for working class interests and that there was no commitment on the part of 'negotiation lobbyists' to redress social imbalances in South Africa (see chapter on *Constitutional Negotiations*).⁵⁷ [⁵⁷ *City Press* 19 August 1990]

In October 1990 AZAPO refused an invitation by the government to participate in exploratory talks. It said it was committed to participating in constitutional negotiations after the election of a constituent assembly.⁵⁸ [⁵⁸ *Cape Times* 4 October 1990]

Political prisoners and exiles

In April 1991 AZAPO repeated its demand for the unconditional release of all political prisoners and the return of all exiles. The newly elected president of AZAPO, Mr Pandelani Nefolovhodwe, said this demand was not negotiable and added that it rejected the definition of political prisoners and exiles as stated in the *Pretoria Minute* (see *Appendix*). He said all political prisoners and exiles irrespective of their political affiliation were entitled to an unconditional return or release.⁵⁹ [⁵⁹ *Sowetan* 26 April 1991] In the same month AZAPO criticised the government's reprieve of the death sentence of a mass murderer and member of the 'Wit Wolwe', Mr Barend Strydom, saying his action had been simply racist and without political basis or direction.⁶⁰ [⁶⁰ *Ibid* 18 April 1991]

All-party congress and interim government

In January 1991 AZAPO rejected the call of the African National Congress (ANC) for an all-party congress on constitutional matters.⁶¹ [⁶¹ *The Citizen* 10 January 1991] Mr Nefolovhodwe said the ruling party had initiated the idea and wanted to use it as a platform to legitimise itself and show the world that 'puppet' parties and structures were important in the resolution of the conflict. He said AZAPO also rejected the notion of an interim government as this would mean becoming part of apartheid's

oppressive structures.⁶² [⁶² *Sowetan* 11 March 1991]

Constituent assembly

Addressing AZAPO's regional congress in March 1991, Mr Nefolovhodwe said AZAPO supported the institution of a constituent assembly as the only peaceful way to ensure the transfer of power to the people.⁶³ [⁶³ *Ibid*] He said the constituent assembly should be created as soon as the present government could no longer retain power or was willing to resign and hand over power to the people. The test for membership at the assembly should be whether organisations had been engaged in fighting to overthrow the regime and its policies.⁶⁴ [⁶⁴ *QC Eighteen*, 1991]

Armed struggle

In August 1990 Mr Moodley said AZAPO stood by its resolution, taken at its congress in March 1990, to encourage guerrilla forces to intensify the armed struggle. He was responding to the signing of the *Pretoria Minute* (see *Appendix*) in which the ANC agreed to suspend armed action (see *African National Congress* above). Mr Moodley said while the ANC agreed to suspend armed action, the government had not promised any suspension of police and defence force action. He added that while the black consciousness-aligned Azanian National Liberation Army (AZANLA) decided its own programme, AZAPO would certainly encourage it to continue military action.⁶⁵ [⁶⁵ *The Weekly Mail* 10 August 1990] In March 1991 a resolution passed at an AZAPO regional congress called on people to support and join AZANLA 'until victory was attained'.⁶⁶ [⁶⁶ *Sowetan* 2 April 1991]

Consultative conference

At a meeting between representatives of AZAPO and the ANC in July 1990 the organisations resolved to go ahead with a consultative conference of resistance organisations 'to discuss a joint strategy for a new constitution'.⁶⁷ [⁶⁷ *The Weekly Mail* 6 July 1990]

In August 1990 AZAPO repeated its call for such a conference saying it was of crucial importance to organise it before liberation movements and the government were engaged in any serious negotiations. Mr Moodley said the conference would map out a joint strategy to unseat the National Party and devise a constituent assembly (see *1989/90 Survey* p691).⁶⁸ [⁶⁸ *Ibid* 10 August 1990] In November 1990 AZAPO said it welcomed the commitment of the ANC and the Pan-Africanist Congress (PAC) to the formation of a united front of liberation movements and that this was in line with its call for a consultative conference.⁶⁹ [⁶⁹ *The Citizen* 29 November 1990]

In April 1991 the ANC and PAC held talks and announced that a conference would be held in August 1991 to convene a united front of organisations committed to a constituent assembly (see *African National Congress* above).

National congress

In December 1990 AZAPO held its tenth national congress in Langa (western Cape) under the theme, 'Defend the people, resist neo-colonialism, advance socialism'.⁷⁰ [⁷⁰ *South* 13 December 1990] Mr Nefolovhodwe was elected to succeed Professor Itumeleng Mosala as president. The deputy president of AZAPO, Dr Nchaube Mokoape, was re-elected. AZAPO reaffirmed its opposition to negotiations with the government at the congress. It also called for the maintenance of sanctions as well as the sports and cultural boycotts.

Violence

In October 1990 AZAPO convened a peace forum meeting to discuss the violence affecting the black community and political tolerance. The meeting was attended by representatives of the ANC, the Workers' Organisation for Socialist Action, the National Council of Trade Unions and various black consciousness-aligned youth organisations. The PAC was not represented and the Inkatha Freedom Party was not invited.⁷¹ [⁷¹ *Sowetan* 11 October 1990] Commenting on the violence, Mr Moodley blamed the government for the violence and said it was part of an orchestrated campaign to destabilise the black community and create the impression of tribal conflict.⁷² [⁷² *Ibid* 12 August 1990]

In November 1990 the publicity secretary of the black consciousness-aligned Azanian Youth Organisation, Mr Geofferson Mogale, said all political organisations within the broad liberation movement had a right to exist and that no Organisation could claim to be the sole bearer of truth. Mr Mogale was commenting on the internecine violence in Bekkersdal (west Rand) between members of AZAPO and the ANC.⁷³ [⁷³ *Ibid* 15 November 1990]

AZAPO celebrated its 13th anniversary in April 1991 with a call for the formation of joint peace committees in the townships as a means of dealing with the violence plaguing the community.⁷⁴ [⁷⁴ *Ibid* 26 April 1991]

In April 1991 Mr Moodley said that the ANC's call for the resignations of the minister of law and order, Mr Adriaan Vlok, and the minister of defence, Mr Magnus Malan, was meaningless because their resignations would not end the violence which was a vital part of the government strategy to destabilise black communities.⁷⁵ [⁷⁵ *The Star* 12 April 1991] In the same month AZAPO called on churches, trade

unions and civic associations to help people set up defence units to protect themselves.⁷⁶ [⁷⁶ *Sowetan* 2 April 1991]

Black Consciousness Movement of Azania (BCMA)

The Black Consciousness Movement of Azania (BCMA) is the external wing of the Black Consciousness Movement. The BCMA has a military wing, the Azanian National Liberation Army (AZANLA), which was formed in 1984.

In September 1989 the BCMA said it supported the notion of a united front among liberation organisations. It added that it would continue the struggle if black people were not completely liberated.⁷⁷ [⁷⁷ *City Press* 9 September 1990]

In October 1990 the Botswana police uncovered a BCMA training camp and arrested an undisclosed number of South Africans as well as uncovering arms caches.⁷⁸ [⁷⁸ *Sowetan* 11 October 1990]

In March 1991 a member of AZANLA, Mr Thabang Motlhodisi, was killed in a skirmish with security forces in Mahwelereng (northern Transvaal). In the same month AZANLA also claimed responsibility for an attack on a Transvaal Provincial Administration road camp outside Potgietersrus (northern Transvaal). The police confirmed the attack and estimated the damage at R5 000.⁷⁹ [⁷⁹ *Ibid* 18 March 1991]

Conservative Party (CP)

In March 1991 the leader of the Conservative Party (CP), Dr Andries Treurnicht, said that his party was the true representative of the white nation and that it would not allow white South Africa to be subjected to an African National Congress (ANC) government.⁸⁰ [⁸⁰ *Patriot* 22 March 1991]

Constitutional issues

In February 1991 Dr Treurnicht emphatically rejected speculation that he was due to retire soon and that this would lead to a power struggle in the CP. Dr Treurnicht was responding to reports in *Rapport* which described the existence of two factions within the CP; the 'new right' headed by Dr Piet Mulder MP (CP) and the chairman of the CP's committee for information and strategy, Mr Koos van der Merwe, and an 'old guard' headed by the deputy leader of the CP, Dr Ferdie Hartzenberg. The 'new right' was in favour of taking part in the negotiation process to champion white interests, while the 'old guard'

adhered to the 'back to apartheid policy'. Dismissing the reports as National Party (NP) attempts to sow discord in his party, Dr Treurnicht said the CP had not taken a decision in principle against negotiations as such.⁸¹ [⁸¹ *The Citizen* 4 February 1991]

In May 1991 the head council of the CP formally recorded its rejection of a strategy document on negotiations, drawn up by Mr Van der Merwe, which called for CP participation in the negotiation process in order to shift the process on to the policy path of the CP.⁸² [⁸² *Rapport* 14 April 1991] This ended speculation that it represented a change of view in the CP (see chapter on *Constitutional Negotiations*). However, Mr Van der Merwe said that the document was an outdated draft document and was not an authoritative CP document. Dr Treurnicht said the CP would not take part in negotiations proposed by the NP as it had no mandate from voters to negotiate with the ANC and the South African Communist Party. He said the CP would negotiate only with people who respected the right of the whites to self-government and separate development (see chapter on *Constitutional Negotiations*).⁸³ [⁸³ *The Citizen* 17 April 1991, 3 May 1991]

In September 1990 the CP said it rejected both the notion of an interim government and a constituent assembly as both conflicted with its fundamental principle of self-determination.⁸⁴ [⁸⁴ *Barometer* September 1990] Dr Mulder said in February 1991 that the CP could not accept a constituent assembly because it presupposed a unitary state ruled by blacks by virtue of the fact that they were in the majority.⁸⁵ [⁸⁵ *QC Eighteen*, 1991]

In February 1991 Dr Mulder said the CP did not support the call for an all-party conference as it did not include plans for Afrikaner self-determination and spoke of power sharing. He said the CP preferred the 'sane road of partition' rather than having to go through a power-sharing experiment.⁸⁶ [⁸⁶ *Business Day* 7 February 1991]

In March 1991 Dr Hartzenberg reaffirmed the CP position that partition was the only solution to South Africa's social, economic and political troubles. He said the government did not have a mandate to promote a one-person one-vote system.⁸⁷ [⁸⁷ *The Citizen* 6 March 1991] According to the CP spokesman on foreign affairs, Mr Tom Langley, the CP's view of partition envisaged the division of South Africa among various nations in such a way that they did not infringe on each other's political and geographical rights. It was therefore a geographical partition in order to accommodate the political and governmental jurisdiction of a particular nation.⁸⁸ [⁸⁸ *New Nation* 15 February 1991] In March 1991 Dr Treurnicht said he saw the future of South Africa not as a federation of nations but as a confederation of states. He said it would be similar to the European Community where different countries were politically and economically independent of each other but still worked together.⁸⁹ [⁸⁹ *The Citizen* 8 November 1990]

Response to reform process

In February 1991 the CP staged a walkout during the opening address to Parliament of the state president, Mr F W de Klerk, in which he announced the proposed repeal of the Group Areas Act of 1966, the Population Registration Act of 1950, the Black Land Act of 1913, and the Development Trust and Land Act of 1936. Dr Treurnicht said the repeal of these acts touched at the roots of 'own community life' and the self-determination of nations. He said the government was acting without a mandate and that in its 1989 election manifesto the NP had stated they believed in living in 'own areas'. Commenting on the walkout, Dr Treurnicht said it was to tell the government that the CP would oppose them at every opportunity.⁹⁰ [⁹⁰ Ibid 2 February 1991] In the same month Mr D G Nolte MP (CP) demanded a white general election on the government's present reform strategy and maintained that the CP was entitled to use other methods if there was no election.⁹¹ [⁹¹ Ibid 6 February 1991]

Commenting in March 1991 on the possible involvement of the United Nations High Commissioner for Refugees in the repatriation of exiles, the CP said the government would have little chance in resisting such a move. It added that United Nations involvement in South Africa would effectively mean black majority rule and possibly even Marxist/socialist rule.⁹² [⁹² *Patriot* 22 March 1991]

Responding to the government's decision to abolish the land acts of 1913 and 1936 as well as to its *White Paper on Land Reform*, Dr Treurnicht said whites were left with no choice but to join together in the struggle to defend their living space (see chapter on *Land and Agriculture*). He said, 'In terms of the white paper, the government intends to deprive us of our collective ownership of the land as a national asset. This is a serious assault upon a nation's right to self-government in its own territory and an obvious assault against our political power. No self-respecting people will tolerate this.' He added that his people's right to their own country and self-government was non-negotiable.⁹³ [⁹³ Ibid 22 March 1991]

Armed resistance

In January 1991 a CP town councillor for Kempton Park (east Rand), Mr Erasmus Bezuidenhout, and two other men appeared in court on charges of sabotage and attempted murder after being found in possession of a quantity of explosive devices, some of which were used in an explosion in Kempton Park in July 1990.⁹⁴ [⁹⁴ *The Star* 24 January 1991]

In March 1991 the general secretary of the CP, Mr Andries Beyers, refused to comment on reports that the CP was building up a 'volkswag' (people's army). Mr Beyers said that at this stage the CP was preparing itself for a white referendum and elections, and was concentrating on available constitutional ways to further the party's aims and policy. However, Mr Beyers said the possibility of the ANC

governing South Africa and the white nation left the CP with no choice but to defend its living space and freedom. He said the CP plans on how the people's freedom struggle would be waged was for the CP to know and for its opponents to find out.⁹⁵ [⁹⁵ *The Citizen* 26 March 1991] In the same month Dr Treurnicht drew on the Bible to justify 'a people's resistance to the government'. He said it was utter nonsense to regard all civil resistance as sinful rebellion and added that the CP supported the use of violence in 'exceptional circumstances'.⁹⁶ [⁹⁶ *Ibid* 22 March 1991] In its official mouthpiece, *Patriot*, the CP said it acknowledged that to a certain extent the struggle had moved out of the parliamentary arena but it was prepared to meet the challenge.⁹⁷ [⁹⁷ *Patriot* 22 March 1991]

Security issues

Responding to an ultimatum issued by the ANC to the government in April 1991, Dr Treurnicht said it was clear that the ANC was committed to total domination. He said that if the ANC could not achieve domination through negotiations, it would resort to other means (see *African National Congress* above). He said the ANC was calling for the disbanding of counter-insurgency units yet it was not contemplating disbanding its armed wing, Umkhonto we Sizwe.⁹⁸ [⁹⁸ *The Citizen* 11 April 1991]

In March 1991 Mr Langley commented that the violence in the Pretoria/Witwatersrand/Vereeniging townships was conflict between Zulus and Xhosas rather than a fight between the ANC and the Inkatha Freedom Party.⁹⁹ [⁹⁹ *New Nation* 15 February 1991] In March 1991 the CP blamed the government's policy of power sharing for the unrest and violence on the Witwatersrand. The CP said it had repeatedly warned that such violence would break out because the country's various peoples and cultural groups were competing with each other to 'grab power' in South Africa.¹⁰⁰ [¹⁰⁰ *The Citizen* 12 March 1991] In April 1991 the CP said it would not participate in the government-proposed multiparty summit on violence (see *National Party* below) because no blame would be laid at the doorstep of the ANC. Dr Treurnicht said the ANC's talk of peace had been misleading the government as the Organisation had a hidden agenda. He said the ANC was the cause of the violence and should accept full responsibility for it.¹⁰¹ [¹⁰¹ *Ibid* 30 April 1991]

Speaking on the defence vote of the 1991/92 budget, Mr Van der Merwe said he was worried by the scaling down of defence force capabilities because the ANC and communism still represented a threat. He said the government's reform programme was asking the impossible of South African Defence Force soldiers, namely, that they accept their erstwhile enemies as blood brothers.¹⁰² [¹⁰² *Ibid* 26 April 1991]

In May 1991 Dr Treurnicht said that people were making a big mistake if they thought control over the security forces could be retained under a black-dominated government. He said, 'If you share power, you are no longer in control.'¹⁰³ [¹⁰³ *Ibid* 8 May 1991]

Segregation

Responding to a survey by *The Star* in March 1991 which found that towns in the Transvaal were still discriminating against blacks despite the repeal of the Reservation of Separate Amenities Act of 1953, a spokesman for the CP, Mr Pikkie Coetzee, said that his party was proud of the towns still reserving facilities for whites. He said, 'We are in favour of keeping up separate development.' He said the government had no mandate to abolish separate amenities and the CP was fully supportive of towns still implementing the act. The survey found that 39 towns out of 45 surveyed were practising discrimination and only six towns had removed all racial barriers.¹⁰⁴ [¹⁰⁴ *The Star* 5 March 1991]

Byelections

In the Randburg (Johannesburg) byelection in January 1991 the NP polled 10 882 votes compared with the CP's 1 969, thereby winning with a majority of 8 913. However, there was an increase of 140% in support for the CP compared with the 1989 election (see chapter on *Constitutional Negotiations*).¹⁰⁵ [¹⁰⁵ *The Weekly Mail* 1 January 1991]

In March 1991 the NP comfortably retained the Maitland (Cape Town) seat in a byelection. However, the result, in which the NP polled 6 009 votes and the CP 3 152, represented a big swing to the CP. Commenting on the result, Dr Treurnicht said that in 1987 the CP and the Herstigte Nasionale Party had together polled 918 votes or 7,9% of the total votes cast. However, this byelection had given the CP 34,4% of the votes. He added that in 1989 the NP and the Democratic Party, which he described as the pro-reform vote, had together polled 10 903 votes compared with the 6 009 votes for the NP in 1991. Dr Treurnicht said that this was a notable swing to the CP and if extrapolated nationally would mean that the CP now had a majority of support from the white electorate. He said, 'It means that Mr De Klerk must really ask himself whether he is really acting on behalf of the majority of whites when he sits at the negotiating table.' However, the leader of the NP in the Cape, Dr Dawie de Villiers, said the NP had more than doubled its majority winning margin, which was close to 1 000 in 1989 compared with 2 857 in 1991, and this clearly constituted a mandate for the reform initiatives of the government.¹⁰⁶ [¹⁰⁶ *The Citizen* 7 March 1991]

Democratic Party (DP)

In July 1990 the co-leader of the Democratic Party (DP), Mr Wynand Malan, announced that he was resigning from Parliament and from the party. Mr Malan said changing political circumstances had given him the freedom to leave politics. He said he was satisfied that the reform process was irreversible. His two co-leaders, Dr Zach de Beer and Dr Denis Worrall, said Mr Malan's resignation

would be a great loss to the party.¹⁰⁷ [¹⁰⁷ Ibid 12 July 1990]

In September 1990 Dr De Beer was elected sole leader of the DP at its congress in Johannesburg.¹⁰⁸ [¹⁰⁸ *Sunday Times* 9 September 1990]

Mr Colin Eglin MP (DP), responding to the opening address to Parliament by the state president, Mr F W de Klerk, said it was encouraging for an old-time progressive like himself to hear the state president propounding the concept of building a nation around a set of liberal democratic values based on justice (see *National Party* below). ‘In welcoming the state president to the ranks of the liberal democratic nation builders, I would like to say to him that those of us in the DP who have embraced these values all along will continue to fight both to defend them and promote them.’ He said the DP would co-operate with the government, the African National Congress (ANC) or anyone else who promoted these values. He continued, ‘But equally, where other parties violate and debase these values, we will criticise and oppose without fear or favour. For the DP, it is not the party, but the values that are relevant.’ He concluded that while there was reason for optimism, there was no guarantee that in the future there would be a respect for the rights and dignity of the individual, nor that there would be an economic system that could deal with the problems of poverty, unemployment, housing, education and social services.¹⁰⁹ [¹⁰⁹ *The Citizen* 8 February]

Constitutional issues

In March 1991 Mr Jannie Momberg MP (DP) said the National Party (NP) was apparently only prepared to reform and come to a settlement if it retained control. ‘The NP must accept the full implication of a process of democratisation, or serious problems could result.’¹¹⁰ [¹¹⁰ Ibid 23 March 1991]

In May 1991 Mr Peter Soal MP (DP) said the farce of independence in the homelands should be terminated as soon as possible. ‘The misery resulting from this discredited policy should be brought to an end and the wastage of millions of rands should be stopped. All efforts should be made to ensure the administration of these territories and the responsibility for the upliftment of services should be returned to South Africa’.¹¹¹ [¹¹¹ Ibid 7 May 1991]

Constituent assembly and interim government

In February 1991 Dr De Beer said that the immediate appointment of a constituent assembly with plenary powers could not be accepted because it would open the way to total domination by a majority before the rights of citizens could be adequately ensured. He said the constitution should be written by consensus. In the same month Dr De Beer said that while the DP understood the ANC’s call for an interim government, there could be no legal continuity unless the legally elected government remained

in place to vote the new constitution into existence. He suggested, however, that the government should consider delegating decision making to ad-hoc bodies that included disenfranchised people (see chapter on *Constitutional Negotiations*).¹¹² [¹¹² *Q C Eighteen*, 1991]

All-party conference

The DP agreed entirely with the call for an all-party conference. In February 1991 Dr De Beer said that such a forum should discuss the broad principles around which the constitution could be written.¹¹³ [¹¹³ *Ibid*]

Future role

In August 1990 Dr De Beer proposed that the ANC should ‘dump’ the South African Communist Party and enter into an alliance with the NP, fully committed to democracy without any special privileges for anyone. He said the DP would support such an alliance and would even be prepared to form part of it.¹¹⁴ [¹¹⁴ *The Citizen* 22 August 1990]

In January 1991 the DP launched a recruitment campaign aimed at African areas mainly in Natal. Commenting on the move, the regional director of the DP for the Natal midlands, Mr Radley Keys, said the aim of the campaign was not to poach members from organisations such as the ANC and the Inkatha Freedom Party (IFP) but to offer a political home to people who did not feel comfortable within the ANC, Pan-Africanist Congress (PAC) or IFP and who felt the DP espoused their idea of democracy. Mr Keys said that unlike his white counterparts, the African members would not have a vote but he did not see this as a stumbling block because there was more to being a member of a political party than just voting. He said their role would be to be active in committees and programmes and to shape the direction of the party. However, he added that violence had made it difficult to recruit people as they had become too scared to have anything to do with politics.¹¹⁵ [¹¹⁵ *Echo* 24 January 1991]

Commenting on the participation of eight DP MPs in a joint ANC/PAC march in Cape Town in February 1991 under the banner ‘Scrap the racist Parliament’, Dr De Beer said it was ‘poor judgement’ on their part. He said, ‘I am satisfied that their motive was to show solidarity with the claim of black people for civil rights, and not to demonstrate for particular policies of the ANC with which the DP does not agree.’ One of the MPs who participated, Mr Jasper Walsh, said that MPs of the DP and its predecessors had always shown solidarity with the disenfranchised through their presence at meetings and funerals and that their participation should be viewed in this light. He said the DP had never stood for a ‘racist Parliament’ but had worked for a democratic system.¹¹⁶ [¹¹⁶ *The Citizen* 4 February 1991] In the same month Dr De Beer said the DP would not merge with the NP as its membership would see this as a surrender, especially since the NP was still under suspicion because of hit squads and security

legislation.¹¹⁷ [¹¹⁷ *QC Eighteen*. 1991]

In March 1991 a strategy document stating that the DP would ‘remain a separate political entity’ while accepting that mergers or alliances were likely to happen within the next few years was endorsed by the national council of the DP. The chairman of the national council, Mr David Gant, said the document effectively put an end to speculation that the DP was either ready to disband or be sucked into other political organisations such as the NP or the ANC. Mr Gant added that the reason for continuing the DP’s independent status was that no other political Organisation truly understood or practised the liberal democratic principles to which the DP was committed. The strategy document said the DP was committed to a ‘nonracial, liberal democracy which includes the tolerance of the right to dissent. This means a style of politics that promotes stability and peaceful progress in all spheres and rejects all forms of violence, intimidation, coercion and corruption’. The document said the DP had to provide a political home for those who supported its principles, politics and political style and that it should expand its membership to 150 000 by the end of 1993. Mr Gant said that this expanded support base was fundamental to the DP’s long-term objective of being an influential part of a bigger political entity at some time in the future. The DP should also use its political credibility to promote alliances and interaction, to help generate solutions to the country’s problems and to promote a culture of tolerance.¹¹⁸ [¹¹⁸ *The Citizen* 8 March 1991]

Herstigte Nasionale Party (HNP)

The Herstigte Nasionale Party (HNP) celebrated its 21st birthday in October 1990. The party claims to have 25 000 members. Despite a total lack of representation in Parliament, the leader of the HNP, Mr Jaap Marais, said the party had served as a political catalyst. ‘We have served to keep Afrikaner nationalism in operation.’¹¹⁹ [¹¹⁹ *The Weekly Mail* 2 November 1990] In the same month Mr Marais said the state president, Mr F W de Klerk, had betrayed his people and his country. Speaking at a Kruger Day meeting on 10 October 1990 in Vereeniging (southern Transvaal), he said that as a result of the reforms Mr De Klerk was instituting, the survival of the Afrikaner was once again threatened, as it had been by the British and the Zulus before them.¹²⁰ [¹²⁰ *Sowetan* 11 October 1990]

In January 1991 the general secretary of the Afrikaner Weerstandsbeweging (AWB), Mr Kay Smit, resigned and joined the HNP. Mr Marais said that Mr Smit had been appointed co-secretary for the Transvaal and Orange Free State. Mr Marais said that before the appointment was made discussions were held with the AWB to ensure that relations between them were not harmed.¹²¹ [¹²¹ *The Citizen* 9 January 1991]

In April 1991 the HNP rejected the government’s planned multiparty conference on violence. An HNP spokesman said the conference was just another way in which the government was trying to get different

political parties and other movements involved in a form of negotiation, with, among others, the African National Congress and the South African Communist Party. The party also expressed concern that white members, of the security forces were risking their lives 'to keep apart Xhosas and Zulus'.¹²² [¹²² Ibid 22 April 1991]

Inkatha Freedom Party (IFP)

In Ulundi (KwaZulu) at a special conference in December 1990 held under the theme 'Inkatha Freedom Party (IFP)—instrument for freedom—a multi-party democracy for handing over power to the people', Inkatha transformed itself into a fully fledged political party, the IFP, and adopted a new constitution. The chief minister of KwaZulu, Chief Mangosuthu Buthelezi, was re-elected president of the party at the conference.¹²³ [¹²³ *Sowetan* 10 December 1990; *South African Update*, vol 3 no I, January 1991]

Membership

In March 1991 the national chairman of the IFP, Dr Frank Mdlalose, said that at the last count in July 1990, the party had a total membership of 1,8m. Party officials added that the IFP had 286 000 members in the Pietermaritzburg area alone and that 73 000 new recruits had been signed up in 1990.¹²⁴ [¹²⁴ *The Star* 21 March 1991] The first white member of the IFP, Mr Walter Felgate, said that the IFP saw an unprecedented rise in membership figures each time there was an upsurge of violence.¹²⁵ [¹²⁵ *Sowetan* 25 March 1991] A member of the IFP's central committee and head of international affairs, Mr Musa Myeni, said that in the Johannesburg area alone, 47 000 whites had joined the party.¹²⁶ [¹²⁶ *The Citizen* 2 March 1991]

Constitutional issues

Chief Buthelezi said that 'KwaZulu as KwaZulu' would be represented in the negotiation process. Commenting on the reincorporation of KwaZulu into South Africa, Chief Buthelezi said that he had always considered KwaZulu to be a part of South Africa. In addition to this he said that he favoured the devolution of power on a regional basis, on a geographic rather than an ethnic basis. He also said that he favoured federation or confederation above a unitary state because he was against a centralised government as in the Soviet Union.¹²⁷ [¹²⁷ *Indicator South Africa*, vol 8 no 2, Autumn 1991]

Addressing an IFP rally at the Kings Park Stadium in Durban in September 1990, Chief Buthelezi said that Zulus would be a major force in the South African negotiation process. He said, 'Zulus are here to

stay as Zulus. We are proud South Africans because we are proud Zulus. We will be a part of the new South Africa as KwaZulu.’¹²⁸ [¹²⁸ *The Citizen* 24 September 1990]

In December 1990 the IFP issued an urgent call to the state president, Mr F W de Klerk, to start negotiating with all those organisations which had committed themselves to such talks. He said South Africa should avoid winner-takes-all politics. The IFP envisaged that negotiations would be turned into a political process in which opposition politics and political alliances would demand that the government legislate the negotiated agreements into position as they were reached.¹²⁹ [¹²⁹ *Ibid* 20 November 1990, *Sowetan* 5 December 1990]

In January 1991 Chief Buthelezi said that he rejected communism. His position was that South Africa should have a multiparty democracy and an enterprise-driven capitalist-type economy.¹³⁰ [¹³⁰ *Sunday Star* 13 January 1991]

In February 1991 Chief Buthelezi said that the *Harare Declaration* would not offer the kind of democracy everybody in the country would accept. He said, ‘There is nothing that justifies the thought that a one-man one-vote system of government in a unitary state employing winner-takes-all politics is the only democracy fit for mankind.’¹³¹ [¹³¹ *Sowetan* 25 February 1991]

Addressing the KwaZulu Legislative Assembly in March 1991, Chief Buthelezi said the IFP would ‘tear down piece by piece any future’ the National Party (NP) and the African National Congress (ANC) tried to negotiate together in some kind of private deal.¹³² [¹³² *City Press* 17 March 1991] In the same month he said that the IFP, NP and ANC agreed on a number of fundamental issues such as universal adult franchise, the dismantling of apartheid in a non-violent manner and equality of citizens before the law and the constitution. He said the three parties had a common commitment to co-operate with each other in establishing a new political era.¹³³ [¹³³ *The Citizen* 3 April 1991]

Interim government and constituent assembly

In February 1991 the IFP said that however committed the ANC was to the idea of an interim government and a constituent assembly the reality was that it would see neither realised in practice. The IFP said it favoured a national convention to draw up a constitution (see chapter on *Constitutional Negotiations*).¹³⁴ [¹³⁴ *South African Update*, vol 3 no 2, February 1991] In the same month the executive director of the Inkatha Institute, Dr Gavin Woods, said the IFP believed that the constitution of a constituent assembly would neither be democratic nor helpful to peaceful negotiation. Such an assembly would limit multiparty negotiations, since one party could dominate it numerically and write provisions

into the constitution that would benefit itself alone. Chief Buthelezi said the IFP was opposed to the idea of an interim government. He said the IFP believed the present government, no matter how politically illegitimate, had to remain until replaced in the next nonracial elections.¹³⁵ [¹³⁵ *QC Eighteen*, 1991]

Multiparty conference

Chief Buthelezi said the IFP was committed to a multiparty conference but added that a congress on ANC terms was just one step along the road to the winner-takes-all politics that the ANC was aiming for.¹³⁶ [¹³⁶ *Ibid*]

Sanctions

In December 1990 Chief Buthelezi applauded the decision of the European Community (EC) to lift immediately its investment ban on South Africa. He said the EC had made a realistic assessment of the positive and irreversible changes taking place in South Africa.¹³⁷ [¹³⁷ *Sowetan* 17 December 1990]

In February 1991 the IFP called on the governments of the United States, Canada, and the EC countries to encourage substantial investment in South Africa. Chief Buthelezi said that the IFP's central committee had resolved to call for the normalisation of relationships between South Africa and other countries. It also called on all those still arguing for continued sanctions and isolation to reassess their stance in the light of legislative reforms announced by Mr De Klerk in his opening address to Parliament (see *National Party* below).¹³⁸ [¹³⁸ *The Citizen* 4 February 1991]

Relations with others

In April 1991 Mr De Klerk spoke at the opening of the KwaZulu Legislative Assembly. He said the Zulu people and their leaders, the KwaZulu Legislative Assembly and the IFP, had played a major role in the process of normalising South Africa's political life.¹³⁹ [¹³⁹ *Nationalist* April 1991]

An IFP member and the mayor of Alexandra (Sandton), Mr Prince Mokoena, claimed that all African councilors in the Transvaal had joined the IFP, placing all functioning town councils in its hands. However, Mr Mokoena said councilors belonging to the Urban Councils Association of South Africa had first written to all major black political parties asking to join. The Azanian People's Organisation had not responded, the Pan-Africanist Congress said the councilors had first to resign from apartheid structures, and the ANC took three months to respond. Mr Mokoena, who claimed his father was a founder member of the ANC in Alexandra, said he had turned against the ANC when they called for

mass mobilisation against councilors. Mr Mokoena said the IFP had responded promptly to membership applications and all councilors had joined en masse at a rally at Jabulani Stadium (Soweto) on 23 February 1991. Addressing the rally, Chief Buthelezi said, 'We respect the right of people to offer themselves for these council positions and we respect the right of people who want to vote for them to do so.' He assured councilors of the full backing of the IFP (see chapter on *Political Developments*).¹⁴⁰ [¹⁴⁰ *The Citizen* 25 February 1991, *The Weekly Mail* 28 March 1991]

Violence

In January 1991 an IFP delegation headed by Chief Buthelezi met an ANC delegation headed by its deputy president, Mr Nelson Mandela. Addressing the meeting, which aimed at finding peace between the two organisations. Chief Buthelezi said. 'It is my hope that the separateness of the two organisations and the differences that exist between them with regard to policies, strategies and tactics can be made complementary in an overriding commitment to South Africa and to the pursuit of the good of the state as being more important than the good of the party ... I repeat, the violence must cease and when Mr Mandela called on the people to throw their guns, knives and pangas into the sea, I endorsed his call,' (see chapter on *Political Developments*).¹⁴¹ [¹⁴¹ *South African Update*, vol 3 no 1, January 1991]

In March 1991 Chief Buthelezi said that violence in various parts of the country was a 'sombre reminder that the January meeting between the ANC and IFP produced no magic formula for success'.¹⁴² [¹⁴² *Sowetan* 22 March 1991]

Commenting in April 1991 on the ANC ultimatum to the government (see *African National Congress* above). Chief Buthelezi said that forces in the ANC's military wing had pushed the Organisation into a position of no return. He said the newly established accord between the IFP and the ANC (see *Appendix*) had effectively been broken because the ANC in its ultimatum had said that the township violence was state orchestrated to inflate the image of the IFP to the rank of 'third major player in the political arena'.

Chief Buthelezi said the demands in the ultimatum were a recipe for civil war in South Africa.¹⁴³ [¹⁴³ *Ibid* 9 April 1991] Responding to the ANC's demand that all weapons, including traditional ones, should be banned at public gatherings, Dr Mdlalose said that IFP supporters would not abandon the carrying of 'traditional weapons' as it was a Zulu tradition for men to carry sticks.¹⁴⁴ [¹⁴⁴ *The Star* 8 April 1991]

In April 1991 a member of the IFP's central committee, Mr Senzo Mfayela, said that the IFP welcomed the government's planned summit on violence (see *National Party* below). He said, 'All sensible political parties and leaders owe it to the people of South Africa to do everything in their power to end the senseless killing.'¹⁴⁵ [¹⁴⁵ *The Citizen* 20 April 1991]

Addressing an IFP rally in Bekkersdal (west Rand) in May 1991, Chief Buthelezi said that during a

recent meeting he had had with Mr Mandela on violence, Mr Mandela had said that he did not want interference in South Africa from foreign governments. Chief Buthelezi said he therefore now found it strange that Mr Mandela was calling for an international commission to come to South Africa to monitor and investigate the causes of the violence. He accused the ANC of double talk and said that it was not interested in peace.¹⁴⁶ [¹⁴⁶ Ibid 6 May 1991] In the same month Mr Myeni made a statement that the IFP would deploy 100 000 fighters in Soweto and another 150 000 in the rest of the country if the ANC did not end the violence. However, Chief Buthelezi denied that the IFP had taken a formal decision to deploy 100 000 fighters in Soweto if the ANC did not end the countrywide violence in a week. He said that Mr Myeni was not speaking on behalf of the central committee. He said the IFP was angered by joint South African Police and South African Defence Force raids on six hostels and two squatter camps on the Witwatersrand earlier in the month at the request of the ANC. He added that his followers were being pushed beyond the limit through such raids. He said, 'I will not be held responsible for the ire of the Zulus if they continue to be abused in this way. It is intolerable. Zulus will not stand for this kind of treatment.' Chief Buthelezi said neither the ANC nor the government could eradicate the violence. 'The eradication of violence will only come about when the government, the IFP and the ANC come together to deal with the violence in an ongoing campaign to shame it out of existence.'¹⁴⁷ [¹⁴⁷ *Business Day* 6 May 1991, *The Citizen* 1 May 1991]

Labour Party (LP)

Constitutional issues

At its 25th annual congress in December 1990 the Labour Party (LP) rejected the idea of a constituent assembly to decide on a new constitutional system. The congress decided that all parties should be allowed to make contributions to discussions on constitutional reform which the constituent assembly would not cater for. It also reaffirmed the LP's policy for a geographic federation.¹⁴⁸ [¹⁴⁸ *Sowetan* 31 December 1990]

In March 1991 the national executive of the LP endorsed the call for a multiparty conference in South Africa and called on all parties to make it a reality as soon as possible. 'It is imperative that all political parties and organisations be allowed freely to propagate their respective solutions to the country's problems and make proposals for a new South Africa.'¹⁴⁹ [¹⁴⁹ *The Citizen* 12 March 1991]

Violence

In December 1990 the LP condemned the waves of violence in the country and called on all political leaders and parties to address the issue. It appealed particularly to the deputy president of the African

National Congress (ANC), Mr Nelson Mandela, and the chief minister of KwaZulu and president of the Inkatha Freedom Party (IFP), Chief Mangosuthu Buthelezi, to rise above their differences and to meet in the interests of the country.¹⁵⁰ [¹⁵⁰ *Sowetan* 31 December 1990]

In May 1991 Mr Kenneth Lategan MP (LP) said the current violence in the country was the direct result of attempts by the ANC/South African Communist Party (SACP) alliance to be accepted as the only representatives of the people. He said the 'third force' explanation of the violence was simply a smokescreen to focus attention away from ANC/SACP involvement in the violence. The defence units the ANC wished to form were a smokescreen for something more sinister, he added.¹⁵¹ [¹⁵¹ *The Star* 7 May 1991]

Resignations

In March 1991 four MPs resigned from the LP bringing to eight the number of resignations since the start of the 1991 parliamentary session. The four MPs, Mr Abraham Balie, Mr Moritz Friedberg, Mr Lester Sampson and Mr Basil Cupido, resigned because they disagreed with the LP's selective boycott strategy. The resignations were also motivated by the party's allegedly autocratic leadership style.¹⁵² [¹⁵² *Daily Dispatch* 8 March 1991]

Alliances

In February 1991 the chairman of the ministers' council in the House of Representatives and the leader of the LP, the Rev Allan Hendrickse, said that the initial contact between the LP and the ANC after the lifting of the ban on that Organisation had been completely broken off. He said while Mr Mandela stood out as a person who was willing to compromise, there were forces around him that did not allow him to make his own decisions. He also added that the ANC's policy on a unitary state as opposed to a federal state and its alliance with the SACP ruled out formal co-operation with the LP, Mr Hendrickse said that the LP's sympathies rested with the National Party and the IFP though physical alliances would not be formed because 'the LP had a particular role to play in South African politics'.¹⁵³ [¹⁵³ *The Star* 7 February 1991]

Mr Hendrickse said the LP would retain its own programme and identity and maintain the right to agree and disagree with every political party.¹⁵⁴ [¹⁵⁴ *New Nation* 1 March 1991]

Natal Indian Congress/Transvaal Indian Congress

During the period under review the Indian congresses, the Natal Indian Congress (NIC) and the Transvaal Indian Congress (TIC), were faced with the decision of whether to disband and join the

African National Congress (ANC) or remain separate entities but aligned to the ANC.

At a joint meeting of the executives of the NIC and TIC in May 1991, it was recommended that the organisations should disband and members join the ranks of the ANC.

In April 1991 a member of the TIC, Mr Firoz Cachalia, said there was general agreement that the NIC and TIC should disband; however, there were differences of opinion about when this should happen. Motivating for the continued existence of the organisations in the interim, Mr Cachalia said the congresses were historical organisations of the Indian people and their disbanding should occur only after a period of intensive consultation. He said the decline in participation in the political process, particularly low-level participation in ANC structures and the active attempts by the government to solicit support of minorities, were important factors to consider before abolishing existing structures. He argued that the present structures could play a useful role in reaching those who had not spontaneously gravitated to the ANC, and could assist in the establishment of ANC branches and in concentrating congress forces in the Indian community.¹⁵⁵ [¹⁵⁵ *The Weekly Mail* 12 April 1991]

A vice president of the United Democratic Front and member of the TIC, Dr Ram Saloojee, said there was no necessity for the continuation of the congresses. There were also allegations that the move not to disband was aimed at retaining a political support base for people who had failed to be elected on to the ANC's executive committees in southern Natal and southern Transvaal. A member of the ANC's national executive committee, Mr Aziz Pahad, also voiced his criticism of the decision not to disband.¹⁵⁶ [¹⁵⁶ *Ibid* 22 March 1991] A statement from the ANC Youth League said although it acknowledged the role played by the NIC and TIC, they should disband to allow their membership to join the ANC. 'It is a strongly held view of the ANC Youth League that no ethnic or racial group, no matter how well intentioned, should ethnically prepare itself to join the ANC. The Indian people have every right to join the ANC as individuals.' The league said it held a sceptical view of attempts to sustain ethnic organisations given the history of political polarisation in the country and added that more effort should be concentrated on building the ANC into a cohesive, truly nonracial movement.¹⁵⁷ [¹⁵⁷ *The Star* 21 March 1991] A spokeswoman for the ANC, Ms Gill Marcus, said the league was an independent body and was entitled to its own views and that the ANC viewed the statement as part of an 'ongoing debate'.¹⁵⁸ [¹⁵⁸ *Ibid*]

At the time of writing, no decision on the future existence of the NIC and TIC had been reached.

National Party (NP)

Membership

In September and October 1990 the Cape province, Natal, Orange Free State and Transvaal National

Party (NP) congresses all voted unanimously to open membership of the party to all races. Commenting on the move, the Orange Free State leader of the NP and the minister of justice, Mr Kobie Coetsee, said the party accepted that in the new South Africa it was building there would, of necessity, have to be a restructuring in the party political arena. He said the party leadership had asked the congresses to ratify the position on open membership since the NP's limitation on membership was contrary to the party's stated anti-discriminatory stance and was a stumbling block in the formation of alliances.¹⁵⁹ [¹⁵⁹ *The Citizen* 5 September 1990]

In March 1991 the first nonracial branch was launched in the coloured community of Eersterus (Pretoria). The treasurer of the branch, Mr Gershwin Jones, said 200 members had signed up.¹⁶⁰ [¹⁶⁰ *Sowetan* 18 March 1991] In April 1991 the NP formed a branch in Tembisa (east Rand). The chairman, who chose to remain anonymous, said the branch had 35 members.¹⁶¹ [¹⁶¹ *The Star* 12 April 1991]

In May 1991 five members of the Labour Party (LP) parliamentary caucus (two members of the President's Council and three LP MPs) indicated that they would become members of the NP. A member of the President's Council, Mr Peter Marais, said the NP without its apartheid policy was the natural political home for the majority of the coloured community.¹⁶² [¹⁶² *Ibid* 16 May 1991]

Constitutional issues

In August 1990 the government and the African National Congress(ANC) signed the *Pretoria Minute* in which, among other things, the ANC agreed to suspend all armed actions with immediate effect. The government agreed that ANC political prisoners would be released and exiles granted indemnity from arrest in a phased process beginning from 1 September 1990 (see chapter on *Constitutional Negotiations* and see *Appendix*).¹⁶³ [¹⁶³ *Ibid* 7 August 1990] In the same month the state president, Mr F W de Klerk, said a future constitution should prevent the establishment of a one-party state and ensure that communism could not be forced on South Africa.¹⁶⁴ [¹⁶⁴ *Business Day* 24 August 1990]

In October 1990 the Cape leader of the NP and the minister of mineral and energy affairs and public enterprises, Dr Dawie de Villiers, said that the challenge facing political parties was to realise there was a natural political force that would not rest until all South Africans had attained freedom and rights.¹⁶⁵ [¹⁶⁵ *The Citizen* 9 October 1990] In the same month the minister of planning and provincial affairs, Mr Hernus Kriel, said local government should possibly receive first priority in the negotiation process (see chapter on *Constitutional Negotiations*).

In December 1990 the deputy minister of constitutional development and for information services, Mr Roelf Meyer, said that the government was determined that black people would participate in the next

general election and that there would not be another whites-only election.¹⁶⁶ [¹⁶⁶ *The Star* 21 December 1990]

In December 1990, responding to the ANC's ultimatum that the government meet all its demands by 30 April 1991 or it would withdraw from the negotiation process (see *African National Congress* above), Mr De Klerk said the ANC had to decide whether it was prepared to follow its leaders' commitment to peaceful negotiated solutions, agreed to at Groote Schuur (Cape Town) and Pretoria (see *Appendix*), or whether it wanted to revert to the confrontation and conflict of the past. He said the government would not capitulate to radical pressure. 'We will not shrink back from using all available resources to ensure stability.' He said the government would steer a steady and firm course of fundamental reform and orderly constructive negotiations in 1991.¹⁶⁷ [¹⁶⁷ *The Citizen* 19 December 1990]

In February 1991 Mr De Klerk proposed a 'manifesto for the new South Africa' which he suggested could serve as a point of departure in the search for national consensus. The manifesto declared, among other things, that all people in South Africa should participate fully at all levels of government and that the rights of all individuals and minorities, defined on a nonracial basis, should be adequately protected in the new constitution.¹⁶⁸ [¹⁶⁸ *Ibid* 2 February 1991]

Addressing a byelection meeting in Maitland (Cape Town) in March 1991, Mr De Klerk said the NP had the power to prevent acceptance of a constitution which went against the values the party stood for, and it would use that ability in a reasonable way. He said not even the ANC was in a position to force its will and views on a new constitutional dispensation.¹⁶⁹ [¹⁶⁹ *Ibid* 5 March 1991] The NP subsequently won the election with 6 009 votes, 145 less than the 6 154 votes it received in the 1989 general election.¹⁷⁰ [¹⁷⁰ *The Star* 7 March 1991] In May 1991 Mr De Klerk said that a separate white homeland or Afrikaner homeland was an 'unattainable dream'. He said the one incontrovertible reality in this country was that the Afrikaner would have to find his future together with other people and in interaction with other people.¹⁷¹ [¹⁷¹ *The Citizen* 1 May 1991]

Interim government

In February 1991 Mr De Klerk said that the present legally constituted government could not simply relinquish powers to an interim government as effective administration had to continue until a new constitution was negotiated and implemented.¹⁷² [¹⁷² *QC Eighteen*, 1991] He added, however, that he agreed with the idea of 'transitional arrangements' to give people outside of Parliament a voice in government (see chapter on *Constitutional Negotiations*).¹⁷³ [¹⁷³ *The Star* 1 February 1991]

In May 1991 Mr De Klerk said a transitional cabinet, which included a relatively broad spectrum of competent South Africans, could merit serious consideration if consensus proved attainable at a multiparty conference. He said the government had acknowledged the need to give non-parliamentary parties and organisations a voice in important policy decisions during the transition to a new constitution. He said the transitional arrangements should, however, not impair orderly government and administration in terms of the existing constitution.¹⁷⁴ [¹⁷⁴ *The Citizen* 1 May 1991]

Constituent assembly

In February 1991 Mr De Klerk said that a new constitution should be negotiated by the representatives of all political parties with proven support who were committed to peaceful negotiations rather than by an elected constituent assembly.¹⁷⁵ [¹⁷⁵ *QC Eighteen*, 1991]

Multiparty conference

In February 1991 Mr De Klerk said that multiparty talks were the best way to ensure that the process, as well as the outcome, of constitutional negotiations would be legitimate and acceptable to all South Africans.¹⁷⁶ [¹⁷⁶ *The Citizen* 2 February 1991] In May the minister of constitutional development, Dr Gerrit Viljoen, said that the conference should consist of representatives of all parties and organisations with proven support. Mr Meyer said that before the multiparty conference could be convened, there had to be a renunciation of violence, the armed struggle had to be fully suspended and the ANC's national conference scheduled for July 1991 had to have taken place (see chapter on *Constitutional Negotiations*).¹⁷⁷ [¹⁷⁷ *QC Eighteen*, 1991]

Alliances

In September 1990 Mr Coetsee said the NP would strive for alliances or a broad political movement to bring together those who had similar views on common aims.¹⁷⁸ [¹⁷⁸ *The Citizen* 5 September 1990]

In February 1991 Mr De Klerk said that there was no possibility of an alliance between the NP and the ANC as long as the ANC aligned itself with the South African Communist Party as the NP was firmly anti-communist. In the same month the minister of foreign affairs, Mr Roelof (Pik) Botha, said that the NP intended to become a majority party by attracting blacks into its ranks.¹⁷⁹ [¹⁷⁹ *QC Eighteen*, 1991]

In May 1991 Dr Viljoen said the rejection by the Inkatha Freedom Party (IFP) of violence, sanctions and disinvestment, and its support for a market-related economy made him believe that the IFP was an

important player on the political scene at present and in the future.¹⁸⁰ [¹⁸⁰ *The Star* 16 May 1991]

Reform initiatives

Racial legislation

In August 1990 the Reservation of Separate Amenities Act of 1953 was repealed, hospitals were opened to all and the government proposed a single health policy.¹⁸¹ [¹⁸¹ *QC Eighteen*, 1991]

In his opening address to Parliament in February 1991, Mr De Klerk announced that the Black Communities Development Act of 1984, the Group Areas Act of 1966, the Black Land Act of 1913, the Development Trust and Land Act of 1936, the Population Registration Act of 1950 and other racial legislation affecting land ownership would be repealed during the 1991 parliamentary session (see chapter on *Land and Agriculture*).¹⁸² [¹⁸² *Ibid*]

In March 1991 Mr Kriel said that land seized under apartheid laws would not be returned. He said people who had been removed from their ancestral land had been compensated (see chapter on *Land and Agriculture*).¹⁸³ [¹⁸³ *Sowetan* 27 March 1991]

Foreign relations

During the period under review the government continued to build on its diplomatic breakthroughs following the implementation of its reform programme.

In September 1990 the president of the United States (US), Mr George Bush, praised Mr De Klerk for his irreversible programme to dismantle apartheid and pledged US support to help build democracy in South Africa. This followed a meeting between Mr De Klerk and Mr Bush at the White House (Washington).¹⁸⁴ [¹⁸⁴ *Guardian Weekly* 30 September 1990]

In October 1990 Mr De Klerk visited Britain, Luxembourg, Morocco, and the Netherlands. Addressing Dutch reporters on his arrival in Holland, Mr De Klerk said under a new constitution he would be willing to serve any president elected, including the deputy president of the ANC, Mr Nelson Mandela.¹⁸⁵ [¹⁸⁵ *The Citizen* 24 October 1990]

On an overseas tour in November 1990 Mr Botha met the British foreign secretary, Mr Douglas Hurd. He went on to meet the Czechoslovakian president, Mr Vaclav Havel, and the minister of foreign affairs,

Mr Jiri Dienstbier,¹⁸⁶ [¹⁸⁶ *Business Day* 14 November 1990] before visiting Romania and Yugoslavia.¹⁸⁷ [¹⁸⁷ *The Citizen* 19 November 1990]

In December 1990 Mr De Klerk held talks with the president of Mozambique, Mr Joaquim Chissano.¹⁸⁸ [¹⁸⁸ *Financial Mail* 22 December 1990]

In April 1991 Mr De Klerk held talks with the prime minister of Britain, Mr John Major, and the former prime minister, Mrs Margaret Thatcher.¹⁸⁹ [¹⁸⁹ *Business Day* 24 April 1991] During the same tour he also met the heads of state of Denmark and Ireland.¹⁹⁰ [¹⁹⁰ *Financial Mail* 26 April 1991]

Sanctions

In July 1990 the minister of finance, Mr Barend du Plessis, said that while South Africa would welcome the lifting of sanctions, it was more concerned with the harm of real and potential 'disinvestment' following in the wake of violence, lawlessness and economic myopia.¹⁹¹ [¹⁹¹ *Nationalist* July 1990]

Addressing the Royal Institute of International Affairs in London in April 1991, Mr De Klerk said that the sanctions and isolation wall was disintegrating and that a strong economy was bound to follow the process of negotiations. He said opportunity in South Africa abounded and investors should rest assured that the moderate majority of South Africans would see to it that stability was maintained. He added that all political groupings, including those which had previously advocated centrally planned economic models, were adopting a more pragmatic vision of future economic policy (see chapters on *The Economy and Business*).¹⁹² [¹⁹² *Business Day* 24 April 1991]

Violence

In October 1990 the minister of law and order, Mr Adriaan Vlok, said that there had been a shift of emphasis in the violence racking the country. He said it no longer appeared to be connected to government policy and political frustration but to political aspirations. 'Unfortunately, violence is being used to gain position and give voice to aspirations.'¹⁹³ [¹⁹³ *Sowetan* 22 October 1990] In the same month Mr Vlok launched operation 'Iron Fist', the police campaign to quell township violence. Commenting on the campaign, Mr Vlok said that it had been highly successful. He denied claims by the ANC that the police were involved in the violence and called on the ANC to produce evidence of such involvement.¹⁹⁴ [¹⁹⁴ *Sunday Times* 21 October 1990]

In December 1990 the government criticised the ANC's intention to establish self-defence units (see

African National Congress above). A law and order spokesman, Captain Craig Kotze, said the police were completely opposed to the formation of private political armies. He said these armies could lead only to further polarisation and ultimately constituted a recipe for civil war.¹⁹⁵ [¹⁹⁵ *Sowetan* 18 December 1990]

In March 1991 Mr Vlok said that it was not the sole duty of the police to stop the violence. Commenting on the role of the police in the violence, he said, 'I am not saying that there may be individuals somewhere, also in the police, who contribute at some times, maybe through actions and non-actions, towards violence occurring. But the police have a basic instruction and the policy is they must be absolutely impartial.'¹⁹⁶ [¹⁹⁶ *Bulletin National Party* March 1991]

In April 1991 there were various reports about arms smuggling, particularly of AK47s, into South African townships and also allegations that the police were doing little to curb it. Asked whether the police were aware of arms dealers in Sebokeng (Vaal Triangle), Soweto (southern Transvaal) and Tokoza (east Rand), Mr Vlok said that the police were investigating. Earlier in the month the police had shot dead four men near Komatipoort (eastern Transvaal) and seized a number of arms including 16 AK47s (see chapter on *Political Developments*).¹⁹⁷ [¹⁹⁷ *Financial Mail* 26 April 1991] In May 1991 Mr Vlok said the South African Police (SAP) were committed to rooting out the 'curse of the AK47' until not a single one was left in uncontrolled circulation. He said, 'Just as the SAP in the past successfully hunted down terrorists, so the SAP will hunt AK47s and those who smuggle them into the country.'¹⁹⁸ [¹⁹⁸ *The Citizen* 7 May 1991]

Commenting on a midnight raid on two hostels on the Reef in May 1991, the police liaison officer for the Witwatersrand, Colonel Frans Malherbe, said the hostel dwellers had prior knowledge that some kind of raid would take place. He said he was not sure how the information had been leaked.¹⁹⁹ [¹⁹⁹ *Sunday Star* 5 May 1991]

In April 1991 Mr De Klerk announced a three-pronged initiative to curb violence in the country. This involved the setting up of a standing commission of inquiry into the prevention and ending of politically inspired violence, the holding of a two-day multiparty summit on the violence and, where necessary, the implementation of increased emergency actions where 'the maximum capability of the security forces would be applied'. Commenting on the summit, Mr De Klerk said that police action alone would not end the violence, and that the co-operation of political, church and community leaders was needed (see chapter on *Political Developments*).²⁰⁰ [²⁰⁰ *The Citizen* 19 April 1991]

In May 1991 Mr De Klerk held separate meetings with the chief mini-ster of KwaZulu and president of the IFP, Chief Mangosuthu Buthelezi, and Mr Mandela to discuss the violence racking the country.²⁰¹ [²⁰¹ *The Weekly Mail* 10 May 1991] In the same month Mr De Klerk outlined a ten-point plan to counter

violence. This included the strengthening of the police force, the involvement of the entire community in a strategy against violence, special programmes to promote job creation and to deal with adverse social conditions and intensified weapons control (see chapter on *Political Developments*).²⁰² [²⁰² *Business Day* 3 May 1991]

In May 1991 Dr Viljoen said the ANC and others not participating in the government's conference on violence would 'have to account for their absence'. Dr Viljoen reiterated that the ANC had specifically called on the government to take action against the violence and that the proposed conference was one of the steps being taken. Dr Viljoen stressed that he hoped that the ANC, IFP and other major role players would attend.²⁰³ [²⁰³ *The Citizen* 17 May 1991]

Mass action

In December 1990 Mr De Klerk said that mass action had resulted in violence aimed at the widespread disruption of society to force political concessions, which was unacceptable. He said such mass action bred confrontation and conflict and some of those involved imagined that they could dictate the future of South Africa by 'inflammatory mass mobilisation'.²⁰⁴ [²⁰⁴ *Ibid* 19 December 1990]

Homelands

In March 1991 Mr De Klerk said the door was open for the reincorporation of the Transkei, Bophuthatswana, Venda and the Ciskei (TBVC) into South Africa. The decision on their inclusion in the negotiation process would have to be taken by the multiparty conference.²⁰⁵ [²⁰⁵ *Ibid* 27 March 1991]

In May 1991 Mr Botha said that whatever the homelands decided in terms of reincorporation, they would still have to be administered and essential services would have to be maintained. However, all options were open at the moment. He said financial aid to the TBVC areas would be tightened and future payments would be confined to areas which incorporated the harmonising of tax structures and the implementation of an economic and financial planning system.²⁰⁶ [²⁰⁶ *Business Day* 8 May 1991]

In May 1991 the deputy minister of foreign affairs, Mr Leon Wessels, in an apparent warning to the military governments of the Ciskei, the Transkei and Venda, said that political parties with a power base and not governments would take part in the multiparty conference for a new dispensation. He said that as three of the four TBVC slates were military dictatorships they were not elected or kept in power democratically.²⁰⁷ [²⁰⁷ *The Citizen* 8 May 1991]

Pan-Africanist Congress (PAC)

Membership

The secretary general of the Pan-Africanist Congress (PAC). Mr Benny Alexander, while not giving a specific figure, said in March 1991 that the PAC had more than 200 000 members. He said, 'Our support lies in the areas where most people are concentrated, about 60% in the Pretoria/Witwatersrand/Vereeniging area.' He claimed that in the eastern Cape, including the Transkei and the Ciskei, the far northern Transvaal, and in Natal, the PAC had more members than any other organisation.²⁰⁸ [²⁰⁸ Barometer March 1991]

In October 1990 the president of the PAC, Mr Zephania Mothopeng, died after a long illness.²⁰⁹ [²⁰⁹ *Sunday Star* 4 November 1990]

In the same month a founder member of the PAC, Mr Selby Themba Ngendani, was assassinated outside his home in Umtata (Transkei).²¹⁰ [²¹⁰ *Sowetan* 8 October 1990] Mr Clarence Makwetu was elected the new president of the PAC at its national congress held in December 1990. Mr Johnson Mlambo, the chairman of the external mission of the PAC and chief commander of the Azanian People's Liberation Army, the military wing of the PAC, was elected first deputy president with Mr Dikgang Moseneke being elected second deputy president.²¹¹ [²¹¹ *Ibid* 10 December 1990]

Constitutional issues

In October 1990 the youth wing of the PAC, the Pan-Africanist Students' Organisation (PASO), rejected the government's invitation to the PAC to participate in exploratory talks. PASO said negotiations would not bring about the total emancipation of the 'dispossessed African masses'.²¹² [²¹² *Ibid* 1 October 1990]

In December 1990 the national congress of the PAC resolved not to enter into negotiations with the government unless the process was preceded by an elected constituent assembly based on one-person one-vote (see below).²¹³ [²¹³ *Ibid* 10 December 1990]

In March 1991 Mr Makwetu said the state president, Mr F W de Klerk, wanted to have exclusive control over the process of change while reducing the oppressed masses to mere spectators. He said Mr De Klerk had succeeded in convincing the West that South Africa was finally entering a democratic era. 'The truth, however, was that the government is hell-bent on vetoing our rights to full self-determination and the reasons are obvious—they wish to protect white privilege and racist hegemony.'²¹⁴ [²¹⁴ *Ibid* 4 March 1991]

Exiles and prisoners

In March 1991 Mr Alexander said the PAC would not approach the government to discuss the return of its exiled members. Mr Alexander was responding to a statement by the immigration division of the Department of Home Affairs that the PAC and the Azanian People's Organisation had yet to contact the government about the handling of their exiles. He said his Organisation was not prepared to negotiate 'rights'. The return of exiles was not a privilege but a right, as was the release of political prisoners.²¹⁵ [215 Ibid 15 February 1991]

The information officer of the PAC, Mr Barney Desai, said in April 1991 that the release from Robben Island of PAC prisoners along with African National Congress (ANC) prisoners was a significant change from the government's policy of not releasing PAC prisoners unless the Organisation entered negotiations. He said, 'The PAC welcomes this development as a vindication of our stand that PAC prisoners will not sign indemnity documents nor bargain for their freedom.'²¹⁶ [216 *The Citizen* 27 April 1991]

Constituent assembly

The PAC said in August 1990 that it supported the institution of a constituent assembly consisting of 265 seats elected by South Africans of 18 years' and older on a common voters' roll with proportional representation. In the assembly, the issue and nature of change would be debated and agreed upon and the new constitution would have to be ratified by the people.²¹⁷ [217 *History in the Making*, vol 1 no 1, August 1990; *QC Seventeen*, 1990, p4]

In April 1991 the minister of constitutional development, Dr Gerrit Viljoen, invited the PAC to discuss the issue of a constituent assembly. The invitation was seen by the PAC as a shift in government strategy since it had always summarily dismissed the question of a constituent assembly. Referring to the invitation, Mr Makwetu reiterated the PAC's resolution on the constituent assembly taken at its national congress in December 1990 (see above).²¹⁸ [218 *Sowetan* 15 April 1991]

Interim government

In March 1991 Mr Desai said the PAC rejected an interim government because it refused to become a co-manager in apartheid. He said the PAC was not prepared to share power with a regime it considered to be illegitimate.²¹⁹ [219 *Q C Eighteen*, 1991]

Following agreement in April 1991 between the ANC and PAC to form a united front against the

government, Mr Alexander said he believed the organisations could find a common approach to the delicate issue of an interim government. He said the organisations had agreed to set up a committee to examine how to marry the different viewpoints on the issue.²²⁰ [²²⁰ *The Citizen* 25 April 1991] In the same month the PAC said it was planning an international campaign to ensure that preconditions for a negotiated settlement in South Africa, as spelt out by the United Nations and in the *Harare Declaration*, were met unconditionally before it entered into talks about a future constitution.²²¹ [²²¹ *The Star* 14 April 1991]

Multiparty conference

In January 1991 the PAC said it rejected the idea of a multiparty conference. It said the conference was an attempt to usurp the functions of an elected constituent assembly.²²² [²²² *Sowetan* 25 January 1991] In March 1991 Mr Alexander said the government wanted to emasculate the conference by subjecting any agreement that might emerge from it to white voters. He said the PAC saw the conference as an attempt to deal with people who were not mandated by democratic election but with self-appointed leaders who wished to make a deal.²²³ [²²³ *QC Eighteen*, 1991]

Relations with others

In November 1990 the general secretary of the youth wing of the PAC, the Azanian National Youth Unity, Mr Carter Seleke, denied rumours that the presence of the Inkatha Freedom Party (IFP) at Mr Mothopeng's funeral was part of the first steps towards an alliance between the organisations. He said political organisations came to the funeral of their own accord, and ruled out the possibility of an alliance with the IFP because of policy differences and the PAC's position on anti-collaboration.²²⁴ [²²⁴ *New Nation* 16 November 1990] In the same month a PAC delegation held talks with the chairman of the Transkei Military Council, Major General Bantu Holomisa.²²⁵ [²²⁵ *Sowetan* 15 November 1990]

In December 1990 Mr Makwetu said that since its inception the PAC had advocated a principled united front with all those in opposition to the apartheid rulers and that it remained committed to this principle.²²⁶ [²²⁶ *Ibid* 7 December 1990] In the same month Mr Moseneke said liberation movements should first unite on specific issues and strategies to end white minority rule before any negotiations could be held.²²⁷ [²²⁷ *Ibid* 31 December 1990]

In December 1990 fighting between ANC and PAC supporters broke out in Munsieville (west Rand). The local chairman of the PAC, Mr John Motlokoa, was among the injured.²²⁸ [²²⁸ *Ibid* 28 December 1990]

In February 1991 the PAC participated with the ANC in demonstrations, including a march on Parliament, to demand a constituent assembly.²²⁹ [²²⁹ *The Citizen* 28 January 1991]

In April 1991 the PAC and ANC held talks hosted by the president of Zimbabwe, Mr Robert Mugabe, around the issue of a united front. Speaking at the opening of the conference, Mr Mugabe said it was significant that the two movements chose Zimbabwe to try to forge a 'patriotic front'. He said the meeting reminded him of 1976 when the Zimbabwe African National Union and the Zimbabwe African People's Union had formed a patriotic front.²³⁰ [²³⁰ *Sowetan* 16 April 1991] A joint statement at the end of the conference said that a conference in August 1991 would be held with the purpose of establishing a patriotic front of anti-apartheid forces. The statement hailed the meeting as an outstanding success and said organisations supporting the call for a constituent assembly would be invited to attend the conference in August.²³¹ [²³¹ *Business Day* 17 April 1991]

Violence

External leaders of the PAC, including the administrative secretary, Mr Joe Mkhwanazi, who returned to South Africa in December 1990 for the organisation's national congress, said they deplored inter-organisational violence and renewed the PAC's offer to mediate between the ANC and the IFP. Mr Mkhwanazi said the PAC believed in the right of all organisations to exist.²³² [²³² *The Star* December 1990]

In January 1991 the PAC welcomed the peace summit between the ANC and IFP. Mr Desai said, 'There must be peace among Africans and war against oppression.'

In April 1991 the PAC rejected a call by the minister of law and order, Mr Adriaan Vlok, for a conference attended by all parties affected by the violence. Mr Alexander said, 'We are not going to talk to Mr Vlok about the violence. He, as the representative of the state security operation, is the cause of the violence. The PAC has identified the state as the main perpetrator of the violence and, therefore, we are not likely to engage ourselves in any talks on the violence with them.'²³³ [²³³ *Sowetan* 18 April 1991]

Armed struggle

Responding to the signing of the *Pretoria Minute* between the government and the ANC in August 1990, a spokesman for the PAC, Mr Mark Shinnars, said that the PAC was not bound by the agreement and would continue with its armed struggle.²³⁴ [²³⁴ *The Star* 7 August 1990]

In December 1990 Mr Makwetu said that apartheid could not be reformed and had to be destroyed. He said the PAC rejected the reform initiatives of the government as mere reforms of apartheid. The PAC would continue to employ all methods of struggle, including armed action, mass struggle and diplomatic offensives; however, the armed struggle had to be the main method of struggle.²³⁵ [²³⁵ *The Citizen* 8 December 1990]

In January 1991 police in KwaZakhele near Port Elizabeth shot dead two PAC members. The police claimed the two men were involved in a series of armed attacks on policemen in the eastern Cape which left two dead and three injured.²³⁶ [²³⁶ *Ibid* 17 January 1991]

Sanctions and isolation

Addressing the general assembly of the United Nations in December 1990, Mr Makwetu said the PAC supported intensified sanctions and total political, economic and cultural isolation of the apartheid regime. In particular, the PAC maintained that the oil and arms embargo had to be intensified, foreign loans and investments withdrawn and denied to the regime, campaigns for a ban on the purchase of South African gold stepped up, and the cultural and sporting boycotts maintained. He said any relaxation of these measures would only prolong and perpetuate apartheid.²³⁷ [²³⁷ *Sowetan* 7 December 1990]

In March 1991 Mr Makwetu reiterated the PAC's call on the international community to maintain sanctions until a nonracial democratic political order was established.²³⁸ [²³⁸ *Ibid* 11 March 1991]

Solidarity

Constitutional issues

Multiparty conference

In November 1990 the chairman of the ministers' council of the House of Delegates and leader of Solidarity, Dr J N Reddy, said an urgent priority for the government was to assemble together all relevant parties who were committed to negotiations. The constitution they produced would be a product of discussion and compromise and would thus be legitimate.²³⁹ [²³⁹ *Ibid* 20 November 1990]

Alliances

In May 1991 Solidarity denied that there was debate within the party about joining the National Party.

Dr Reddy said, ‘Solidarity has not even considered such a proposition, nor has it been broached with its leadership.’²⁴⁰ [²⁴⁰ *The Citizen* 28 May 1991]

Violence

In November 1990 Dr Reddy said that the ‘black-on-black’ violence currently endemic in South Africa could dwarf even the worst of what apartheid violence had done to South Africa. He said, ‘There is an element of lawlessness that threatens the security of the individual and destabilises society.’²⁴¹ [²⁴¹ *Sowetan* 20 November 1990]

Sanctions

Addressing the national congress of Solidarity in November 1990, Dr Reddy criticised the attitude of the African National Congress towards sanctions and appealed to it to abandon the call for continued sanctions. He said, ‘How can it call for the issues of black impoverishment to be addressed while simultaneously supporting sanctions and thereby contributing actively to the degeneration of the economy.’ He added that if the foreign inflow of capital was denied, job creation would be further delayed, compounding an already serious problem of unemployment, inflation and economic stagnation.²⁴² [²⁴² *The Citizen* 19 November 1990]

South African Communist Party (SACP)

Membership

The South African Communist Party (SACP) seriously debated the question of whether it should seek to build up mass membership, or confine itself to recruiting only qualified members for a vanguard party. At a workshop in February 1991 the SACP decided to set a target of 30 000 members by December 1991. The press officer of the SACP, Mr Essop Pahad, said the workshop agreed that ‘we must build a big party, mainly composed of working class members. But we want quality activists who will be expected to be involved in a wide range of political issues’.²⁴³ [²⁴³ *New Nation* 22 February 1991] In the same month Mr Pahad said that mineworkers formed the bulk of the SACP’s membership. He said that all branches of the SACP would have to be launched before August 1991, the month set aside for its regional conferences.²⁴⁴ [²⁴⁴ *Ibid* 12 April 1991]

Tripartite alliance

The SACP is part of a tripartite alliance with the African National Congress (ANC) and the Congress of South African Trade Unions (COSATU). Estimates of the number of SACP members who are also members of the ANC national executive committee (see *African National Congress* above) and the ANC's political military council vary. A number of senior COSATU leaders, including the vice president, Mr Chris Dlamini; the second deputy president, Mr John Gomomo; and the assistant secretary general, Mr Sydney Mufamadi, are also SACP members.²⁴⁵ [²⁴⁵ *Sunday Times* 28 April 1991]

The alliance between the SACP, the ANC and COSATU was formally established at a meeting between the general secretaries of the three organisations on 27 June 1990. The alliance is based on the following principles:

- the overall objective is broad-based organisation around a common programme based on the Freedom Charter;
- the ANC is the leader of the alliance;
- the alliance would be a consensus alliance based on the mandates from the component parts; and
- each component should be independent.²⁴⁶ [²⁴⁶ *Work in Progress* November/ December 1990]

In August 1990 Mr Dlamini said one of the SACP tasks in the alliance was to ensure the presence of a socialist voice. He added that the SACP would speak purely for the working class and would encourage the ANC to take account of the immediate demands and needs of the working class. However, he noted that the alliance might not exist forever since the ANC was a national movement and as a government would have to accommodate all shades of opinion, even that of big business, and this would conflict with the interests of workers whom the SACP was committed to defending.²⁴⁷ [²⁴⁷ *Ibid* August 1990]

Commenting on the issue of whether the SACP would stand in op-position to the ANC in the event of elections for a constituent assembly or Parliament, the general secretary of the SACP, Mr Joe Slovo, said it was too soon to speculate. However, he said that 'there are two basic points of departure that would guide it. In the first place it is obvious that it is fundamentally under the ANC umbrella that democratic elections would have to be fought, and it would be shortsighted to split the vote. On the other hand, I believe it is desirable for the SACP to actually test, democratically, its support on the ground'.²⁴⁸ [²⁴⁸ *Ibid* November/December 1990]

In April 1991 the chairman of the internal leadership group, Mr Raymond Mhlaba, said prevailing conditions could determine whether the party would choose to participate in a new government with the ANC or proceed according to its own programme of establishing a socialist republic. He said, 'The SACP and COSATU need to be close together. The ANC, on the other hand, is a mixed bag where you

have got capitalists as well as workers and peasants. When we say we want to set up a socialist republic the capitalists in the ANC do not agree; but the SACP and COSATU are very good partners.’²⁴⁹ [²⁴⁹ *Cape Times* 2 April 1991]

Constitutional issues

In August 1990 a spokesman for the SACP, Mr Jeremy Cronin, said the party was convinced that in a multiparty democracy, most South Africans would choose socialism.²⁵⁰ [²⁵⁰ *Business Day* 3 August 1990]

In January 1991 Mr Slovo said that the Conservative Party would be banned in a new South Africa if it continued to embrace racism. He said that under a new constitution, promoting racism would be a criminal offence.²⁵¹ [²⁵¹ *Sunday Star* 20 January 1991]

In March 1991 Mr Pahad said the SACP fully supported the genuine creation of a multiparty democracy in South Africa and said one-party dictatorships were a thing of the past. He said, ‘The experience of Africa and eastern Europe showed us that the one-party state failed to achieve what its proponents had hoped it would do.’ It failed to deal with the problems of regional, tribal and ethnic divisions.²⁵² [²⁵² *The Natal Witness* 14 March 1991]

In the same month Mr Slovo said the ANC and its allies had every right to take South Africa by force if it did not reach agreement with the ruling National Party (NP) on a new and democratic constitution. Mr Slovo said all indications pointed to the NP not being prepared to hand over ‘anything substantial’ when it came to the future constitution. He added that the NP had no right to preside over the peace process. Mr Slovo also made it clear that the SACP and the ANC would not negotiate on the future of South Africa unless all obstacles had been removed. He said the government’s failure to remove obstacles by the 30 April 1991 deadline (see *African National Congress* above) could have serious implications for the peace process.²⁵³ [²⁵³ *Sowetan* 25 March 1991]

Speaking at a meeting between the SACP and a delegation from the South African Council of Churches in March 1991, Mr Slovo said among the indefensible crimes of Stalinist communism was the persecution and intolerance of religion. He affirmed the SACP’s absolute commitment to the freedom of religion in a future South Africa.²⁵⁴ [²⁵⁴ *The Citizen* 16 March 1991]

Interim government and constituent assembly

In March 1991 Mr Slovo called for the resignation of the state president, Mr F W de Klerk, as he was an ‘apartheid institution himself’. Mr Slovo said, ‘He must be ready to hand over power to an interim

government.²⁵⁵ [²⁵⁵ *The Natal Witness* 4 March 1991]

In April the SACP said it fully supported the demand for a constituent assembly and interim government.²⁵⁶ [²⁵⁶ *The Citizen* 24 April 1991]

Violence

In October 1990 Mr Slovo said that the violence on the Reef was caused by orchestrated groups and individuals within state structures.²⁵⁷ [²⁵⁷ *The Natal Witness* 11 October 1990]

In March 1991, again commenting on the violence in the townships, Mr Slovo said that the Inkatha Freedom Party (IFP) had become an instrument of those who wanted to weaken and destroy the ANC and those who wanted to destroy the peace process as a whole.²⁵⁸ [²⁵⁸ *Sowetan* 25 March 1991]

In April 1991, referring to the formation of community defence units in which the military wing of the ANC, Umkhonto we Sizwe, would play a leading role, Mr Cronin said the township violence had created the need for a highly organised and disciplined force to protect the communities and ensure law and order. He said as the government had allowed the IFP to carry 'traditional weapons' and the Afrikaner Weerstandsbeweging to organise military training camps, it could not prevent the establishment of township defence committees.²⁵⁹ [²⁵⁹ *The Star* 25 April 1991]

United Democratic Front

The United Democratic Front (UDF) was formed in 1983. In March 1991, exactly eight years after its formation, the national general council of the UDF decided that the Organisation should be disbanded.

The date set for the dissolution of the Organisation was 20 August 1991.²⁶⁰ [²⁶⁰ *New Nation* 8 March 1991]

The disbanding of the Organisation would be overseen by the national executive committee of the UDF. However, a spokesman for the UDF and the publicity secretary of the Soweto Civic Association, Mr Patrick Lephunya, said UDF affiliates would remain in place organising the community on bread-and-butter issues. The co-chairman of the UDF, Mrs Albertina Sisulu, commenting on the decision to disband, said the Organisation had fulfilled its major objectives: to oppose the tricameral Parliament and black local authorities. She said black and white South Africans agreed that the tricameral Parliament was unacceptable and the 'town council system' had been 'wholly rejected' with only fragments having been left in place. She added that broader political developments, including the lifting of the ban on political organisations and the release of political leaders, had also contributed to the decision.²⁶¹ [²⁶¹ *The Citizen* 5 March 1991]

A spokesman for the UDF and executive member of the African National Congress

(ANC) Youth League, Mr Peter Mokaba, rejected the view that the disbanding of the UDF had anything to do with the existence of a cabal in the movement. He argued that the UDF had no distinct platform other than that of the ANC and that, since the ANC could now operate legally, the UDF had become redundant.²⁶² [²⁶² *Barometer* March 1991]

Commenting in March 1991 on the recommendation made by the national general council that a new Organisation replace the UDF, its secretary general, Mr Popo Molefe, said the recommendation was made in the context of recognising the need for further co-ordination among affiliates which had not become part of the ANC and continued to operate as independent organisations. He added that as South Africa moved towards transformation it would become necessary to address issues of development. He said therefore the new Organisation would probably be more developmental in its nature. Mr Molefe stressed that the new Organisation would not be a charterist Organisation since it aimed at being a broad social movement based on principles which had the capacity to unite a broad range of forces, including those which did not ascribe to the Freedom Charter.²⁶³ [²⁶³ *New Nation* 8 March 1991, *Barometer* March 1991]

The national treasurer of the UDF, Mr Azhar Cachalia, said the social movement would be a watchdog to keep an eye on the present government as well as a future government. He said the necessity for the establishment of a 'social movement' was demonstrated by what had happened in eastern Europe where the party was the 'be-all and end-all', allowing for little external criticism. Mr Cachalia stressed that the social movement would not be bound by the policies of the government of the day and the Organisation would be politically non-aligned.²⁶⁴ [²⁶⁴ *Business Day* 5 March 1991]

Referring to the role of the UDF until its dissolution in August 1991, Mr Molefe said the Organisation had two tasks left, namely, assisting in the building of a national civic structure and rebuilding the Congress of South African Students.²⁶⁵ [²⁶⁵ *The Citizen* 5 March 1991]

Youth organisations

Since 1976 South Africa's African youth have played a prominent role in politics. Whether at political rallies, protest marches, public meetings, during rent and consumer boycotts, or even at funerals, 'comrades' or 'young lions', as they are sometimes called, have frequently appeared to be dictating the turn of events. Some observers believe that youth organisations are in the forefront of the conflict within black politics.

Although they seemed to act in unison in the 1970s, as illustrated by the June 1976 Soweto upheavals, the 'young lions' subsequently broke into numerous factions which fought among themselves for support and control of their communities. These clashes first occurred in the 1984/85 period between youth organisations affiliated to the United Democratic Front (UDF) and Inkatha, mainly in Natal, and the UDF and the Azanian People's Organisation (AZAPO) elsewhere. In Soweto (Johannesburg), for instance, there was open confrontation between the UDF and AZAPO in January 1985 when the latter

disrupted a meeting at Regina Mundi Church which was to be addressed by an American senator, Mr Edward Kennedy, who was a guest of UDF patrons.²⁶⁶ [266 1984 *Survey*, p698; 1985 *Survey*, pp12-13]

At the height of the unrest which first erupted at Sebokeng in the Vaal Triangle in September 1984, black youth were thought to have played a major role in political kidnappings and killings, including 'necklacing'. 'Necklacing' is political killing in which the victim is burned to death by means of a used car tyre being placed around his neck after it has been soaked in petrol and set alight. Among the victims were members of black local authorities who were 'necklaced' by people opposed to participation by blacks in official institutions.²⁶⁷ [267 1985 *Survey*, p533]

The violence that swept urban townships, especially those on the east and west Rand, as well as those in the eastern Cape, was subsequently suppressed not only when the government introduced restrictive state of emergency measures in 1985, but also when it banned the Congress of South African Students (COSAS), one of the youth organisations active at the time. At least 2 436 people were detained (see 1985 *Survey* p440) and meetings were also banned. By the end of 1986, the official figure for detentions stood at 3 989 people (see 1986 *Survey* Part 2 p822).²⁶⁸ [268 *Ibid*, p386]

However, political activities continued despite the detentions and bannings under both the emergency regulations and security legislation. In some instances, these activities resulted in the formation of new youth organisations, some of them very small.

At least seven national youth organisations were operating in the country by July 1990—with COSAS being revived by the end of 1990—as a result of the lifting of bans on political organisations by the state president on 2 February 1990. The seven were the Azanian National Youth Unity, the Azanian Students' Movement, the Azanian Youth Organisation, the Inkatha Youth Brigade, the Pan-Africanist Students' Organisation, the South African National Students' Congress (SANSCO) and the South African Youth Congress (SAYCO). However, by the end of 1990 SAYCO had merged with the African National Congress (ANC) Youth League.

COSAS, an organisation composed mainly of high school pupils, introduced into African student politics such slogans as 'liberation before education', 'pass one, pass all', and, more recently, 'one school, one organisation'. Some observers see the 'one school, one organisation' slogan as intending to divide schools along ideological lines.

After schools re-opened in 1990, members of COSAS defied a Kagiso (west Rand) high school principal and his staff and admitted 1 000 extra pupils, bringing total school enrolment to 2 800.²⁶⁹ [269 *Sowetan* 21 January 1990] The official quota was 1800 pupils.

SANSCO was in the process of merging with the white National Union of South African Students and

so opening the way for co-operation between blacks and whites in student politics—something frowned upon by youth in the 1970s when popular wisdom was ‘black man, you’re on your own’ and the white man was considered a ‘part of the problem of oppression’.

Inter-organisational conflict, particularly among youth organisations, intensified after February 1990, when the government lifted the banning orders on the African National Congress (ANC), the Pan-Africanist Congress (PAC) and the South African Communist Party (SACP). There was, for instance, conflict between ANC-aligned youth groups and those upholding the black consciousness philosophy in such areas as Bekkersdal (west Rand) and Zamdela (Sasolburg), while PAC-aligned youth organisations and those aligned to the ANC were in conflict in Kagiso and Munsieville (Krugersdorp) and also in Zamdela. Some of the youths had to flee from their homes as a result of the fighting and lived as refugees at welfare and religious institutions.²⁷⁰ [²⁷⁰ Interviews with the publicity secretary for AZASM, Mr Siphon Maseko, and a member of the PAC, Mr Patrick Dooms, May 1990; interview with a Bekkersdal community leader, Mr Vuyisile Ndabeni, July 1990]

During the second half of 1990 at the height of the hostel conflict in Sebokeng and on the east Rand and in Soweto, allegations were made to the effect that Inkatha in general and the Inkatha Youth Brigade in particular, were being used by anti-reform elements to erode whatever influence the ANC might have had in urban areas.

In an attempt to gauge the strength of each organisation, the South African Institute of Race Relations tried to draw up a profile on each of them, though without success in certain instances, as some were not willing to be interviewed.

Azanian National Youth Unity and the Pan-Africanist Students’ Organisation

All approaches to contact the Azanian National Youth Unity and the Pan-Africanist Students’ Organisation for interviews were unsuccessful. The two youth organisations are affiliates of the Pan-Africanist Movement, the internal wing of the Pan-Africanist Congress.

Azanian Students’ Movement

Founded in 1979, the Azanian Students’ Organisation (AZASO) abandoned the black consciousness ideology in 1983 and aligned itself with the UDF, which supported the Freedom Charter of the ANC. The Black Consciousness Movement, apparently angered by the fact that a member body had moved out of the black consciousness fold to join the rival ‘charterist’ camp, formed the Azanian Students’ Movement (AZASM).²⁷¹ [²⁷¹ Interview with Mr Siphon Maseko, 7 May 1990]

The publicity secretary of AZASM, Mr Siphon Maseko, said in 1990 that membership was open to all

black students, including those at tertiary institutions and high schools. There was a R5 initial subscription fee and a R2 monthly subscription. The Organisation had 12 regions and 89 branches. A minimum of 40 people constituted a branch.

The Organisation depended solely on subscriptions. Mr Maseko said, 'We have been rejected by donor organisations such as the Kagiso Trust and the South African Council of Churches (SACC), on the grounds that they do not fund political organisations.'

AZASM's 12 regions are Border, central Transvaal, east Rand, eastern Cape, Natal midlands, northern Natal, northern Orange Free State, northern Transvaal, southern Orange Free State, southern Transvaal, west Rand and western Cape.

The Organisation had an eight-member national executive committee. Regional executive committees, each with five members, had been established, while, at branch level, executive committees had four members each.

Asked what problems had been encountered in running the Organisation, Mr Maseko said: 'We have been brutalised both by the system, through security legislation, and by our rival Organisation SANSCO, which has made it very difficult for us to operate in centers such as the University of Cape Town, the Medical University of Southern Africa [MEDUNSA], Rhodes University, the University of the Western Cape and the University of the Witwatersrand [Wits].'

Mr Maseko explained that, in terms of university regulations, every student body had to affiliate to the local students' representative council (SRC) in order to function on campus. AZASM's rival, SANSCO, 'connived with the SRCs at these universities' to deny them the chance to form branches there.

He also said that in 1986, at a commemoration service at Wits, members of AZASM were publicly forced not only to lower their flag, but also to take off the black consciousness T-shirts they were wearing. Thereafter, they were harassed at Glynn Thomas House, a residence for African Wits students behind the Baragwanath Hospital (Soweto), until most of them fled for their own safety. According to Mr Maseko, problems had also been experienced at the University of the Transkei and at the University of the North (northern Transvaal) though 'not as pronounced as at Wits and the other liberal universities'.

In September 1990 black consciousness youth groups established a university students' Organisation and named it the Azanian Students' Convention (AZASCO). The idea of relaunching such an Organisation was mooted and accepted at an AZASM national conference held at Shareworld in Johannesburg. The launch of AZASCO meant that AZASM would operate only as an Organisation for primary and high school pupils.

Azanian Youth Organisation

In 1985 an AZASM congress at St Peter's Seminary in Hammanskraal (central Transvaal) decided that the Black Consciousness Movement should establish an Organisation for youth, especially those not at school. An interim committee was formed to look into the question of forming such a structure. As a result the Azanian Youth Organisation (AZAYO) was launched in 1987.²⁷² [272 Interview with the national publicity secretary, Azanian Youth Organisation, Mr Mbulelo Ketye, 17 May 1990]

The national publicity secretary of AZAYO, Mr Mbulelo Ketye, said that the Organisation operated in 16 regions in the Cape, Natal, Orange Free State and the Transvaal. The regions were Border, Bloemfontein, central Transvaal, Durban, eastern Cape, eastern Transvaal, Greytown, Kroonstad, northern Cape, northern Transvaal, Pietermaritzburg, QwaQwa, southern Transvaal, Welkom, western Cape, and western Transvaal.

There were 88 branches, with the Soweto branch divided into seven units. A minimum of 20 people constituted a branch. Individuals joined the Organisation on payment of R2 and then there was a monthly subscription of R1. Although official members were required to be between 18 and 33 years of age, younger people were being organised, according to Mr Ketye.

He also said that AZAYO had an eight-member national executive committee. At regional level each executive committee had seven members, while branch committees had five members each. Two national councils or meetings were held each year, as well as the annual congress.

Mr Ketye said that early in 1990 four members had been killed at Bekkersdal and five at Sobantu in Pietermaritzburg (Natal) when they were attacked by rivals. He added that AZAYO also faced financial problems. 'We thought members would carry the Organisation through monthly subscriptions, but this has not been possible. Payments are irregular and donor organisations such as the Kagiso Trust and the SACC are not supportive. We are told that as organisations have been unbanned, outside donors are no longer giving out funds, but we do not believe this. We see this as merely being an excuse to deny us funding while they continue supporting our rivals.'

Inkatha Youth Brigade

The national chairman of the Inkatha Youth Brigade, Mr Musa Zondi, said that the brigade was launched in 1978 exactly three years after the revival of the mother body. It aimed to cater specifically for the interests of the young. Its establishment was provided for in the constitution of Inkatha Yenkululeko Yesizwe.²⁷³ [273 Telephonic interview with the national chairman, Inkatha Youth Brigade, Mr Musa Zondi, 24 April 1990]

The youth brigade, he said, had four regions in the Transvaal (east Rand, south-eastern Transvaal, Vaal Triangle and the west Rand), two in the Orange Free State, including parts of the northern Cape, and

‘countless others which are in almost every district’ in Natal. There were 3 500 branches with total membership standing at 718 000 people. There was a R1 membership fee which was renewable between 1 January and 31 May every year. The membership fees ‘make up the main source’ of the organisation’s financial support.

Mr Zondi said that there was nothing specific in the constitution regarding the age of members. However, the bulk of members were between 15 and 25 years of age, with a few people as old as 35 years’. The 35-year-olds, he added, were a minority who wanted to retain their alignment with a more active section of the Inkatha movement.

For purposes of Organisation the Cape was a problematic area for Inkatha, and no branches were operating there. ‘The history of the homelands has everything to do with this problem. We were not allowed to operate in both the Transkei and Ciskei,’ said Mr Zondi. The youth brigade was strongest in Natal and the next strongest area was the Transvaal.

According to Mr Zondi, an eight-member national executive, consisting of a national chairman, secretary, publicity secretary and four ordinary members, was elected every year at an annual conference. There was also an eight-member executive committee at branch level and, above that, the youth brigade had constituency committees whose executives consisted of eight members too.

Mr Zondi added that constituency committees made up the organisation’s co-ordinating structures, while they themselves were co-ordinated at a higher level by regional committees.

South African National Students’ Congress

The national general secretary of the South African National Students’ Congress (SANSCO), Mr James Maseko, said in an interview that the Organisation was founded in 1979 ‘as the Azanian Students’ Organisation (AZASO), a black consciousness Organisation, but later abandoned that ideological stance in preference to the nonracial democratic principle enshrined in the Freedom Charter’. However, the name change from AZASO to SANSCO, a body which organises students at universities, colleges and technikons throughout the country, was made only in 1986. The membership fee was R5.²⁷⁴ [274 Interview with the national general secretary. South African National Students’ Congress, Mr James Maseko, 10 May 1990]

SANSCO had five regions—eastern Cape, western Cape, Natal, the Orange Free State and Transvaal. However, because of their size, Mr Maseko explained. Natal and the Transvaal had been divided into sub-regions, with the Transvaal having five subregions and Natal four.

The five Transvaal subregions comprised eastern Transvaal, which consisted of Nelspruit and surrounding areas; far northern Transvaal comprising Venda; northern Transvaal, which comprised Pietersburg and surrounding areas; southern Transvaal, which comprised Johannesburg, east Rand and the Vaal Triangle; and western Transvaal comprising Pretoria and Bophuthatswana. The four subregions

in Natal were Natal midlands (areas north of Durban); the South Coast, which comprised the Durban area; southern Natal (the Pietermaritzburg area); and the Transkei, a 'new subregion established about two years ago', which included the Ciskei as well as the eastern Cape.

The Organisation had a ten-member national executive committee elected at an annual congress, six-member regional committees and 77 branches. It held quarterly regional meetings where all branches in a region were represented. Such meetings formulated regional programmes of action. In addition, a general students' council had to be held once a year. This council was a workshop at which delegates from all campuses or branches debated current political issues and defined priorities for the Organisation.

'We never embarked on a membership count as we were operating clandestinely. We realise its significance and have now decided on issuing membership cards which are being produced,' said Mr Maseko.

He also said that SANSCO received foreign funding in addition to the membership fees and local donations. 'We have links with funding organisations and student organisations internationally. From time to time we visit these student organisations to strengthen our links and they, in turn, visit us.'

In terms of SANSCO's constitution a minimum of ten people constituted a branch, but Mr Maseko said that the lowest number of people in a branch was 30.

In the past SANSCO experienced problems in the Transkei, where it was banned, and in KwaZulu, where students would be expelled if found to be members of the Organisation. 'At the University of Zululand, for instance, 277 SANSCO activists were expelled in 1987. Another 44 were expelled from the university in 1989, but they were subsequently readmitted after SANSCO, together with the SRCs, appointed a delegation consisting of parents and community leaders to make representations to the university authorities,' Mr Maseko said.

South African Youth Congress

Before its merger with the ANC Youth League and the revival of the Congress of South African Students (COSAS), the South African Youth Congress (SAYCO) was described by its spokesmen as an Organisation for unemployed youth, students at high school and at tertiary institutions. The national publicity secretary, Mr Kenneth 'Parks' Mankahlana, said that membership was open even to young workers. He added that the ages of members ranged from 14 to 35 years'.²⁷⁵ [275 Interview with the national publicity secretary. South African Youth Congress, Mr Kenneth Mankahlana, 24 April 1990]

SAYCO's history dates back to 1985 when a co-ordinating committee was formed with the specific task of establishing a national youth Organisation. The different youth congresses, which had apparently been operating under the umbrella of the outlawed COSAS, eventually met in Cape Town.

At that meeting SAYCO was formed as a federation of the congresses from different areas, allowing local and regional groups to retain their individual constitutions. Originally there were ten regions: Border, eastern Cape, eastern Transvaal, Natal, northern Cape, northern Transvaal, Orange Free State, southern Cape, southern Transvaal and western Cape. An eleventh region, the Transkei has since been established.

Mr Mankahlana said in an interview early in 1990 that because of 'the security situation' SAYCO did not have a registered membership. 'It is only now that we can operate openly that we are looking into the question of producing and issuing membership cards. Only then will members be expected to pay a membership fee when receiving their cards,' he added. Until then, the Organisation was dependent for financial support, as it had always been, on institutions and organisations sympathetic to its cause.

Mr Mankahlana also said that the SAYCO congress which had been held at Nelspruit in April 1990 was attended by 1 762 delegates from 881 youth organisations, who came from all over the country. 'The Organisation is being structured into a unitary body with a single constitution. Different congresses such as the Soweto Youth Congress, for instance, are to become branches of SAYCO.' The Organisation had 881 branches countrywide.

'Unbanning the ANC,' said Mr Mankahlana, 'has had an influence on us as an Organisation, because we share its ideological stand. Our Nelspruit congress decided, among other things, to look into the question of merging with the youth section of the ANC. This is being done by SAYCO's national executive committee which has also been mandated by congress to discuss the issue with the ANC internal leadership.'

The merger, described by the leader of the ANC's internal leadership group, Mr Walter Sisulu, as 'a historic watershed in the liberation struggle', was concluded when the ANC Youth League was re-launched in Soweto in October 1990.²⁷⁶ [²⁷⁶ *Sunday Star* 28 October 1990] Even before the merger SAYCO had committed itself not only to creating structures throughout the country, including the homelands, but also to 'maximising mobilisation and Organisation of people in giving support to the ANC's nonracial vote campaign'.

A 20-member national executive committee, elected at the Nelspruit congress, made up the leadership of SAYCO. Mr Mankahlana explained that the leadership structures of the Organisation were duplicated down to branch level, which meant that regional and branch executive committees also had 20 members each.

According to reports, not only SAYCO, COSAS and SANSCO, but also the Young Christian Students and the National Union of South African Students were involved in the merger with the ANC Youth League.²⁷⁷ [²⁷⁷ *New Nation* 12 October 1990]

In between regions and branches, the Organisation had established zones which, in turn, had branches.

Natal was and is, according to Mr Mankahlana, the only problem area for SAYCO in terms of Organisation. This is because of the violence sweeping the province. 'It is difficult,' he explained, 'to get the youth when you want to because they are either on the run or are suspicious.'

CONSTITUTIONAL NEGOTIATIONS

Key Points

- The phased release of political prisoners began in September 1990 and by July 1991, 1 040 political prisoners had been re-leased.
- Dangerous weapons were prohibited in 'potential conflict situations' and assegais were banned in 13 unrest areas on the Witwatersrand.
- The African National Congress (ANC), the Inkatha Freedom Party (IFP) and the National Party (NP) reached consensus on a national peace accord.
- The Internal Security Act of 1982 was amended to remove provisions which circumscribed free political activity.
- The majority of political organisations including the ANC, the Democratic Party, the IFP, the Labour Party, the NP and Solidarity came out in favour of a multiparty constitutional conference, while the Azanian People's Organisation (AZAFO), the Conservative Party, the Pan-Africanist Congress (PAC) and others rejected it.
- The ANC, AZAFO and the PAC demanded an elected constituent assembly.
- The ANC called for the institution of an interim government.
- The government said it was prepared to institute informal channels for extra-parliamentary groups to influence decisions in the executive and Parliament.
- The ANC released a draft constitutional proposal favouring a unitary state with a bicameral parliament and regional and local governments based on proportional representation.
- The NP published a constitutional plan providing for a decentralised system of government with devolution of power.
- Enabling legislation making provision for the creation of the country's first nonracial local government structures was gazetted.

National Negotiations

Prelude to negotiations

Political prisoners

In June 1990 the government released 48 political prisoners in what it described as ‘a gesture of sincerity’,¹ [¹ *Beeld* 11 June 1990] and a further 15 were released in August 1990 in terms of the *Pretoria Minute* (see below and *Appendix*).² [² *The Citizen* 4 September 1990]

In terms of the *Groote Schuur Minute* (see *Appendix* and see *1989/90 Survey* p679), a working group was formed to report back by 21 May 1991 on a definition of political offences and the release of political prisoners.³ [³ *Groote Schuur Minute*, March 1990] The resulting report defined various categories of political prisoners and recommended their release from 1 September 1990, in phases according to the severity of their crimes. The envisaged ‘latest date’ for the granting of indemnity and the release of political prisoners was 30 April 1991. The working group said that the following categories of people should be considered for pardon:

- those people already sentenced, including those serving such sentences and those awaiting execution or appeal against a sentence; and
- those in detention.

It concluded that the power to grant a pardon was vested in the state president.

The working group revealed that in making its recommendations on the definition of a political prisoner it had relied largely on principles applied in Namibia. These included:

- that each case be approached individually;
- that offences such as treason against the state where no ordinary crime such as murder or assault was involved be regarded as purely political crimes; and
- that under certain circumstances a crime such as murder could be regarded as a political crime.

The group recommended that the following factors be taken into account in such cases:

- whether the motive was political (eg to force a change in the established order) or private (eg to settle a grudge);
- the context in which an offence was committed, especially if it was committed as part of a political uprising or disturbance;
- the nature of the political objective;
- the legal and factual nature of the offence. Rape could never be regarded as a political offence;
- the object of the offence, ie whether it was committed against state or private property;
- the relationship between the offence and the political objective being pursued; and
- whether the offence was committed in the execution of an order or with the approval of the organisation concerned.

On 6 August 1990 the government and the African National Congress (ANC) held a second round of talks in Pretoria. The resulting *Pretoria Minute* accepted the final report of the working group (see *Appendix*). The working group recommended that indemnity occur in phases according to the severity of the offences involved.⁴ [⁴ *Pretoria Minute*, 7 August 1990] It further recommended that indemnity be considered for people both inside and outside South Africa. The *Pretoria Minute* made provision for the granting of indemnity from 1 October 1990. The document stated that ‘it was hoped that indemnity for those cases which would have to be considered on an individual basis would be achieved in six months but that the latest envisaged date for this was 30 April 1991’.⁵ [⁵ *Ibid*]

The phased release of political prisoners began in September 1990 and by the end of February 1991, 270 political prisoners had been released, while a further 760 applications were at an advanced stage.⁶ [⁶ *Beeld* 16 February 1991]

Commenting on the release of political prisoners, the secretary general of the Pan-Africanist Congress (PAC), Mr Benny Alexander, said that the PAC would not enter into negotiations regarding their release.⁷ [⁷ *Sowetan* 27 February 1991]

In March 1991, 41 political prisoners were released, including Mr Piet Rudolph, the first right-wing prisoner to be granted indemnity, bringing the total of political prisoners released since September 1990 to 310.⁸ [⁸ *The Star* 19 March 1991]

By the time the ‘envisaged latest date’ for the release of political prisoners had elapsed (ie 30 April 1991), 933 political prisoners had been released. The ANC claimed that there were still some 5 000 political prisoners,⁹ [⁹ *Sowetan* 30 April 1991] while the state president, Mr F W de Klerk, claimed that there were fewer than 200.¹⁰ [¹⁰ *Ibid*] In May 1991 Mr De Klerk said that the government was on schedule with the releases and accused the ANC and the applicants of ‘dragging their feet’ and lodging large numbers of applications at the last moment.¹¹ [¹¹ *The Citizen* 1 May 1991] According to the Department of Correctional Services, the date in the *Pretoria Minute* was only a target date and not a deadline.¹² [¹² Telephonic interview with Major E Jones, liaison officer. Department of Justice and of Correctional Services, 23 April 1991]

At the end of April 1991 the government defined a new category of person who would be eligible for indemnity and release. It announced that offences committed with a political motive before midday on 8 October 1990 and which did not result in death or injury would be included in this category. This meant that people who had committed high treason or offences in terms of the Internal Security Act of 1982—such as holding an illegal gathering; being in the unlawful possession of arms, ammunition or explosives; trespassing; arson or committing malicious damage to property or public violence—would be eligible for indemnity.¹³ [¹³ Department of Justice and of Correctional Services press release, 24 April 1991] The government also announced a special six months’ remission of sentence for all sentenced prisoners, except those convicted of crimes where a sentence of more than five years had been imposed and those who had benefited in terms of the *Pretoria Minute*.

According to the minister of justice, Mr Kobie Coetsee, more than 1 040 political prisoners had been released by 3 July 1991.¹⁴ [¹⁴ *The Citizen* 4 July 1991]

In May several people were released after the government had granted a further six months’ remission of sentence to a wide range of prisoners. A remission of one third of their sentences was also granted to first-time offenders, including murderers.¹⁵ [¹⁵ *The Weekly Mail* 12 July 1991] In a press statement Lawyers for Human Rights (LHR) criticised the mass release of prisoners and described it as an attempt by the government to release anonymously some political prisoners whose status the LHR disputed, amid an ongoing release of thousands of common-law prisoners.¹⁶ [¹⁶ *The Star* 13 July 1991] The deputy minister of justice and of correctional services, Mr Danie Schutte, denied this.¹⁷ [¹⁷ *The Weekly Mail* 12 July 1991]

Despite these releases, by mid-July 1991 the ANC and LHR still claimed that there were over 800 political prisoners, an estimated 166 of whom were being held in prisons in Bophuthatswana.¹⁸ [¹⁸ *Ibid*; *Fast Facts No Six*, 1991] The ANC said that their continued incarceration was an obstacle to

negotiations.¹⁹ [¹⁹ *The Citizen* 13 July 1991] At the end of July 1991 an ANC legal affairs official, Mr Penuell Maduna, said that the ANC was re-examining the cases of several hundred unrest prisoners to see whether they qualified for release as political prisoners. He said that the ANC still regarded the prisoner issue as an obstacle to negotiations but did not want negotiations to be further delayed by unrest cases that were found to be non-political on closer scrutiny. He said that almost all the clearly identifiable political cases had been resolved.²⁰ [²⁰ *Business Day* 29 July 1991]

Exiles

Mr Coetsee revealed that by the end of January 1991, 2 974 people who had left the country illegally had been granted indemnity.²¹ [²¹ *The Star* 24 March 1991] In February 1991 the PAC said that it would not approach the government to discuss the return of exiles because their return was a right and not a privilege to be negotiated.²² [²² *Business Day* 15 February 1991] By mid-February 1991, 1 092 exiles had been readmitted to the country and Mr Coetsee said that with the help of the ANC, it would be possible to ensure the return of all exiles by 30 April 1991.²³ [²³ *Beeld* 16 February 1991]

Mr Coetsee said that by the end of March 1991 indemnity had been granted to a further 1 819 of the 4 584 people who had applied for it, mostly to members of the ANC's armed wing, Umkhonto we Sizwe. A further 12 people who did not fall into any of the defined categories had also been granted indemnity. This brought the total number of people who were granted indemnity as at 23 March 1991 to 4 805, but he added that 42 'borderline' applications were being processed by three indemnity committees.²⁴ [²⁴ *The Star* 24 March 1991] Also at the end of March 1991 the government announced that it would allow the United Nations High Commissioner for Refugees to help in the repatriation of exiles after it had first obtained agreement that South African sovereignty would not be prejudiced.²⁵ [²⁵ *The Citizen* 22 March 1991]

According to the Department of Justice and of Correctional Services, by 30 April 1991, 5 872 applications had been received of which 90 had been rejected or were being considered by indemnity committees.²⁶ [²⁶ *Ibid* 1 May 1991] The United Nations high commissioner for refugees, Ms Sakado Ogata, said that a United Nations High Commissioner for Refugees working group had estimated that there were some 40 000 South African exiles in neighbouring countries alone.²⁷ [²⁷ *Business Day* 3 July 1991]

According to the minister of home affairs, Mr Gene Louw, as at 4 June 1991, 8 658 special travel

documents had been issued to exiles out of a total of 8 837 applications.²⁸ [²⁸ Ibid 5 July 1991]

In July the co-ordinator of the national co-ordinating committee for the repatriation of South African exiles, Ms Mankekolo Mahlangu-Ngcobo, who had just returned from a meeting with the United Nations High Commissioner for Refugees in Geneva (Switzerland), claimed that the organisation had said that it would not get involved in the repatriation of exiles unless the government granted a general amnesty to all political exiles.²⁹ [²⁹ *The Citizen* 5 July 1991]

The ANC's repatriation officer, Mr Hein Grosskopf, accused the government of retarding the return of exiles by refusing to grant a general amnesty to them.³⁰ [³⁰ *Sowetan* 16 July 1991] However, shortly after this, the newly elected president of the ANC, Mr Nelson Mandela, admitted that both the government and the ANC were to blame for the situation because the ANC had not been able to raise the necessary funds to get the exiles back.³¹ [³¹ *The Star* 18 July 1991] The United Nations High Commissioner for Refugees had estimated that it would cost as much as R100m to repatriate all exiles.³² [³² *The Citizen* 22 March 1991]

Violence

Although the government and the ANC signed two formal agreements in 1990, the two parties had been in dispute as to exactly what form of 'struggle' the ANC had suspended. In February 1991 they reached agreement that the following would not take place:

- attacks by means of armaments, explosives, firearms or incendiary devices;
- the infiltration of men and materials into South Africa;
- the creation of underground structures;
- the making of statements inciting violence;
- threats of armed action; and
- training inside South Africa.

It was also agreed that:

- all political parties should participate in a peaceful way and that no political party or movement should

have a private army;

- a phased process should be initiated to enable ANC cadres within the country to resume their normal lives and to subject their arms to legal controls;
- where applicable, individual weapons should be licensed under existing legislation;
- while the population at large had a right to peaceful demonstrations, it was imperative to eliminate violence and intimidation which frequently accompanied mass action; and
- designated members of the ANC and the government would form a liaison committee to implement the agreement.

The agreement did not specify what kind of arms ANC cadres inside the country would be entitled to keep. However, it noted that no part of the agreement and nothing omitted from it would be construed as invalidating or suspending the provisions of any law applicable in South Africa.³³ [³³ *Sowetan* 18 February 1991]

In February 1991 Mr Alexander said that in the absence of the ballot the bullet could not be abandoned.³⁴ [³⁴ *Ibid* 19 February 1991]

In March 1991 Mr De Klerk warned that the high levels of violence flowing from political intolerance could derail the negotiation process.³⁵ [³⁵ *Ibid* 13 March 1991]

At the beginning of April 1991 the ANC sent an open letter to the government in which it threatened to suspend all negotiations if a number of security-related demands were not met before 9 May 1991. These included the following:

- the dismissal of the minister of defence, Mr Magnus Malan, and the minister of law and order, Mr Adriaan Vlok;
- the public dismantling of special counter-insurgency units;
- the suspension of police officers implicated in shootings in the Vaal Triangle (southern Transvaal) in March 1990 (see *1989/90 Survey* p 193). pending a commission of inquiry;
- the provision of satisfactory assurances that security forces would use civilised methods of crowd control;

- the outlawing of traditional weapons;
- the appointment of an independent inquiry to probe complaints of misconduct by the security forces; and
- the phasing out of hostels and other labour compounds.

Mr De Klerk responded to the open letter in April 1991 by refusing to dismiss Mr Malan and Mr Vlok and instead calling for a multiparty conference on violence for 24 and 25 May 1991.³⁶ [³⁶ *The Citizen* 3 May 1991]

While the president of the Inkatha Freedom Party (IFP), Chief Mangosuthu Buthelezi, welcomed the initiative,³⁷ [³⁷ *Ibid* 20 April 1991] both the ANC and the PAC rejected it.³⁸ [³⁸ *Business Day* 18 April 1991] Mr Mandela said that there was no point in attending the conference since the government knew exactly what to do if it wanted to end the violence. Mr Alexander said that his organisation had identified the state as the main perpetrator of violence and would therefore ‘not be likely to engage in talks with it’.

In May 1991 the ANC announced that it had suspended constitutional negotiations until the government met its demand to put an end to the violence.³⁹ [³⁹ *Sunday Star* 19 May 1991] However, it continued to participate in the working groups set up with the government to deal with political prisoners and indemnity (see above) and to discuss steps to end the violence.⁴⁰ [⁴⁰ *Ibid*]

The multiparty conference on violence, which was held on 24 and 25 May 1991, was attended by about 200 delegates representing churches, trade unions and political groups, including the Afrikaner Weerstandsbeweging.⁴¹ [⁴¹ *Business Day* 24 May 1991] The ANC, the Azanian People’s Organisation (AZAPO), the Congress of South African Trade Unions (COSATU), the PAC and the South African Council of Churches did not attend.⁴² [⁴² *Ibid*] The conference agreed that a code of conduct should be accepted by the security forces as well as political parties and organisations, that a prohibition on the carrying of dangerous weapons to meetings and demonstrations should be considered, and that the police force should be restructured. The conference also agreed that social upliftment was of the utmost importance since poverty was one of the primary causes of the violence. The conference decided that a ‘continuation committee’ would carry on the work of the conference (see below).⁴³ [⁴³ *Ibid*] This committee, headed by the chairman of the Council for Scientific and Industrial Research, Dr Louw Alberts, was mandated to try to bring groups which did not attend the conference into the peace initiative (see below and see *Religious Organisations*).⁴⁴ [⁴⁴ *Beeld* 27 May 1991]

In July 1991, after revelations that the government had covertly paid funds into an IFP bank account (see

chapter on *Political Developments*), Mr Mandela warned that if the government continued with its 'double agenda of criminal operations while talking peace' the negotiation process could break down completely.⁴⁵ [⁴⁵ *The Citizen* 20 July 1991] The ANC called for the dismissal of Mr Vlok and Mr Malan, a multiparty commission to investigate the government's involvement in violence and its secret funding of political parties, the visible disbanding of all counter-insurgency forces, the freezing of secret state funds, guarantees of immunity for any member of the security forces or civil service who came forward with information about secret operations, the prosecution of all members of the armed forces implicated in violence by commissions of inquiry, and compensation for the victims of state-sponsored violence.⁴⁶ [⁴⁶ *Beeld* 2 August 1991]

At the end of July 1991 Mr De Klerk announced that as of 30 August 1991 Mr Vlok and Mr Malan would be moved to other portfolios within the cabinet.⁴⁷ [⁴⁷ *Business Day* 30 July 1991] At a press conference on the matter, Mr De Klerk revealed that the government had decided to review all legislation pertaining to secret funds (see also chapter on *Political Developments*). He added that he would appoint an advisory committee from the private sector to advise him on secret projects and that he had terminated 41 secret government projects.⁴⁸ [⁴⁸ Press statement by the state president, Mr F W de Klerk, 30 July 1991] Mr De Klerk said that in terms of existing legislation, a standing commission would be appointed to study violence. He added that negotiations would not be stopped because of the revelations.⁴⁹ [⁴⁹ *The Citizen* 31 July 1991]

Continuation committee

The multiparty conference on violence agreed that a continuation committee consisting of representatives of the IFP, the National Party, business and the churches who had attended the conference would carry on the work of the conference. This committee was mandated to set up a 'facilitating committee', headed by Dr Alberts, to bring groups which had not attended the conference into the peace initiative (see below).⁵⁰ [⁵⁰ *Beeld* 27 May 1991]

At the end of May 1991 Dr Alberts announced that he was aiming particularly at involving churches and business leaders because they interacted with a large portion of the population. He added that the committee would not concentrate on addressing the issue of violence but rather on 'facilitating' the setting up of a mechanism to address this issue.⁵¹ [⁵¹ *Business Day* 29 May 1991]

Towards the end of June 1991 the facilitating committee called a meeting which was attended by the ANC, AZAPO, the IFP, the South African Communist Party, and a number of trade unions, including COSATU, the National Council of Trade Unions and the United Workers' Union of South Africa, as well as representatives of parliamentary parties and various church and business organisations. No right-

wing groups sent representatives.⁵² [⁵² *The Citizen* 24 July 1991] The meeting decided that representatives of the government, the ANC, the IFP, as well as the existing members of the facilitating committee would form a 'preparatory committee' which in turn would form working groups to consider and draft proposals on issues identified as being necessary to end the violence. Some of the important issues included socio-economic development and reconstruction, and a code of conduct for political organisations and the security forces. Enforcement mechanisms for these issues included measures such as a statutory standing commission and peace secretariats at national, regional and community levels.⁵³ [⁵³ *Business Day* 24 June 1991]

In August 1991 these working groups presented their reports to a meeting, which included representatives of the ANC, the IFP and the government. The meeting reached consensus on a draft peace accord arising from these reports.⁵⁴ [⁵⁴ *The Star* 18 August 1991] The participants consulted other political groups on the draft peace accord in an attempt to draw them into a conference which was held on 14 September 1991 in Johannesburg.

Weapons and intimidation

Responding to the ANC's call for the banning of traditional weapons (see above). Chief Buthelezi said that as a Zulu clan leader it was his duty to uphold the tradition of cultural weapons. He condemned the carrying of pangas and axes as cultural weapons but said that he himself carried weapons such as battle-axes, shields, spears and sticks, which were acceptable cultural weapons. He added that most people were killed by AK-47 rifles rather than by cultural weapons (see chapter on *Political Developments*).⁵⁵ [⁵⁵ *Sunday Times* 7 April 1991]

In April 1991 the government responded to the ANC's ultimatum calling for an end to violence and the carrying of traditional weapons, by announcing a prohibition on dangerous weapons in 'potential conflict situations', such as political marches and meetings.⁵⁶ [⁵⁶ *Sowetan* 18 April 1991] The following weapons were prohibited: arrows, axes, bricks, chains, clubs, crossbows, daggers, firearms, gaffs, garden forks, hammers, hoes, knives, metal pipes, metal rods, pangas, petrol bombs, pick handles, pitchforks, screwdrivers, scythes, sharpened sticks, sickles, spades, spanners, stones, swords, tubes and tyres.⁵⁷ [⁵⁷ *The Natal Witness* 11 May 1991] In May 1991, following a successful meeting with the Zulu monarch, King Goodwill Zwelithini, on the issue, Mr De Klerk announced a ban on assegais, except where exemption had been obtained to carry them as genuine cultural weapons, in 13 unrest areas on the Witwatersrand where curfews had been imposed.⁵⁸ [⁵⁸ *The Citizen* 23 May 1991] (For further details see chapter on *Political Developments*.)

In its response to the banning the ANC said that it did not go far enough. An ANC spokesman, Mr Carl

Niehaus, said that the organisation wanted a ban on spears in all areas.⁵⁹ [⁵⁹ *The Star* 24 May 1991]

Security legislation

In February 1991 the minister of justice, Mr Kobie Coetsee, said that the Internal Security Act of 1982 would be amended during the 1991 session so as to remove provisions which circumscribed free political activity.⁶⁰ [⁶⁰ *Ibid* 13 February 1991]

In July 1991 the Security and Intimidation Amendment Act was passed. It amended the Internal Security Act by repealing sections providing for: the prohibition of certain publications promoting the aims of communism or banned organisations; restrictions on the registration of newspapers; the keeping of a consolidated list of names of people belonging to unlawful organisations; restrictions on the movements of certain people on the consolidated list; the prohibition of the publication of statements and writings of certain people; and the disqualification of a person from being a member of Parliament or from practising as an advocate, attorney, conveyancer or notary. The amendment act repealed a section which had made it an offence to further communism and deleted references to communism being illegal. It also amended the principal act so that the Supreme Court could, upon request, decide whether there was reason to believe that jurisdictional grounds existed for declaring an organisation unlawful. It curtailed section 29 of the Internal Security Act, which had allowed for indefinite detention without trial, so as to provide for a definite period for initial detention (not exceeding ten days). Thereafter, further periods of detention would be determined by a judge of a local or provincial division of the Supreme Court on application. Section 50 (A)—which provided for 180-days' detention—was repealed.⁶¹ [⁶¹ *Government Gazette* no 13414, 17 July 1991]

Detainees were given the right to be examined by a doctor of their choice. The amendment act also imposed a duty upon the arresting officer of a detainee to inform his or her relatives of his or her arrest and whereabouts as soon as possible.⁶² [⁶² *Ibid*]

In introducing the legislation, Mr Coetsee said that South Africans still required special protection from terrorism and this was why section 29 had not been repealed completely.⁶³ [⁶³ *Business Day* 20 June 1991]

An ANC spokesman, Mr Matthew Phosa, said that the organisation had problems with the remaining legislation because it believed that it could lead to the courts being used to detain people without trial.⁶⁴ [⁶⁴ *Beeld* 8 July 1991]

The deputy leader of the Labour Party, Mr Miley Richards, said that his party supported, with reservations, the proposals to 'water down' detention without trial.⁶⁵ [⁶⁵ *The Citizen* 20 June '991]

The Democratic Party's spokesman on justice, Mr Dave Dalling, welcomed the legislation, calling it an

enormous improvement on the previous legislation and saying that the concept of habeus corpus had finally been restored to South African law.⁶⁶ [⁶⁶ *Ibid*]

The Conservative Party opposed the legislation.⁶⁷ [⁶⁷ *Business Day* 20 June 1991]

Racial legislation

In August 1990 the Reservation of Separate Amenities Act of 1953 was repealed. On 2 February 1991 the state president announced that the Black Communities Development Act of 1984, the Black Land Act of 1913, the Development Trust and Land Act of 1936, the Group Areas Act of 1966, the Population Registration Act of 1950 and other racial legislation would be repealed during the 1991 session of Parliament.⁶⁸ [⁶⁸ *Beeld* 2 February 1991] In June 1991 all the above-mentioned legislation was removed from the statute book.⁶⁹ [⁶⁹ *Business Day* 18 June 1991]

Forum for negotiations

Multiparty conference

In February 1991 the National Party announced its commitment to a multiparty constitutional conference. The minister of constitutional development, Dr Gerrit Viljoen, told Parliament that the conference should consist of representatives of all political parties and organisations enjoying proven support.⁷⁰ [⁷⁰ *Hansard* (joint sitting) 1 col 65, 4 February 1991] He added that the leaders of the groups most likely to participate would have to reach an understanding on:

- criteria for qualifying;
- guidelines for assessing proven support;
- methods to persuade unwilling parties to participate;
- the host calling the first meeting; and
- the logistics of the conference.

He said that the conference would need to discuss the composition and functioning of the constitutional negotiation forum and broadened political involvement during the transition period, and to agree on the

main principles for a new constitution.⁷¹ [⁷¹ Ibid cols 65-66]

Expanding on the concept, the deputy minister of constitutional development and for information services, Mr Roelf Meyer, told Parliament in the same month that the definition of political parties and organisations ‘with proven support’ would have to be worked out during the run-up to the conference, since Africans did not participate in parliamentary structures. He said an election as the basis for participation would create problems as it would require positions being adopted before the talks, making negotiation virtually impossible.⁷² [⁷² Ibid col 95] He added, however, that before the conference could be convened, there should be a renunciation of violence, a suspension of the armed struggle, and the national consultative conference of the African National Congress (ANC), which was scheduled for July 1991, should first be held.⁷³ [⁷³ Additional notes to Mr R Meyer’s speech to Parliament on 4 February 1991. Supplied by Mr R Meyer, 18 March 1991] Out-lining the functioning of the conference, Mr Meyer said that he foresaw its division into a number of committees. Outside experts and interest groups could be called upon to testify and experts would probably be employed on an advisory basis. Also important would be ways to ensure feedback between different parties and their constituencies, including holding referenda on particular issues.⁷⁴ [⁷⁴ *Hansard* (joint sitting) 1 col 95-96, 4 February 1991]

In February 1991 a meeting was held between the cabinet, the leaders of the ministers’ councils, the provincial administrators and the heads of the six non-independent homelands. A working group was formed to produce detailed proposals on a number of practical issues regarding the launch of the multiparty conference.⁷⁵ [⁷⁵ *The Citizen* 27 February 1991]

In June 1991, after the government had repealed the bulk of apartheid legislation (see above), the state president, Mr F W de Klerk, told Parliament that it would be possible to begin with the multiparty conference before the end of 1991.⁷⁶ [⁷⁶ *The Citizen* 18 June 1991]

The ANC was committed to participating in the proposed multiparty conference.⁷⁷ [⁷⁷ *Beeld* 10 July 1991] In January 1991, outlining his organisation’s vision for the conference, the deputy president of the ANC, Mr Nelson Mandela, said the ANC wanted the conference to be responsible for setting out broad principles within which a detailed constitution would be written; determining the composition of the body, such as a constituent assembly, that would draw up a constitution; and establishing an interim government to oversee the process of transition. He emphasised that the conference should be held as soon as possible.⁷⁸ [⁷⁸ *The Citizen* 9 January 1991] In February the convener of the internal leadership committee of the ANC, Mr Walter Sisulu, said that all parties with a proven constituency would have to be included in the multiparty conference. He added that while the method by which this would be determined still had to be agreed upon, the idea would be to avoid the inclusion of parties which might ‘mushroom overnight’.⁷⁹ [⁷⁹ *Mayibuye* February 1991] The ANC’s director of information, Dr Pallo

Jordan, said that the conversion of the multiparty conference into a constitution-making body would be inconsistent with the ANC's campaign to institute a constituent assembly for this purpose.⁸⁰ [⁸⁰ Telephonic interview with the director of information of the ANC, Dr P Jordan, 13 March 1991] In August 1991 the newly elected secretary general of the ANC, Mr Cyril Ramaphosa, said that if the government conceded the necessity for working out an interim government structure, the ANC would be ready to participate in a multiparty conference as early as mid-September 1991.⁸¹ [⁸¹ *The Star* 8 August 1991] He added that it might be preferable if the conference were to be called by a neutral body.⁸² [⁸² *The Weekly Mail* 2 August 1991]

The Inkatha Freedom Party (IFP) was already committed to a multiparty conference, according to its leader, Chief Mangosuthu Buthelezi. Chief Buthelezi warned, however, that a congress on the ANC's terms was just another step along the road to the winner-takes-all politics that the ANC was aiming for.⁸³ [⁸³ *The Citizen* 9 January 1991]

The Pan-Africanist Congress (PAC) said it would not participate in a multiparty conference if participants did not have a mandate from their supporters. The PAC's secretary general, Mr Benny Alexander, said that the state president apparently wished to substitute calls for a constituent assembly with a multiparty conference.⁸⁴ [⁸⁴ *Beeld* 19 February 1991]

The Conservative Party (CP) rejected the proposal for a multiparty conference because it felt that this was aimed at negotiating away the right of the Afrikaner to self-determination.⁸⁵ [⁸⁵ Interview with Dr C Mulder MP (CP), Cape Town, 20 February 1991]

The Democratic Party (DP) favoured the proposed multiparty conference. Outlining his party's vision for the conference, the leader of the DP, Dr Zach de Beer, said that the conference should discuss the broad principles within which the constitution should be written.⁸⁶ [⁸⁶ Interview with the leader of the DP, Dr Z de Beer, Cape Town, 18 February 1991]

The Azanian People's Organisation (AZAPO) did not favour a multiparty conference. In March 1991 the president of AZAPO, Mr Pandelani Nefolovhodwe, said that AZAPO could not foresee a multiparty conference being in a position to liberate black people—which was AZAPO's chief concern—and therefore could not support it.⁸⁷ [⁸⁷ Telephonic interview with the president of AZAPO, Mr P Nefolovhodwe, 8 March 1991]

The Labour Party (LP) endorsed the call for a multiparty conference in March 1991.⁸⁸ [⁸⁸ *The Citizen* 12 March 1991]

Other proposals

Constituent assembly

In May 1990 Mr Alexander called for a constituent assembly consisting of 265 seats elected by all South Africans of 18 years' and older on a common voters' roll, using proportional representation. Twenty constitutional experts should be appointed by political parties in proportion to their strength in the assembly, he said.⁸⁹ [⁸⁹ Speech by the general secretary of the PAC, Mr B Alexander, to the American Chamber of Commerce, Johannesburg, May 1991]

In March 1991 the publicity and information officer of the PAC, Mr Barney Desai, said that the 'masses' should have an opportunity to discuss the proposed constitution within their political parties before and during its debate in the assembly.⁹⁰ [⁹⁰ *Walkers' Voice* March 1991]

In January 1991 the head of the Transkei Military Council, Major General Bantu Holomisa, said that the Transkei was in favour of an elected constituent assembly.⁹¹ [⁹¹ *Business Day* 9 January 1991]

In February 1991 Mr De Klerk said that a new constitution should be negotiated by the representatives of all political parties with proven support which were committed to a peaceful and negotiated settlement, rather than by an elected constituent assembly.⁹² [⁹² *Hansard* (joint sitting) 1 col 6, 1 February 1991]

Also in February 1991 Dr C Mulder MP (CP) said that the CP would not accept a constituent assembly as it presupposed a unitary state ruled by blacks by virtue of the fact that they were in the majority.⁹³ [⁹³ Interview with Dr C Mulder MP (CP), Cape Town, 20 February 1991]

Dr De Beer argued that the immediate appointment of a constituent assembly with plenary powers could not be accepted because it would open the way to total domination by a majority before the rights of all citizens could be adequately ensured. He added that the DP agreed, however, that any new constitution would have to be approved by the people; after it had been drafted it would have to be submitted to a referendum of all citizens. He conceded that only after this might there be a place for 'some form of conference or assembly'.⁹⁴ [⁹⁴ Interview with Dr Z de Beer, Cape Town, 18 February 1991]

The executive director of the Inkatha Institute, Dr Gavin Woods, said that the IFP believed that a constituent assembly would limit multiparty negotiations, since one party would be able to dominate it numerically and write provisions into the constitution to benefit itself alone.⁹⁵ [⁹⁵ *Business Day* 1 February 1991]

The leader of Solidarity, Dr J N Reddy, said that his party did not support a constituent assembly

because it was likely to be dominated by only one group by virtue of its numbers.⁹⁶ [⁹⁶ Interview with the leader of Solidarity, Dr J N Reddy, Cape Town, 20 February 1991]

Also in February 1991 the LP rejected a constituent assembly and said that all political groups should be allowed to participate in negotiations.⁹⁷ [⁹⁷ Interview with Mr D Lockey MP (LP), Cape Town, 21 February 1991]

In March 1991 the head of political education of the ANC, Mr Raymond Suttner, said that the ANC envisaged a constituent assembly based on one-person one-vote.⁹⁸ [⁹⁸ *Workers' Voice* March 1991] In the same month the ANC and its alliance partners launched a campaign to demand a constituent assembly.⁹⁹ [⁹⁹ *The Star* 12 March 1991]

Also in March 1991 Mr Nefolovhodwe called for the creation of a constituent assembly as soon as the current government could no longer retain power or was willing to resign and hand over power to the people. He added that the test for membership of the assembly should be whether organisations had been engaged in fighting to overthrow the 'regime and its apartheid policies'. He said that only after the new constitution had been completed should elections be held in order to determine who would comprise the new government.¹⁰⁰ [¹⁰⁰ Telephonic interview with Mr P Nefolovhodwe, 8 March 1991]

In August 1991 the leader of the Herstigte Nasionale Party, Mr Jaap Marais, said that his party would do everything in its power to oppose the multiparty conference and delay it until the holding of an election for the white electorate in 1994.¹⁰¹ [¹⁰¹ *The Citizen* 1 August 1991]

Transitional arrangements

Government proposals

In August 1990 the minister of constitutional development, Dr Gerrit Viljoen, said that the government would be prepared to negotiate the creation of 'informal channels' to enable extra-parliamentary groups to influence decision making in the executive and in Parliament but that these would be advisory only.¹⁰² [¹⁰² *The Star* 30 August 1990] In May 1991 Dr Viljoen outlined three possible scenarios that would broaden participation during the transitional period. The first was that an 'informal' influential leadership corps would emerge in the negotiation forum that would 'inevitably have a persuasive influence on government and legislative decisions'. He said that the parties to the negotiations might eventually give a formal structure to this corps and a council of negotiating leaders, representative of the most significant parties, could emerge to provide consultative input to the government on matters of national consequence. The second was that the government might change the constitution to

accommodate individuals who were not members of Parliament in the cabinet. The final scenario was that joint multiparty working groups specialising in various fields of government might emerge from the negotiating forum to provide guidance to established government institutions.¹⁰³ [¹⁰³ *Business Day* 17 May 1991] At a press conference held in August 1991 the state president, Mr F W de Klerk, said that his government had no desire to be both player and referee. He reiterated his commitment to the transitional arrangements that would ensure in a constitutionally accountable manner 'that the government was unable to misuse its position of power to the detriment of the other participants in the negotiation process.'¹⁰⁴ [¹⁰⁴ Press statement by the state president, Mr F W de Klerk, 30 July 1991]

Other proposals

Interim government

The National Party (NP) did not favour an interim government. In February 1991 Mr De Klerk said that the legally constituted government could not relinquish its powers and simply hand over responsibility to an interim government. He said that effective administration had to continue until a new constitution was negotiated and implemented.¹⁰⁵ [¹⁰⁵ *Hansard* (joint sitting) 1 col 7, 1 February 1991] Responding to renewed calls from the African National Congress (ANC) in August 1991 for an interim government, Dr Viljoen said that while the government accepted the need for arrangements to give extra-parliamentary groups some influence during the negotiation process, under no circumstances would there be an interim government.¹⁰⁶ [¹⁰⁶ *The Citizen* 9 August 1991]

In March 1991 the head of political education of the ANC, Mr Raymond Suttner, said that an interim government was an essential pre-condition for the election of a constituent assembly and the overseeing of the transitional phase. He argued that the government would have to resign. An interim government should be instituted, which should be representative even though not elected. He suggested that decision making should be by consensus.¹⁰⁷ [¹⁰⁷ *Workers' Voice* 2 March 1991] Outlining the ANC's vision of an interim government, the secretary general of the ANC, Mr Cyril Ramaphosa, said that the police, the defence force and the South African Broadcasting Corporation should be among the elements that would be regulated. He indicated that there was still much debate in the ANC on how to 'give flesh' to the notion of an interim government.¹⁰⁸ [¹⁰⁸ *The Weekly Mail* 9 August 1991] In August 1991, following revelations that the government had given funds covertly to one of the potential negotiation partners, the Inkatha Freedom Party (IFP), the ANC warned that it had lost all faith in the government and renewed its call for the NP to hand over power to an interim government. (For further details see chapter on *Political Developments*.) The president of the ANC, Mr Nelson Mandela, said that it would be difficult to move forward with negotiations with the government if it did not address this demand. He indicated that he thought the idea of an interim government should be acceptable to the government since it had already indicated that it was prepared to discuss an interim government embracing all the major parties

in negotiations. He said that this signalled that the government and the ANC had moved closer to each other on this issue but added that the ANC wanted the government to go further and implement an interim government with sovereign powers over all the organs of government—one which would not ‘co-opt certain individuals’.¹⁰⁹ [¹⁰⁹ *the Citizen* 8 August 1991]

In February 1991 a Conservative Party (CP) spokesman, Dr C Mulder, said that the Afrikaner would never accept another group governing him. Dr Mulder said that the CP was not interested in power sharing, which was what an interim government would amount to.¹¹⁰ [¹¹⁰ Interview with Dr C Mulder MP (CP), Cape Town, 20 February 1991]

In February 1991 the leader of the Democratic Party (DP), Dr Zach de Beer, said there could be no legal continuity unless the legally elected government remained in place to vote the new constitution into existence. He suggested, however, that the government adopt a lower profile and that decision making be increasingly delegated to ad-hoc bodies that would include disenfranchised people.¹¹¹ [¹¹¹ Interview with Dr Z de Beer, Cape Town, 18 February 1991] However, following revelations that the government had given secret funds to the IFP, the chairman of the DP’s parliamentary caucus, Mr Colin Eglin, revealed that the DP would press for a ‘transitional government of national unity’ to be given priority at the proposed multiparty conference.¹¹² [¹¹² *The Citizen* 27 July 1991] Addressing a meeting in Frankfurt (Germany), Dr Denis Worrall MP (DP) said that the government ought to ask the convener of the government’s facilitating committee, Dr Louw Alberts, and his fellow facilitators, to work out an agreement for an interim government after consulting the leaders of all the biggest political organisations.¹¹³ [¹¹³ *Beeld* 25 July 1991] This should occur after they had completed their work on halting violence (see above and chapter on *Religious Organisations*).

The IFP argued that the present government should remain until replaced in a future nonracial election. The party added that the government could not rule without taking into account the views of its present and future negotiating partners.¹¹⁴ [¹¹⁴ *South African Update* February 1991]

The president of the Azanian People’s Organisation (AZAPO), Mr Pandelani Nefolovhodwe, said in March 1991 that AZAPO could not support the call for an interim government because this would amount to the rulers who had oppressed black people co-opting some blacks, to apply the same rules.¹¹⁵ [¹¹⁵ Telephonic interview with Mr P Nefolovhodwe, 8 March 1991]

In March 1991 the Pan-Africanist Congress (PAC) rejected an interim government on the basis that it refused to become a co-manager of apartheid. The PAC’s publicity and information officer, Mr Barney Desai, said that the PAC was not prepared to share power with what it considered to be an illegitimate regime.¹¹⁶ [¹¹⁶ *Workers’ Voice* 2 March 1991]

'Super cabinet'

In February 1991 the leader of Solidarity, Dr J N Reddy, suggested that the ministers' councils be disbanded and that the cabinet be extended to include representatives of extra-parliamentary groups. Such representatives should also be appointed in the various government departments.¹¹⁷ [117 Interview with Dr J N Reddy, Cape Town, 20 February 1991]

In February 1991 Mr Mandela rejected the idea of a super cabinet. He said that membership of such a cabinet, while the government remained in place, would be no substitute for an interim government.¹¹⁸ [118 *Sowetan* 21 February 1991]

Participants in negotiations

The minister of foreign affairs, Mr Roelof (Pik) Botha, said that the African National Congress, the Conservative Party (CP), the Democratic Party, the Inkatha Freedom Party (IFP), the Labour Party (LP), the National Party, the Pan-Africanist Congress and Solidarity had a right to be at the multiparty conference (see above) because they had proven support. He added that one of the items on the agenda of the conference would be for this core group to decide which other participants should be invited to the talks.¹¹⁹ [119 *The Watershed Years*, a *Leadership* publication, 1991] At the end of March 1991 the parliamentary standing committee on constitutional affairs was activated as a forum for parliamentary parties. The CP declined an invitation to join this forum.¹²⁰ [120 *Sunday Times* 31 March 1991] The state president, Mr F W de Klerk, said that since the future of the 'independent' homelands would be discussed at the negotiation table, their leaders would also have to be part of the proposed multiparty conference.¹²¹ [121 *Sowetan* 10 April 1991]

In May 1991 the deputy minister of foreign affairs, Mr Leon Wessels, said that political parties with power bases, and no government, would take part in the multiparty conference. He pointed out that three of the of the four parties in charge of the 'independent' homelands were unelected 'military dictatorship' while the 'mood of the rest of the world was against that sort of thing'.¹²² [122 *The Citizen* 8 May 1991]

The president of the IFP, Chief Mangosuthu Buthelezi, said that a lasting solution South Africa's problems would not be possible without successfully persuading the CP to join the negotiation process.¹²³ [123 *Sunday Star* 21 July 1991]

In July 1991 a spokesperson for the LP, Mr Peter Hendrickse, said his party believed that only registered political parties should take part in the proposed multiparty conference.¹²⁴ [124 *Barometer on Negotiations*,

vol 3 no 3, June 1991₁

Constitutional proposals

Political systems

In April 1990 the leader of the Afrikaner Volkswag, Professor Carel Boshoff, said that his movement foresaw a problematic interim stage consisting of a unitary state and an Afrikaner state on the way to his movement's ultimate goal of a commonwealth of free, self-determining nations.¹²⁵ [¹²⁵ *Monitor* April 1990₁

In June 1990 the leader of the Boerestaat Party, Mr Robert van Tender, said that every ethnic group should rule its own territory; the western Cape, for example, should be run by coloured people. He added that blacks would be allowed in the 'boer' states only as guest workers. He said that the Boerestaat Party foresaw a southern African economic community with political and cultural independence and economic co-operation.¹²⁶ [¹²⁶ *The Weekly Mail* 8 June 1990₁

In May 1990 the leader of the Conservative Party, Dr Andries Treurnicht, admitted that a separate white state would be smaller than the present (white-designated) South Africa.¹²⁷ [¹²⁷ *Beeld* 28 May 1990₁

Also in May 1990 the president of Bophuthatswana, Chief Lucas Mangope, said that Bophuthatswana was not against becoming part of a South African economic federation based loosely on the European Community 'pattern'.¹²⁸ [¹²⁸ *Sowetan* 30 May 1990₁] However, in his opening address to the Bophuthatswana National Assembly at the end of April 1991, Chief Mangope said that his government favoured a federal structure with strong devolution of power to constituent regions. He said that the federal regions or constituent states should be formed on the basis of:

- absolute freedom of association;
- new, logical regions or nation states evolving in the process of negotiation;
- regions having a sound economic base; and
- the level of autonomy of regions being a matter for the inhabitants of a region to decide for themselves.¹²⁹ [¹²⁹ Opening address by Chief Lucas Mangope at the opening of the Bophuthatswana National Assembly, 30 April 1991₁

In April 1991 the military leader of Venda, Brigadier Gabriel Ramushwana, said that he would like to see Venda reincorporated into South Africa.¹³⁰ [¹³⁰ *Sowetan* 9 April 1991]

The Labour Party (LP) said that it was in favour of a geographic federation for South Africa with between 15 and 20 nonracial states which would cut through existing boundaries.¹³¹ [¹³¹ *The Citizen* 14 May 1991] In May 1991 Mr Tommy Abrahams MP (LP) said that his party believed that it would not make sense to have ‘patchwork quilt’ territories such as KwaZulu.¹³² [¹³² *Ibid*]

In May 1990 the National Party abandoned its policy of independence for the homelands.¹³³ [¹³³ *Business Day* 10 May 1990] In June 1990 the minister of constitutional development, Dr Gerrit Viljoen, said that a new constitution would have to have the following structural elements in order to protect minorities:

- an entrenched constitution;
- maximum separation between executive, legislative and judicial powers, including an independent judiciary with authority to test the constitution;
- three self-contained levels of government;
- probably a two-chambered legislature with a head of state and a head of government elected by each house. Another alternative would be to have a collective multiparty college with a rotating chairman;¹³⁴ [¹³⁴ *Sowetan* 2 May 1991]
- the maximum practically achievable devolution of power;
- a system whereby decisions would be on the basis of consensus or loaded majorities (eg a two-thirds majority);
- equal and universal franchise rights; and
- an enforceable bill of rights.¹³⁵ [¹³⁵ Address by Dr G Viljoen to the 1990 conference of the National Students’ Federation, Halfway House, 2 July 1990]

In March 1991 Dr Viljoen said he believed that the nine development regions could serve as the basis for defining new regional boundaries to replace the diversity of the homelands, provinces and regional

services council areas.¹³⁶ [¹³⁶ *The Star* 22 March 1991]

In April 1991 the president of the Inkatha Freedom Party (IFP), Chief Mangosuthu Buthelezi, called for a ‘sane and sensible’ system of protecting group rights.¹³⁷ [¹³⁷ *The Citizen* 6 April 1991] He emphasised the importance of regionalising power structures and said that KwaZulu/Natal formed a natural regional second-tier structure which should be put in place in the new South Africa.¹³⁸ [¹³⁸ *Umxoxi*, vol 1, 1991] In June 1991 a member of the IFP’s central committee, Mr Musa Myeni, said that the IFP advocated a multiparty democracy, an independent judiciary, and a devolution of power from the centre to regional government, supported by local government structures. He added that his organisation envisaged a South Africa with a free market economy and minimum state intervention.¹³⁹ [¹³⁹ *Barometer on Negotiations*, vol 3 no 3, June 1991]

In April 1991 the African National Congress (ANC) published a discussion document in which it outlined its proposals for a new constitution for South Africa. In it the organisation rejected the vesting of political rights in different cultural, ethnic, linguistic or religious groups and advocated the following:

- a unitary state with a bill of rights;
- the reincorporation of the ‘independent’ homelands; and
- a three-tiered system of government consisting of central, regional and local government (see below).

The central government would consist of an executive, headed by an elected president who would also be head of state and would act in consultation with a cabinet of ministers headed by a prime minister who would be appointed by the president. The president would hold office for a maximum of two terms of five years each and would be impeachable only by a two-thirds majority of the national assembly (see below). The document suggested that the legislature should consist of two houses of parliament. The upper house, or national assembly, would be elected on the basis of proportional representation and the power to enact legislation would primarily be vested in it. The lower house, or senate, would also be elected on the basis of proportional representation, but provision would be made for regional representation. The document stressed that the senate would be neither a ‘corporatist’ chamber made up of interest groups nor would it represent ethnic or ‘community’ interests. It would be the custodian of the constitution and would have the power to refer any matter concerning the interpretation or application of the constitution to the appropriate court for its decision. Where appropriate, the senate would be able to delay legislation in the national assembly but would not have the power to veto legislation.¹⁴⁰ [¹⁴⁰ ANC discussion document, *Structures and Principles of a Constitution for a Democratic South Africa*, April 1991]

Outlining the proposed functions of central government, the document said that these would include defence; the creation of a national policy framework; economic, fiscal and tax policy; foreign affairs; security; and the provision of resources for education, employment, health, housing, nutrition and social welfare. It would also be charged with ensuring that all areas had an equitable access to national resources. The document also proposed that provision be made for elected regional governments based on population distribution, availability of economic resources, communications and an urban/rural balance rather than on racial or ethnic divisions. They would be charged with carrying out the basic tasks of government at regional level together with the functions presently vested in the provincial administrations. It proposed a system of nonracial local government in integrated areas.¹⁴¹ [141 ANC discussion document, *Structures and Principles of a Constitution for a Democratic South Africa*, April 1991]

The ANC also recommended an independent judiciary which would have the power to set aside, as well as review, legislation and actions that were unconstitutional. An independent constitutional court should be created. In May 1991 the deputy president of the ANC, Mr Nelson Mandela, said that structural guarantees would be built into a new constitution to ensure that whites were not dominated by blacks.¹⁴² [142 *Business Day* 15 May 1991]

In June 1991 the secretary general of the Pan-Africanist Congress (PAC), Mr Benny Alexander, said that the PAC stood for a nonracial multiparty democracy with universal franchise on a common voters' roll. It advocated an executive state president voted for by the ruling party and a unicameral parliament voted for by universal franchise. He said that his organisation favoured a separation of the legislature, the judiciary and the executive.¹⁴³ [143 *Monitor* June 1991]

Bill of rights

In 1990 the ANC's constitutional committee published a working document on a bill of rights for South Africa. Besides guaranteeing conventional freedoms (the freedom of assembly, association, culture, information, movement, religious belief and speech), the ANC's proposed bill of rights guaranteed equal rights for men and women. It proposed the abolition of capital punishment and detention without trial and said that South Africa should be a multiparty democracy with regular, free and fair elections based on universal franchise and a common voters' roll. It also included a section on workers' rights, which included the right to organise and join any union, equal work for equal pay and the right to strike.¹⁴⁴ [144 *A Bill of Rights for a New South Africa*, a working document by the ANC constitutional committee, 1990]

It further guaranteed the right to life, dignity, a fair trial (everyone shall be presumed innocent until proven guilty), judicial review, home life (no one shall be deprived of or removed from his home on the grounds of race, colour, language, gender or creed), privacy and conscience. It stated that all citizens would have the right to form political parties and to campaign for social, political and economic change.

The ANC's proposed bill of rights also imposed a duty upon the media, advertising and other social institutions to discourage sexual and other stereotypes. It added that discriminatory legislation would be outlawed. The rights of children would also be guaranteed.

Article ten of the document dealt with social, educational, economic and welfare rights. Included were freedom from hunger and the right to education, health, a minimum income, shelter and work.

Article 11, which dealt with the economy, land and property, stated that all legislation on economic matters would be guided by the principle of encouraging collaboration between the state, private, co-operative and family sectors. It guaranteed the right to ownership of private property, but said that all natural resources, which were not privately owned at the time the constitution came into force, would belong to the state. It suggested that the state be given the right to regulate the exploitation of natural resources and to grant franchises and determine royalties. The document stated that 'the state may, by legislation, take steps to overcome the effects of past statutory discrimination in relation to property rights' subject to just compensation for any deprivation resulting from this.

The proposals recommended that Afrikaans, English, Sepedi, Sesotho, Siswati, Tsonga, Tswana, Venda, Xhosa and Zulu have equal status and this right be set out in the schedule to the constitution. While there would not be any single official language, the state would have the right to give primacy to one or more languages in any region or throughout the country as the language of administrative communication or judicial record, or for other purposes.

The ANC also said that a human rights commission should be created to investigate and recommend appropriate remedies for discriminatory practices and make proposals for their elimination.

Article 13 allowed for the adoption of special measures (affirmative action) by a private or public body in order to advance or open up opportunities for historically disadvantaged people. Article 14, entitled 'positive action', allowed for the state to enact legislation to prohibit the circulation of materials which incited ethnic, gender, linguistic, racial or religious hatred or which provoked violence. It also suggested that all organs of the state should pursue policies and programmes aimed at redressing the consequences of past discriminatory laws. Article 16 provided for the enforcement of the bill of rights by a constitutional court.¹⁴⁵ [145 ANC discussion document, *Structure and Principles of a Constitution for a Democratic South Africa*, April 1991]

In August 1991 the South African Law Commission handed its interim report on group and human rights to the minister of justice, Mr Kobie Coetsee. At the time of writing the report had not yet been made available to the public and it was scheduled to be published only once the minister had studied it.¹⁴⁶ [146 *The Star* 7 August 1991]

In June 1991 Mr Alexander said that the PAC advocated a bill of rights which protected individual rights

while redressing inequalities through strong social and economic policies which did not give power to minorities. He said that it should guarantee access to land and resources. He stressed that the PAC would not make special provision for the protection of minorities.¹⁴⁷ [¹⁴⁷ *Monitor* June 1991]

Electoral systems

In April 1991 the ANC outlined its choice of an electoral system in a discussion document. It recommended the proportional representation system using a combination of the fixed national list system and a fixed regional list system. This meant that each party would present a list, determined by itself, for voters to endorse at both the national and the regional level. The ANC, however, envisaged that each voter would be allocated only one vote which would serve to elect both national and regional-based deputies. This would work by allocating half the seats in the legislature to the regions and the other half to the parties at national level. Seats would be divided between the different regions in proportion to the number of registered voters in each region. The electorate would then cast their votes for their party's regional list for their particular region, and seats in these regions would be allocated proportionally to each party according to its electoral support. The votes for each region would then be aggregated for each party to determine its national support. The amount of national support that each party acquired would determine where its national list would be cut off (ie how many seats it would be allocated). The ANC suggested, however, a 5% threshold so as to ensure the exclusion from the legislature of fringe parties obtaining less than this.¹⁴⁸ [¹⁴⁸ ANC discussion document, *Structures and Principles of a Constitution for a Democratic South Africa*, April 1991]

In May 1991 Dr Viljoen suggested that South Africa should have some sort of proportional representation system.¹⁴⁹ [¹⁴⁹ *Sowetan* 23 May 1991]

Initiatives for Nonracial Local Government

Policy

In March 1991 the minister of constitutional development, Dr Gerrit Viljoen, said that local government had to be protected as a basic democratic institution in any new constitution. He said that local government would be endowed with maximum powers and functions as well as sufficient sources of income.¹⁵⁰ [¹⁵⁰ *The Citizen* 22 March 1991]

In April 1991 the minister of planning, provincial affairs and national housing, Mr Hernus Kriel, said that the government would not introduce legislation to entitle blacks who moved into previously white group areas to vote there in municipal elections. He added that this issue would be debated as part of the

constitutional negotiations and that provisions which had been made for communities to negotiate non-discriminatory arrangements at local level were optional and not compulsory.¹⁵¹ [151 Ibid 24 April 1991] In May 1991 Mr Kriel said it was clear that local authorities based on discrimination and race did not work. He revealed that the government's basic principles for a new model for local government were that it had to be autonomous and democratic. He added that all residents, regardless of colour, should have the franchise. Areas needed to be geographically demarcated for local government and they should have a single tax base with maximum devolution of powers to local authorities.¹⁵² [152 Ibid 23 May 1991]

Legislation

The **Interim Measures for Local Government Bill** was passed in June 1991. The resulting act provided for local communities to negotiate their own models of joint local government until such time as a new constitution was in place. The act empowered a provincial administrator to appoint a mediator to identify community leaders and consult them as well as local government bodies, and to promote negotiation aimed at empowering two or more local authorities to create joint negotiating forums. These forums would be empowered to negotiate a wide range of joint arrangements, including the rendering of services by one local authority to another, joint decision making by two or more local authorities, or their merging into a single joint authority.

The provincial administrators, in concurrence with central government, were empowered to issue proclamations to legalise any interim arrangements negotiated, to reject such arrangements or request their modification, and to compel the negotiating forum to invite other people or bodies designated by the provincial administrator concerned.

The act also made provision for its application in the non-independent homelands, so that local authorities in these areas could negotiate a new local government system with city councils in white-designated areas. Under the provisions of the act the administrator was also empowered to repeal or amend any law of Parliament or the legislative assembly of a non-independent homeland that conflicted with any such negotiated arrangement.¹⁵³ [153 Interim Measures for Local Government Act of 1991] The act was, however, merely an enabling mechanism whereby councils which so wished could form nonracial local authorities. It did not compel them to do this.

Introducing the debate on the legislation, the minister of planning, provincial affairs and national housing, Mr Hernus Kriel, said that the legislation should neither be seen as an attempt to pre-empt national negotiations nor to prolong legislation based on race. He said that it had become essential to create a legal framework that could accommodate local initiatives towards co-operation which had already begun.¹⁵⁴ [154 *Business Day* 13 June 1991]

The bill was passed in June 1991 with the Conservative Party (CP) voting against it and the Democratic Party (DP) abstaining. The leader of the DP, Dr Zach de Beer, said that the DP could not support the

legislation because there had been too little consultation on it and it left too much in the hands of the legislators. He added that the DP had abstained from voting for the bill because it did not want to be associated with the reasons the CP gave for opposing the bill.¹⁵⁵ [¹⁵⁵ *The Citizen* 13 July 1991] Mr Jan Hoon MP (CP) said that the CP opposed the legislation because it would destroy the self-determination of all groups by allowing the setting up of multiracial local government structures.¹⁵⁶ [¹⁵⁶ *Ibid* 18 July 1991]

Mr Desmond Lockey MP (Labour Party) said that the LP supported the legislation because it was an experiment in trying to make up for the failure of apartheid.¹⁵⁷ [¹⁵⁷ *Ibid*] The minister of agriculture in the House of Delegates, Mr Yunus Moola, supported the bill and said that it would lead to the tricameral parliamentary system being transformed into a unicameral system as an interim measure.¹⁵⁸ [¹⁵⁸ *Ibid*]

In its reaction the African National Congress (ANC) said that the legislation was fundamentally flawed because it contained no acceptable guiding principles on which new local government could be based. The ANC threatened to request civics and trade unions to refrain from participating in local negotiations if the government proceeded with the legislation.¹⁵⁹ [¹⁵⁹ *Business Day* 12 June 1991]

By the end of July 1991 several municipalities had already begun to form nonracial local government structures (see below).

Other initiatives

Metropolitan and other indabas

Cape Town

In October 1990 Mrs Helen Zille, a research consultant involved in the one-city initiative, said that the debate had shifted from the question of whether to negotiate and was rather turning to questions such as who should negotiate, how negotiations should be structured, when they should commence and how local negotiations would supplement, and not be a substitute for, national negotiations.¹⁶⁰ [¹⁶⁰ *Cross Times* October 1990] She added that the greatest challenge facing the embryonic initiative was to resolve the question of where Cape Town's boundaries were. She said that it would be a 'non-starter' for the council to limit talks to 'stakeholders' within its municipal boundaries as this would exclude about two thirds of the metropolitan area's African and coloured residents.¹⁶¹ [¹⁶¹ *Ibid*]

Durban

Reacting to the decision by the Glencoe Town Council (northern Natal) to incorporate Glencoe's Indian

local affairs committee (LAC) into its council (see below), the chairman of the North Durban LAC, Mr Kamal Panday, called for full voting rights for his LAC on Durban's council and accused the council of 'lagging shamefully behind a tiny town like Glencoe'. In response, a member of the Durban City Council, Mrs Margaret Ambler, rejected Mr Panday's suggestion on the grounds that 'the whole LAC system is totally rejected by the majority of the population'. She added that she would go along with Mr Panday's suggestion only if such a move were fully negotiated and supported by all relevant organisations, including the African National Congress (ANC), the Inkatha Freedom Party (IFP), the Labour Party (LP) and the National Party (NP).¹⁶² [¹⁶² *The Star* 3 August 1991]

East London

According to the head of the East London (eastern Cape) Action Forum, Dr Chrispian Olver, the East London one-city campaign was working towards the establishment of a single nonracial municipality for the greater East London metropolitan area, which had nine designated local authority structures.¹⁶³ [¹⁶³ *Cross Times* October 1990]

In October 1990 the one-city campaign involved some 55 community and labour organisations in the greater East London area. The campaign called for the creation of an interim structure that would administer the city on a metropolitan scale and lay the basis for a properly constituted and unified municipality. The campaign advocated discussion between all significant groups on the matter and said that the Gompo municipality and the coloured and Indian management committees would need to be disbanded to allow a truly representative municipality to emerge.¹⁶⁴ [¹⁶⁴ *Ibid*]

In an interview in August 1991, East London's town clerk, Mr L P Koem, revealed that the council had not initiated the one-city campaign but had been invited to it. He added that a set of principles had been drawn up and that the council would look at whether to adopt these formally. Mr Koem said that he was expecting a set of guidelines for local government structures in the Cape province from the administrator of the Cape province and that the council would study these before making any decisions.¹⁶⁵ [¹⁶⁵ Telephonic interview with the town clerk of East London, Mr L P Koem, 13 August 1991]

Germiston

In July 1991 the Germiston City Council's management committee approved a recommendation to amalgamate the councils of Bedfordview, Germiston, Katlehong and Palmridge (all on the east Rand). The chairman of Germiston's management committee, Mr Leon Louw (NP), said that his council was committed to the amalgamation in principle and that contracts were being drawn up to be presented to the various councils involved in the initiative before being sent to the administrator for his approval.¹⁶⁶ [¹⁶⁶ *The Citizen* 12 July 1991]

Mr Louw stressed that in order for the amalgamation to be financially viable it would have to receive

financial assistance from the central government as well as the Transvaal Provincial Administration (TPA).¹⁶⁷ [¹⁶⁷ Ibid]

The leader of the Conservative Party (CP) in the council, Mr Mario Valli, said the CP was against the amalgamation because Germiston would ultimately be responsible for the bad debt incurred by Katlehong.¹⁶⁸ [¹⁶⁸ Ibid]

The mayor of Katlehong, Mr MacDonald Mhlana, said that his council had been agitating for a single tax base for all the residents of Germiston and that the amalgamation would benefit all residents.¹⁶⁹ [¹⁶⁹ Ibid 28 July 1991]

The chairman of the Palmridge management committee, Mr Kassim Ismam, said that the move was long overdue and that disadvantaged communities like Palmridge and Katlehong, that did not have industries to support them with rates and taxes would benefit from the amalgamation.¹⁷⁰ [¹⁷⁰ Ibid]

Glencoe

In July 1991 the Glencoe Town Council and Glencoe's Indian LAC signed a charter agreeing to LAC members becoming fully fledged members of the Glencoe Town Council with full voting powers.¹⁷¹ [¹⁷¹ Information supplied by Glencoe Town Council, 31 July 1991] According to Glencoe's deputy town clerk, Mr A van Zyl, the charter had been sent to the administrator of Natal for his approval in terms of the Interim Measures for Local Government Act of 1991.¹⁷² [¹⁷² Telephonic interview with the deputy town clerk of Glencoe, Mr A van Zyl, 30 July 1991] Glencoe's town clerk, Mr Hennie Jacobs, predicted that the approval of the charter by the administrator would be a mere formality.¹⁷³ [¹⁷³ Information supplied by Glencoe Town Council, 31 July 1991]

The mayor of Glencoe, Mr Richard Nel, said that once the charter had been approved by the administrator the LAC would be disbanded and its members incorporated into the Glencoe Town Council. He said that the council had treated the LAC members as fully fledged councillors for the previous two years and that the charter would merely legalise this. Mr Nel revealed that although Glencoe's African township was not included in the charter, his council was communicating with the township authority and helping with its finances and planning. He added that he hoped that Glencoe would be able to 'help the township in the same way as it had helped the LAC'.

Johannesburg

The Central Witwatersrand Metropolitan Chamber was officially launched on 9 April 1991, when five civic bodies, the TPA and seven councils signed an agreement to constitute the chamber.¹⁷⁴ [¹⁷⁴ *Business*

Day 10 April 1991] A spokesman for the chamber said that it was meant to serve as a negotiating forum to investigate and formulate nonracial, democratic, metropolitan and local government structures and to implement these.¹⁷⁵ [¹⁷⁵ *The Citizen* 16 April 1991]

By July 1991 numerous organisations had joined the chamber, including a number of civic associations which had joined despite the fact that the Civic Associations of Southern Transvaal (CAST) had come out against civics joining the chamber alongside black councils.¹⁷⁶ [¹⁷⁶ *Business Day* 10 April 1991] Six bodies still had to sign the agreement.¹⁷⁷ [¹⁷⁷ Telephonic interview with the secretary of the Central Witwatersrand Metropolitan Chamber, Mr Vie Milne, 17 July 1991]

However, in August 1991 the president of CAST, Mr Moses Mayekiso, urged its members to present demands for new structures to the chamber. Mr Mayekiso said it was important that negotiations proceeded simultaneously at all levels so that decisions taken at local level did not contradict national decisions.¹⁷⁸ [¹⁷⁸ *Business Day* 6 August 1991]

The chamber granted observer status to the Central Witwatersrand Regional Services Council, the Development Bank of Southern Africa, Eskom, the Midrand and Tembisa councils, the Rand Water Board and the Tembisa Residents' Association.¹⁷⁹ [¹⁷⁹ Telephonic interview with Mr V Milne, 17 July 1991]

In signing the agreement the members undertook to negotiate, in good faith, any disputes arising from the implementation of the constitution. The constitution stated that 'members agree that the problems of local government financing need to be approached from the perspective of the metropolitan region within which a common fiscal base should be a major element'. A task group was set up to report on a common tax base for the region. Several other working groups were established to deal with issues relating to greater Soweto (Johannesburg), economic concerns, constitutional affairs, physical and institutional development and other areas deemed necessary to fulfil the council's mandate.¹⁸⁰ [¹⁸⁰ *Business Day* 8 April 1991]

In May 1991 the executive director of the Institute for a Democratic Alternative for South Africa (IDASA), Dr Frederik Van Zyl Slabbert, was unanimously elected chairman of the chamber.¹⁸¹ [¹⁸¹ *Ibid* 16 May 1991]

Klerksdorp

In April 1991 the town clerk of Klerksdorp (west Rand), Mr Jan Muller, who was also town clerk of the nearby African township of Jouberton, revealed that Klerksdorp's departmental officials had headed both Klerksdorp's and Jouberton's departments since August 1990.¹⁸² [¹⁸² *Sunday Times* 14 April 1991]

Mr Muller said that all but three of Jouberton's councillors had resigned and an administrator, who was also a member of the NP-controlled Klerksdorp Town Council's management committee, had run the township since February 1991. He added that he believed the joining together of the two administrations was the first step towards the formation of a single, nonracial local government structure for the two areas.

Also in April 1991 Mr Muller said that he would suggest a meeting to discuss the formation of a forum whereby the community could participate in the running of the township. He also said that the council would be discussing the question of a move to a single local authority with a single tax base with all the organisations in the township.

However, the chairman of the Jouberton Civic Association, Mr Henry Moleme, said that the association had not been consulted about the merging of the administrations. He added that while they were merged administratively there was an urgent need to negotiate a new nonracial structure with a single tax base.¹⁸³ [¹⁸³ Ibid]

A TPA spokeswoman, Ms Magda du Toit, said that the joint administration between Klerksdorp and Jouberton was the most advanced example of joint administration in the Transvaal and was the first step towards a joint nonracial and democratic structure.¹⁸⁴ [¹⁸⁴ Ibid]

Middelburg

In July 1991 the Middelburg Forum (eastern Transvaal) was described by the group public affairs director of Middelburg Steel and Alloys (one of the key players in the Middelburg Forum), Mr Mark Drewell, as community based since it included representatives of the ANC, the Congress of South African Trade Unions and the CP-controlled Middelburg Town Council. Other organisations represented on the forum included the local township's civic association, the Middelburg Residents' Association; big business, represented by Barlows Trailers, Rand Mines and Middelburg Steel and Alloys; the local chamber of commerce; and various religious organisations. At the time of writing the director of industrial relations of Middelburg Steel and Alloys, Mr Chris Whittaker, was the forum's official facilitator.¹⁸⁵ [¹⁸⁵ Telephonic interview with Mr M Drewell, group public affairs director of Middelburg Steel and Alloys, 15 July 1991]

By July 1991 Middelburg's Mhluzi township no longer had a council, but was being run by the Middelburg town clerk, who represented both the Middelburg council and Mhluzi on the forum. Mr Drewell said that there was a standing invitation to all organised bodies to participate in the forum. He indicated that there were moves afoot to get the CP-controlled council and the TPA to become more closely involved in the forum and that the prospects for this seemed good. To this end the forum was to embark on a campaign to get Middelburg's white electorate to put pressure on the CP-controlled council

to participate more actively in the forum.¹⁸⁶ [186 Telephonic interview with Mr M Drewell, 15 July 1991]

Decision making in the forum was by consensus, never by voting, and Mr Drewell attributed this to a process he termed 'interactive planning', where each party was first allowed to define its understanding of the problem and then provide its recommended solution. He said that the process of taking all the participants through the various viewpoints allowed them to see the problem from various angles and therefore made them more appreciative of other points of view.

The forum had set up six separate working groups. The group known as 'integrated systems' had been mandated to look into the possibility of amalgamating the Middelburg and Mhluzi councils and combining their tax bases. Its more immediate task, however, was to work on the issue of rent arrears. The other five working groups were the education committee, the health committee, the housing committee, the security liaison committee (liaising with the police to prevent loss of life during police action) and the social welfare committee.¹⁸⁷ [187 Telephonic interview with Mr M Drewell, 15 July 1991]

Mr Drewell said that although the forum had no legislative authority its decisions were taken very seriously by both the Middelburg Town Council and the TPA.¹⁸⁸ [188 Telephonic interview with Mr M Drewell, 15 July 1991]

Pietermaritzburg

In July 1991 the deputy town clerk of Pietermaritzburg (Natal), Mr Jan Cross said that the one-city campaign in the town was still at a very early stage. He revealed that a number of black councils had approached the Pietermaritzburg City Council with the view to establishing one nonracial city council and that the council had reacted positively to this. He said that talks had been taking place in various forums within the city and the city council itself had conducted talks with the Indian Combined Ratepayers' Association and various other civic organisations.¹⁸⁹ [189 Telephonic interview with the deputy town clerk of Pietermaritzburg, Mr J Cross, 10 July 1991]

Mr Cross said that the council was examining the Interim Measures for Local Government Act to assess its suitability for promoting nonracial local government for the city. He also revealed that the council was in favour of one municipal borough for the entire Pietermaritzburg area. He said, however, that in essence the coloured and Indian LACs were already taking part in the city council's proceedings since they were consulted on all matters and were allowed to participate in its debates. He added that the council attempted to reach consensus on all matters as far as possible with due regard to the views of the LAC representatives. Because the council was not legally integrated, only councillors had voting rights on the council. He said LAC committee members also served on the council's standing committees.¹⁹⁰ [190 Telephonic interview with Mr J Cross, 10 July 1991]

Mr Cross added that there were no African townships represented on the council since, technically, there

were none within Pietermaritzburg's boundaries. He said Sobantu, originally created by the council, now had a separate council. He added, however, that the Sobantu local authority had approached the council with a view to its incorporation into a nonracial municipality and the council had said that it would be prepared to renegotiate its boundaries.¹⁹¹ [191 Telephonic interview with Mr J Cross, 10 July 1991]

Port Elizabeth

In February 1991 the town clerk of Port Elizabeth (eastern Cape), Mr Paul Botha, said that a council working group had compiled a list of 'interested parties' which included the Afrikaanse Sakekamer, the ANC, the CP, the Democratic Party (DP), Ibhayi City Council (the council representing Port Elizabeth's African townships), the LP, the Malbar (Indian) management committee, the Mass Democratic Movement, the Midland Chamber of Industries, the Northern Areas co-ordinating committee, the Northern Areas management committee (representing coloured people), the NP, the Port Elizabeth People's Civic Association, the South African Communist Party and the Urban Foundation.¹⁹² [192 *The Weekly Mail* 22 February 1991] As late as July 1991, however, the DP's regional director for Port Elizabeth, Mr Robert Stevenson, who was also a member of the Port Elizabeth City Council, said that the forum was still in its initial stages and that no final agreement had been reached on the composition of the body.¹⁹³ [193 Telephonic interview with the DP regional director for Port Elizabeth, Mr R Stevenson, 10 July 1991]

In February 1991 the regional publicity secretary of the ANC, Mr Mike Xhengo, said that there should be elections to decide who should be on the first one-city administration.¹⁹⁴ [194 *The Weekly Mail* 22 February 1991] In April he said that the ANC would do its best to persuade the CP to take part in the discussions.¹⁹⁵ [195 *Ibid* 5 April 1991]

The CP called for an election or referendum to obtain a mandate on the issue before any steps were taken towards a single nonracial municipality.¹⁹⁶ [196 *Ibid*]

In June 1991 the Port Elizabeth one-city campaign comprised representatives of the local ANC, DP, NP, and the Port Elizabeth municipality as well as representatives of church organisations and local commerce and industry. Organisations such as IDASA and the Urban Foundation were also involved. All townships falling within the Port Elizabeth boundaries were also represented in the forum.¹⁹⁷ [197 Telephonic interview with Mr R Stevenson, 10 July 1991]

Mr Stevenson revealed that in April 1991 the DP and the ANC had entered into a 'tactical alliance' on two issues. The first was a four-point 'goodwill agreement' which committed participants to the concept of a single municipality for Port Elizabeth and the bringing of peace, equity and stability to the city. The other agreement, the 'protocol agreement', set out a proposal for the establishment of a three-tier forum

to take the process forward. All participants committed themselves to the one-city principle. He added that the Port Elizabeth City Council had rejected the Interim Measures for Local Government Act and wished to develop its own ideas for nonracial local government.¹⁹⁸ [¹⁹⁸ Telephonic interview with Mr R Stevenson, 10 July 1991]

Pretoria

In April 1991 the NP-controlled Pretoria City Council announced that it would start negotiations for a new 'super city council in the greater Pretoria area, representing all population groups'. Subsequently, the NP caucus in the council appointed a seven-man negotiating team, including the chairman of the council's management committee, Dr Pieter Smith.¹⁹⁹ [¹⁹⁹ *The Citizen* 30 April 1991] Dr Smith said that the council would talk to councils in neighbouring areas such as Akasia, Atteridgeville, Eersterus, Laudium, Mamelodi and Verwoerdburg.²⁰⁰ [²⁰⁰ *Ibid*]

The CP representatives in the council indicated that the CP would be prepared to take part in the negotiations only if it were understood that it would accept nothing less than the right of each population group to govern itself.²⁰¹ [²⁰¹ *Ibid* 1 May 1991]

At the end of May 1991 Dr Smith announced that he had completed the first round of talks with the representatives of the coloured township of Eersterus, the African township of Mamelodi and the Indian township of Laudium. He said that Eersterus had already indicated that it wanted direct representation on the Pretoria City Council and the chairman of Mamelodi's council, Mr J Maluleka, had expressed his council's wish to become part of a greater Pretoria. Laudium's management committee expressed the hope that it would be involved in discussions for a greater Pretoria council at committee level. Both Dr Smith and Mr Maluleka stressed the need for voter qualifications to be discussed.²⁰² [²⁰² *Ibid* 22 May 1991]

In July 1991 the leader of the CP in the Pretoria City Council announced that the CP-controlled Akasia council would not participate in the negotiations.²⁰³ [²⁰³ *Die patriot* 5 July 1991]

At the end of July 1991 the acting chairman of Pretoria's management committee, Mr Cor Uys, announced that the council would be holding talks in August 1991 with neighbouring municipalities regarding a co-ordinated structure for the Pretoria area. He added that the new metropolitan system did not necessarily mean a single municipality for the whole Pretoria area but it would instead be open for negotiation.²⁰⁴ [²⁰⁴ *The Citizen* 27 July 1991]

Sandton

In March 1991 the chairman of the management committee for Sandton (southern Transvaal), Mr Bruce Stewart, announced that the Sandton Town Council was preparing to merge with the neighbouring Alexandra township.²⁰⁵ [²⁰⁵ Ibid 1 April 1991] He said that the government or the TPA would assist Sandton to finance the rebuilding of the township's ailing administrative structures and the uplifting of vital areas.

The chairman of the joint negotiating forum for Sandton and Alexandra, Mr Peter Gardiner, said that membership of the forum consisted of the Alexandra Civic Association, the Alexandra council, the Central Witwatersrand Regional Services Council, the Development Bank of Southern Africa, Eskom, the Rand Water Board, the Randburg council, the Sandton council and the TPA.²⁰⁶ [²⁰⁶ Telephonic interview with the chairman of the joint negotiating forum for Sandton and Alexandra, Mr P Gardiner, 9 July 1991] In March 1991 the forum agreed to the following aspects relating to Alexandra: the writing off of rent arrears, the payment of services, the transfer of rented houses to their occupants, the upgrading and conversion of hostels into family dwellings, the upgrading of services, the transfer of land known as the Far East Bank to a land trust administered by representatives of Alexandra, the building of low-cost housing and the provision of additional land. It also agreed to the creation of a single nonracial local authority.²⁰⁷ [²⁰⁷ *Sowetan* 13 March 1991] In July 1991 Mr Frederick Ehlers, a member of the Sandton Town Council, revealed that Sandton and Randburg officials were helping with the administration of Alexandra.²⁰⁸ [²⁰⁸ Telephonic interview with a member of the Sandton Town Council, Mr F Ehlers, 10 July 1991]

RELIGIOUS ORGANISATIONS

Key Points

- In July 1990 apartheid was declared to be a sin at the national conference of church leaders in South Africa held at Rustenburg (central Transvaal).
- Religious leaders met in Johannesburg in May 1991 to discuss convening a peace conference. This meeting resulted in a one-day meeting in June 1991 which was attended by a wide range of political parties.
- Some 3 500 Pentecostal and charismatic churches with 3m members of all races united to form the International Fellowship of Christian Churches.
- The Roman Catholic Church issued a pastoral letter in February 1991, which confirmed the church's opposition to apartheid.
- In June 1991 the white Nederduitse Gereformeerde Kerk applied to be given observer status by the

South African Council of Churches.

- Peace Action was launched in June 1991 to monitor areas of conflict and to provide physical and psychological relief to victims of violence.
- In October 1990 the (coloured) Nederduitse Gereformeerde Sendingkerk and the (African) Nederduitse Gereformeerde Kerk in Afrika agreed at synod level to unite. However, in June 1991 the churches decided to delay the merger.
- The first Muslim political party, the Islam Party of South Africa, was launched in October 1991.

Interdenominational Consultations

National conference of church leaders in South Africa (Rustenburg Conference)

In December 1989 the state president, Mr F W de Klerk, invited church leaders to discuss the role of the church in a changing South Africa (see 1980/90 *Survey* p288). He appointed a steering committee for a proposed conference under the auspices of the Council for Scientific and Industrial Research (CSIR). Some churches were in favour of holding joint discussions, but others believed that if an inter-church meeting were held, there should be no state involvement and some restitution between churches of divergent viewpoints should take place first. As a result, Mr De Klerk withdrew his invitation, asking the churches themselves to begin some form of concerted dialogue. He asked the chairman of the CSIR, Dr Louw Alberts, to lead the initiative.

In July 1990 leaders of a number of churches and evangelical groups met to plan a widely representative national conference. They agreed that the co-chairmen should be Dr Alberts and the general secretary of the South African Council of Churches (SACC), the Rev Frank Chikane. An ad-hoc steering committee was appointed to organise the conference on the theme 'Understanding the church situation and obstacles to Christian witness'. The head of the World Council of Churches' programme to combat racism, the Rev Barney Pitjane, was appointed to organise the conference which was held in Rustenburg (central Transvaal) from 5 to 9 November 1990.

Invitations were sent to all recognised churches and Christian religious groups in South Africa, as well as to a number of individuals. Only two churches refused the invitation—the whites-only Nederduitsch Hervormde Kerk and the Afrikaanse Protestantse Kerk (a right-wing group which had seceded from the Nederduitse Gereformeerde Kerk (NGK) early in 1989). The participants numbered about 300, representing 80 denominations and 40 organisations.

The president of the SACC, Dr Khoza Mgojo, spelt out some requirements for restitution to take place, including the redistribution of the wealth of the country and land.

One of the invited speakers, Professor Willie Jonker (a member of the NGK but not one of the church's

official delegation), was reported to have said, 'I want to confess before you and the Lord, my own sin and guilt of injustice done to you. Not only that, but vicariously to dare also to do it in the name of the NGK and Afrikaner people as a whole. I am at liberty to do so since the NGK declared apartheid a sin at its recent general synod.'

The Anglican archbishop of Cape Town, the Most Rev Desmond Tutu, said he accepted this confession. Representatives of the African and coloured Nederduitse Gereformede (NG) churches challenged the archbishop, asking for clarification on whether the confession had been accepted on behalf of the entire conference. They pointed out that the NGK had not yet clearly committed itself to a structurally united church (having postponed a decision until 1994) and that its ministers included members of the Broederbond, an Afrikaans secret society. The moderator of the NGK, Professor Pieter Potgieter, told the conference that members of his delegation identified themselves with Professor Jonker's statement.

The professor of religion and society at the University of Cape Town, Professor Charles Villa-Vicencio, said that the test would be what the NGK did regarding its pronouncement that apartheid was a sin. The moderator of the (coloured) Sendingkerk announced that the NGK and its two sister-churches would meet later in the year to try to resolve their differences over the interpretation of apartheid.

Some of the other church leaders, including Pastor Ray McCauley of the Rhema Bible Church (who spoke on behalf of the charismatic churches), also confessed guilt in regard to apartheid. After prolonged discussion of the effects of this policy, the *Rustenburg Declaration* was formulated and adopted by a majority vote. The declaration stated inter alia: 'We confess our own sin and acknowledge our heretical part in the policy of apartheid which has led to such extreme suffering ... We denounce apartheid in its intention, its implementation and its consequences, as an evil policy.'

The government was called upon to negotiate a new constitution for South Africa based on a multiparty, one-person one-vote system with a common voters' roll. A more equitable distribution of wealth was required, as were the redistribution of land, a bill of human rights, the rule of law under an independent judiciary and the opening of white schools to all races. Churches were called upon to condemn all forms of violence.

The NGK delegation refused to accept the declaration in its entirety, since it disagreed with some of the recommendations, but it supported the statement that apartheid was evil. Professor Potgieter said that his church had difficulty with some 'political trends'. Its commitment was constrained by its own document *Church and Society*, which had been adopted by its synod the previous month. His delegation was bound by church order to remain within the parameters of decisions taken by the synod.

According to the December 1990 issue of the Methodist newspaper *Dimension*, the response to the 'confession' by the delegation from the Gereformeerde Kerk in Suidelike Afrika (the Doppekerk) was 'not enthusiastic'. At its meeting in January 1991 a general synod of the Doppekerk decided by a narrow majority of votes that members of this delegation had not been properly authorised to attend the conference.¹ [¹ *The Citizen* 18 January 1991]

A committee was set up by the national conference to facilitate communication between churches and to encourage them to support the implications of the *Rustenburg Declaration*. This committee was headed by Dr Alberts and Mr Chikane.

The NGK stance at the conference was attacked by right-wing members of the National Party as well as by some leaders of the Conservative Party and the Herstigte Nasionale Party. It was widely reported that many NGK members were considering resigning and joining the breakaway Afrikaanse Protestantse Kerk (see *1988/89 Survey* p733). A public meeting was arranged in Pretoria to inform church members about the declaration.² [2 Numerous reports over the period 28 October to 15 November 1990; *Dimension* November 1990]

In press interviews, leading representatives of mainstream churches admitted that there were many ways in which members of the English-as well as the Afrikaans-medium churches had collaborated with the apartheid system.³ [3 *The Star* 20 November 1990]

Members of the committee set up by the conference were granted an interview with Mr De Klerk on 14 March 1991, in order to discuss aspects of the *Rustenburg Declaration* which were related to government thinking or action. Dr Alberts stated afterwards that the discussion had been constructive and friendly. There was agreement on the fundamental principles that should underlie a new South Africa, including the need to end all racial discrimination. However, a former moderator of the NGK and a member of the delegation, Professor Johan Heyns, told the press that Mr De Klerk had stated his belief that the church and the state were each sovereign in their own field and that it was not the function of the church to lay down specific political models.⁴ [4 *The Citizen* 15 March 1991]

Meeting to discuss violence

Leaders of various religious groups, concerned about continuing waves of violence in South Africa, had a meeting with the state president, Mr F W de Klerk, on 3 May 1991. The general secretary of the South African Council of Churches (SACC), the Rev Frank Chikane, who initiated the meeting, told the press that religious organisations saw their role as being mediators in the deadlock between the government and the African National Congress. No official report on the discussions was issued.

National conference on intimidation and violence

On 22 and 23 May 1991 Mr De Klerk convened a national conference to discuss the intimidation and violence prevalent in South Africa (see chapter on *Political Developments*). Many wide-ranging proposals were made for the restoration of peace—one of which was that the SACC should convene an

independent peace summit.

Mr De Klerk appointed the chairman of the Council for Scientific and Industrial Research, Dr Louw Alberts, as a one-man facilitating committee, with power to co-opt other members. This committee would take the lead in setting up the 'mechanisms' or 'forums' needed to restore peace.⁵ [⁵ Numerous reports over the period under review]

Further proposal for a peace conference

Representatives of various religious groups which had declined the state president's invitation met in Johannesburg on 21 May 1991 to discuss the possibility of a peace conference which would consider alternatives to the mechanism suggested at the government-convened meetings. The president of the SACC, Dr Khoza Mgojo, presided over a gathering of delegates from some 25 leading organisations.⁶ [⁶ *The Star* 21 May 1991] However, the peace initiative was then taken over by representatives of various Christian churches. Hence the Islamic, Hindu and Jewish groups were not represented at further meetings held during June 1991.⁷ [⁷ *Ibid* 28 June 1991]

Suggested peace summit to be convened by the national conference of church leaders

At the Pretoria summit convened by Mr De Klerk, a former moderator of the Nederduitse Gereformeerde Kerk, Professor Johan Heyns, suggested that the initiative in bringing all parties together to establish peace in the country should be taken by the committee set up by the national conference of church leaders (NCCL) (see *Rustenburg Conference* above). The committee was chaired by Dr Alberts and Mr Chikane. This body, Professor Heyns suggested, was regarded as impartial and might act as a facilitator in arranging 'truly nationally representative discussions'. The initiative would be linked with that of Dr Alberts in his capacity as leader of the government-appointed facilitating committee.⁸ [⁸ *Ibid* 24, 25, 26, 27 May 1991]

Subsequently, it was reported that the NCCL committee had accepted the suggested plan. Discussions were held with Mr De Klerk and with the deputy president of the African National Congress (ANC), Mr Nelson Mandela. A widely representative steering committee was appointed to hold discussions with the Inkatha Freedom Party (IFP) at Ulundi (KwaZulu) on 2 June 1991.⁹ [⁹ *The Citizen, The Star* 31 May 1991] The committee's delegation was led by Dr Alberts and Mr Chikane; the IFP delegation was led by the national chairman of the IFP, Dr Frank Mdlalose.

At the Pretoria summit the IFP had objected to the churches being charged with facilitating the peace process, the objections being based on the belief that the SACC was closely linked with the ANC. The aim of the steering committee was to convince the IFP that the *Rustenburg Declaration* had been

supported by a far wider spectrum of churches than the SACC family, and that the steering committee was politically neutral and equipped to act as mediator.

Subsequent to the meeting a statement was made that ‘the meeting identified more factors regarding the violence which were not addressed in the *Rustenburg Declaration* and any future peace initiatives would have to take due cognisance of these’.¹⁰ [¹⁰ *The Citizen, The Star* 3, 4 June 1991]

Involvement of business leaders in peace initiatives

Early in June 1991 business leaders announced they would join church leaders in the effort to end violence and intimidation. A joint committee, in which all members participated in their personal capacities, was formed.

At the close of the first meeting, held on 4 June 1991, a statement was issued to the effect that the self-designated task of the joint committee would be to bring together political leaders ‘to deal with the violence and intimidation problems in South Africa’. The committee would ‘act merely as a low-profile catalyst to bring leadership together in order for the latter to discuss the solutions to the common enemy of all South Africans, vis-à-vis violence-related problems’. As soon as the interaction process was under way with all players participating, the committee would disband.¹¹ [¹¹ *The Citizen* 5 June 1991]

The committee, which became known as the joint facilitating committee, organised a one-day national conference in Sandton (Johannesburg) on 22 June 1991. A wide variety of governmental, political, business and trade union organisations were invited to attend. There was a very positive response, with only the Afrikaner Weerstandsbeweging (AWB), Conservative Party and the Herstigte Nasionale Party declining the invitation.

The meeting was held behind closed doors. At its conclusion a press statement was issued to the effect that the organisations that had attended had committed themselves to work for peace in South Africa ‘as a supreme priority’. A preparatory committee was set up to work towards this end, composed of the existing facilitating committee and nine other members, three each from the government, the ANC and the IFP.

The key tasks identified included:

- the establishment of codes of conduct for political organisations and the security forces;
- the facilitation of socio-economic development and reconstruction; and
- the setting up of enforcement mechanisms, such as peace secretariats at national and community levels.

The committee decided to consult other relevant parties and organisations, not represented at the meeting, with a view to convening an inclusive forum at which binding agreements would result.¹² [12 Numerous press reports, 13 to 26 June 1991]

Peace Action

Launched in June 1991 to function in the greater Johannesburg area, Peace Action was an independent, non-aligned group, its object being to help end the violence in the area. It would monitor areas of conflict and provide physical and psychological relief to victims of violence, provide reliable information to the press, and encourage discussion at all levels. The group comprised about 30 religious, legal, social work and human rights organisations.¹³ [13 *The Star* 25 June 1991]

Churches and violence

Addressing the Sandton Rotary Club in February 1991, the executive director of the South African Institute of Race Relations, Mr John Kane-Berman, said that Christian leadership in South Africa had 'helped to legitimate violence as an instrument of liberation'. He pointed out that only a month earlier a leading churchman had said that the liberation movements were 'co-responsible' for cultivating the culture of violence in South Africa. Mr Kane-Berman referred to the meeting of South African church representatives and liberation organisations in Lusaka (Zambia) in May 1987, which had endorsed the right of oppressed people to take up armed struggle as a means to end oppression (see *1987/88 Survey* pp246-247). 'Black people in the townships are reaping the whirl-wind that the churches have helped to sow.' Mr Kane-Berman said.¹⁴ [14 Press release. South African Institute of Race Relations, 4 February 1991]

Responding to the statement, the general secretary of the South African Council of Churches, the Rev Frank Chikane, said that these remarks were 'vicious and unwarranted'. He suggested that Mr Kane-Berman had taken an 'ideological stand against the victims of apartheid', and that because of this, Mr Kane-Berman had been unable to comprehend church leaders when they said they understood why people had resorted to force. 'The problems of violence have to be addressed, but at the root cause, which is the apartheid system,' he added.¹⁵ [15 *The Star* 6 February 1991]

Mr Kane-Berman said that violence had reached the point where some of the churches were worried enough to begin blaming it, at least in part, on the liberation organisations. 'I mention the churches in particular, because Christian leadership in this country has helped to legitimise violence as an instrument of liberation.' He added that the Institute firmly supported a liberal society and would not condone apartheid being replaced by another form of totalitarianism.¹⁶ [16 *Business Day* 11 February 1991, *Race Relations News* April 1991]

Interdenominational Organisations

South African Council of Churches (SACC)

Early in 1990 the Rev Dr Khoza Mgojo of the Methodist Church succeeded Bishop Manas Buthelezi as president of the South African Council of Churches (SACC). The Rev Frank Chikane continued as general secretary.

A conference of the SACC was held in Cape Town from 24 to 29 June 1990 to discuss the future role of the church in South Africa in the light of recent changes. Mr Chikane was quoted as having said that during the state of emergency in South Africa and in the years of repression leading up to it, the churches had played an extraordinary role, assuming a political profile. They had felt obliged to speak for the voiceless and, to some extent, to do the work of political groups banned by the state. But the voices of secular leaders were beginning to be heard. The church could now act as a facilitator, to make sure that obstacles for negotiation were removed, to make sure that the negotiation process started, and, once started, kept on track until a just, nonracial, democratic South Africa was set up.¹⁷ [¹⁷ *Inter Nos* July/August 1990]

The theme of the SACC's conference in June 1991 was expressed in Biblical terms and implied that the crossing from the old order of apartheid to a new order would involve a period of transition, negotiation, adaptation and preparation, before the 'promised land' was reached. The senior vice president of the SACC, Mrs Sheena Duncan, told the press that the role of the SACC remained to preach the gospel and work for justice, peace and reconciliation.¹⁸ [¹⁸ *The Star* 24 June 1991]

During June 1991 the white Nederduitse Gereformeerde Kerk (NGK) applied to be given observer status by the SACC—of which the coloured and African branches of this church were longstanding members. After lengthy debate at its annual conference the SACC decided to postpone the application until the next annual conference in 1992. One reason given was that it appeared the NGK still subscribed to its theological justification of racially divided churches. It was felt that the NGK should unequivocally withdraw its previous accusations against the SACC.

The conference resolved to receive the *Rustenburg Declaration* and refer it to its member churches for action.¹⁹ [¹⁹ *Ibid* 28 June 1991]

World Conference on Religion and Peace (WCRP)

Members of the South African chapter of the World Conference on Religion and Peace (WCRP) include the South African Council of Churches, the Institute for Contextual Theology, the Southern African Catholic Bishops' Conference, and various Buddhist, Hindu, Jewish and Muslim bodies. The chapter organised a three-day inter-faith conference on 'The relationship between organised religion and a future democratic state' in Johannesburg from 2 to 4 December 1990.

Some of the mainline churches, specifically the white Afrikaans churches, declined invitations.

Proceedings were led by the president of the South African chapter of the WCRP, Dr G J A Lubbe. Among the speakers were a member of the national executive committee of the African National Congress, Professor Albie Sachs; the general secretary of the South African Council of Churches, the Rev Frank Chikane; and Professor Ali Mazrui from the University of New York.

The initial aim of drawing up a draft charter on religious rights was not realised but several recommendations were accepted. It was agreed that there should be a clear separation between state and religion. The state should be secular constitutionally, but guarantee freedom of religion. Consideration should be given to the establishment of an independent commission for religious affairs to act as a formal link between religious communities and the state.²⁰ [20 Numerous press reports, 24 November to 5 December 1990]

Combined activities of religious organisations

The Bible Society of South Africa pledged itself to raise R7,7m for 'Bibliathon '91', for the provision and distribution of Bibles to needy people in South Africa. The state president, Mr F W de Klerk, announced in May 1991 that the state would contribute R1m. He justified this by saying that although it was taxpayers' money, more than 70% of the population were Christians.²¹ [21 *Dimension* March 1991, *The Citizen* 7 May 1991]

Individual Christian Organisations

Africa Enterprise

Africa Enterprise, which conducts a ministry of evangelism and reconciliation, continued during the period under review to arrange cross-cultural meetings and conferences at its Christian leadership Training Centre in Pietermaritzburg (Natal). It also conducted missions in various places in South Africa and in Bulawayo (Zimbabwe), Dar-es-Salaam (Tanzania) and Zomba (Malawi).²² [22 Various issues of *A E News*]

Church of the Province of Southern Africa (Anglican)

At their synod meeting in February 1991 the bishops of the (Anglican) Church of the Province of

Southern Africa decided that clergy of this church should not be card-carrying members of any political party. They would thus be able to minister to parishioners irrespective of political views and to mediate in political conflict.²³ [²³ *Seek* August 1991, *The Citizen*, *The Star* 27 July 1991]

During the apartheid era the archbishop of Cape Town, the Most Rev Desmond Tutu, was one of the leading advocates of economic sanctions against South Africa. However, following the changes in policy brought about by the state president, Mr F W de Klerk, the archbishop said that perhaps the time had come for the policy of sanctions to be reviewed by African National Congress leaders. The violence sweeping the townships prompted him to exhort black people to 'search their own hearts for fires of intolerance and violence. We can't go on blaming apartheid for ever', he said.²⁴ [²⁴ *The Star* 1, 4, 16 April 1991]

Dutch Reformed Churches

Gereformeerde Kerk in Suidelike Afrika (Dopperkerk)

The Potchefstroom-based Gereformeerde Kerk in Suidelike Afrika (Dopperkerk) is the smallest of the three Afrikaans reformed churches. Unlike the others, it considers its structure to be that of a united church regardless of race, but it has four different synods. The general synod is open to members of all races and includes the black church in Zimbabwe. The synod of Suidland is the religious home of coloured members; the synod of Soutpansberg caters mainly for Venda speakers; and the Midland synod consists of Tswana-, Sotho- and Zulu-speaking members.

A meeting of the general synod was held in Potchefstroom (western Transvaal) during January 1991 under the chairmanship of Dr Jan Visser. As reported earlier in this chapter, it was decided by a small majority of votes that members of a delegation which attended the national conference of churches had not been properly authorised to do so. Lengthy discussion took place on the question of whether or not the Dopperkerk should declare that apartheid was sinful. Various speakers pointed out that their church had never accepted this ideology or any policy which implied discrimination on racial grounds. It was eventually decided that the whole matter should be referred to an ad-hoc church commission.

However, members were agreed that they were in favour of 'own schools', founded on Christian principles and 'own' culture.

For a century the Dopperkerk has had close ties with the Christian Reformed Church in the United States of America. In January 1991 this church indicated that the relationship would cease unless the Dopperkerk denounced apartheid as a sin and created a united church. After earnest consideration the general synod decided to let the matter rest for the time being.²⁵ [²⁵ Numerous press reports between 8 and 16 January 1991]

Nederduitsch Hervormde Kerk (NHK)

In terms of its constitution membership of the Nederduitsch Hervormde Kerk (NHK) is confined to whites, but it has a black 'daughter church'. During September 1990 a delegation from the NHK met the state president, Mr F W de Klerk, in Pretoria, to convey to him the concern of its members about the political direction that South Africa was taking.²⁶ [²⁶ *Sunday Star* 2 September 1990]

As noted earlier in this chapter, the NHK refused an invitation to attend the national conference of church leaders.

Nederduitse Gereformeerde Kerk group

The Nederduitse Gereformeerde Kerk (NGK) group of churches in South Africa traditionally consists of the (white) NGK, the (coloured) Nederduitse Gereformeerde (NG) Sendingkerk, and the (African) NG Kerk in Afrika. During the period under review, Professor Piet Potgieter succeeded Professor Johan Heyns as moderator of the NGK; the Rev Nic Appolis succeeded Dr Allan Boesak as moderator of the NG Sendingkerk; while the Rev Sam Buti remained moderator of the NG Kerk in Afrika.

During March 1989 the international Reformed Ecumenical Synod (RES) arranged discussions between representatives of the three churches with a view to promoting closer relationships. A week-long meeting for this purpose was held in Vereeniging (southern Transvaal). The white delegates at the meeting made it clear that they no longer supported the South African government's policy of apartheid. They were, however, unable to accept all the reforms urged by black delegates, which were described in the so-called *Testimony of Vereeniging*. This document was referred for study to a committee of the NGK with a view to reporting to the full church synod at its four-yearly meeting in 1990. Delegates agreed on the desirability of unity between the NGK churches (see *1989/90 Survey* p296).

All three churches held synod meetings in October 1990, the NGK at Bloemfontein (Orange Free State), the NG Sendingkerk at Belhar (western Cape), and the NG Kerk in Afrika at Mitchell's Plain (western Cape). During the meetings leaders of the NG Sendingkerk and NG Kerk in Afrika met for consultations. It was agreed by their synods that the two churches should unite as the Verenigende Gereformeerde Kerk in Suider-Afrika. The NGK was called upon to become part of this church.²⁷ [²⁷ *The Citizen* 3, 5, 16 October 1990; *The Star* 5 October 1990; *Presbyterian Life* February 1991] However, after a long debate at the Bloernfontein meeting, a large majority of the NGK delegates decided further clarity on the implications of union was considered necessary and deferred a decision until the next meeting of the general synod, scheduled for 1994.²⁸ [²⁸ *The Citizen* 20 October 1990]

In June 1991 it was reported that the NG Sendingkerk and the NG Kerk in Afrika had delayed uniting. It

was believed that the NG Sendingkerk, which was divided about the issue of unity, was reluctant to merge with the NG Kerk in Afrika.²⁹ [²⁹ *The Weekly Mail* 28 June 1991]

The synod expressed itself in favour of the formulation of a declaration of human rights, which should be subject to a test by a court of law.³⁰ [³⁰ *The Citizen* 26 October 1990]

After the synod had adopted the statement *Church and Society* as a policy document, several thousand whites left the NGK and founded a new, racially exclusive Afrikaanse Protestante Kerk (APK) (see 1987/88 Survey p226). It was reported that membership of the APK increased during the period under review, being augmented by former adherents of the NGK who repudiated that church's confession of the sin of apartheid. Other dissenting members decided not to leave the NGK unless objections, lodged by them through proper church channels, were disregarded. In December 1990 the leader of the Conservative Party, Dr Andries Treurnicht, and a former moderator of the NGK, Dr Kobus Potgieter, organised large protest meetings in Pretoria against the policies of the NGK. They maintained that, in rejecting apartheid, the NGK had made itself guilty of 'political interference'.³¹ [³¹ *The Star* 30 November; *The Citizen* 1, 3 December 1990]

Discussions between Anglican and NGK church leaders

In 1988 the General Synodical Commission of the NGK had criticised actions taken by the Anglican archbishop of Cape Town, the Most Rev Desmond Tutu. This was resented by the leadership of the Church of the Province of South Africa, which saw the criticism as an attack on their church as a whole. During June 1991 representatives of these two churches met in Pretoria. The NGK members apologised to Archbishop Tutu, who told the press afterwards that he and his entourage had been 'deeply touched' by their attitude.³² [³² *The Citizen*, *The Star* 19 June 1991]

Methodist Church of Southern Africa

A top-ranking delegation of the World Methodist Council visited South Africa at the end of August 1990. Together with the South African president of this church, the Rev Dr Stanley Mogoba, members were granted an interview with the state president, Mr F W de Klerk, and the minister of foreign affairs, Mr R F (Pik) Botha, to discuss the erosion of apartheid in South Africa. At a subsequent press conference Dr Mogoba said that the meeting had been encouraging.³³ [³³ *The Citizen* 29 August 1990; *Dimension* August 1990]

In a statement issued in September 1990 the bishops of the Methodist Church stated that they viewed

with revulsion the spiral of violence in the country. They called for consultation and dialogue between the leaders of all factions and parties with the object of ending the conflict and negotiating a new constitution. They pledged their church's support for every effort that would encourage reconciliation, justice and peace.³⁴ [³⁴ *The Citizen* 19 September 1990]

Addressing the annual conference of the Methodist Church held in Welkom (Orange Free State) during October 1990, Dr Mogoba praised Mr De Klerk for the changes he had brought about. He strongly supported the idea of negotiations between all leaders in South Africa who had substantial followings, in order to plan a new dispensation. He laid much of the blame for violence in South Africa on the shoulders of political leaders and their advisers 'who did not want to grasp the nettle and call a halt'. He rebuked a group which, he said, had encouraged some members of the police and army to further the conflict and an alleged 'third force' with both white and black members who were mercenaries and professional killers.³⁵ [³⁵ *Dimension* October 1990]

The executive of the church welcomed the *Rustenburg Declaration* as a document with 'profound implications' for Christians in South Africa.³⁶ [³⁶ *Ibid* March 1991]

In a statement issued in May 1991 the bishops of the Methodist Church declared that if the violence that was ravaging South Africa was to be stopped, all political parties would have to commit themselves visibly to an urgent campaign against the violence and its causes. All parties should ban the display by civilians of weapons of any nature, including rifles and traditional weapons.

They suggested that all the parties might use the churches to mediate between warring factions and to monitor the peace process.³⁷ [³⁷ *The Citizen* 3 May 1991]

Pentecostal and charismatic churches

Pastor Ray McCauley of the Rhema Church announced on 27 August 1991 that a new church group had been formed, uniting Pentecostal denominations and the newer charismatic churches. It would bring together more than 3 500 churches with close to 3m Christian members, both black and white. The new organisation, which was called the Inter-national Fellowship of Christian Churches (IFCC), would seek to speak with one 'prophetic' voice on events and social change taking place in South Africa. It would work on joint actions to promote peace and re-conciliation and would seek ways of co-operating with other church groups.³⁸ [³⁸ *The Star* 28 June 1991, *The Citizen* 28 August 1991]

In September 1991 the IFCC said that it supported 'biblically based free enterprise' and that it 'rejected any form of separation or discrimination based on the colour of one's skin'. The IFCC rejected violence in any form, 'particularly if it is used to bring about political, economic and social change'.³⁹ [³⁹ *The Star*]

6 September 1991₁

Presbyterian Church of Southern Africa

The incoming moderator of the Presbyterian Church, the Rev Gladwin Phenya, said in August 1990 that he gave credit to the state president, Mr F W de Klerk, for having initiated change, but that he saw this as no more than a beginning. ‘The church—the whole church—will have to hammer out its witness and life-style in a changing South Africa.’ It was the church, not the state, which must set people on the right road. ‘In all this, we must go back to the basics—that is, to the Bible, always asking “What does God want us for?”’

At the wish of a majority of black lay members of the Presbyterian Church, a Presbyterian Black Leaders’ Consultation was officially recognised by Rev Mamabolo Raphesu of Heilbron (Orange Free State), who stated that ‘our liberation cannot be left to the good intentions of a predominantly white majority ... Whites, even when they discuss things of benefit to us, do so as whites, using the assumptions and values of white society, believing that these are universal human assumptions’.⁴⁰ [⁴⁰ *Presbyterian Life* February 1991₁

Roman Catholic Church

During the period under review Catholic dioceses held consultations to meet specific needs in their areas.

The Catholic bishops firmly supported the *Rustenburg Declaration* at the national conference of churches in November 1990. Meeting in plenary session from 22 to 29 January 1991 they issued a Pastoral Letter entitled *Rerum Novarum*, to be read in all Catholic churches on Ash Wednesday, 13 February 1991. The letter read, in part. ‘In welcoming this declaration we recognise that its message applies to our church as a corporate body. We must admit with sorrow that although as a church we have often spoken out against the sin of apartheid, we are not innocent of all complicity in supporting or going along with it. For our part, we reaffirm our commitment to remove all vestiges of apartheid in our institutions and procedures.’⁴¹ [⁴¹ *Inter Nos* January/February 1991₁

Zion Christian Church

The Zion Christian Church (ZCC) continues to be the largest of the separatist and indigenous churches in South Africa. About 1m Africans attend its customary Easter meeting at Moria (near Pietersburg), coming from South Africa and neighbouring countries, including Zambia and Zimbabwe. In April 1991 special prayers were offered for all South African leaders, asking that they should be guided to abandon

selfish interests and work towards peace.⁴² [⁴² *The Citizen* 3 April 1991]

In May 1991 a South African Institute of Race Relations (SAIRR) publication reported that the ZCC was seeking to convert to a political party, and that it might form an alliance with the Inkatha Freedom Party, the Labour Party, the National Party, Solidarity and various homeland leaders. The SAIRR publication suggested that such an alliance could potentially attract more than 12m voters.⁴³ [⁴³ *QC Eighteen*, 1991, p6]

The head of the ZCC, the Rt Rev B E Lekganyane, subsequently denied the Institute's report, saying that although the ZCC was concerned with issues such as township violence it had no intention of entering the political arena.⁴⁴ [⁴⁴ Letter to the South African Institute of Race Relations from the head of the Zion Christian Church, the Rt Rev B E Lekganyane, 11 July 1991]

A ZCC spokesman, Mr Ezra Mantini, added that the church allowed every member the right to exercise individual choice of political affiliation and participation.⁴⁵ [⁴⁵ *New Nation* 19 July 1991]

Other Faiths

Judaism

Mr Gerald Leissner, who was elected president of the Jewish Board of Deputies in 1990, reiterated the board's policy of being committed to a new South Africa in which 'everyone will enjoy freedom from the evils of prejudice, intolerance and discrimination'.⁴⁶ [⁴⁶ *The Citizen* 3 June 1990]

Islam

Traditional Muslim leaders deny that religion has any role to play in politics, but in recent years and especially since the Iraqi invasion of Kuwait in 1990, there has been a spread of activism in organisations such as the Muslim Youth Movement, the more radical Muslim Students' Association, the left-wing Call of Islam, and the fundamentalist group, Qibla. The first Muslim political party, the Islamic Party of South Africa, was launched in October 1990, with the aims of promoting the ideology of Islam in the social, political and economic fields and of making contact with political parties in other countries to strengthen the panslamic movement.⁴⁷ [⁴⁷ *Sunday Times* 7 October 1990]

HEALTH AND WELFARE

Key Points

- In 1989, 69% of whites, 33% of Indians and 30% of coloured people, but only 5% of Africans, were members of medical aid schemes.
- In 1990 the overall population/doctor ratio in South Africa (excluding the 'independent' homelands) was 1 340 to one, but the ratio for the non-independent homelands was 15 625 to one.
- There were 148 558 nurses in South Africa (excluding the 'independent' homelands) in 1990, but 4 186 provincial nursing posts were not filled at the end of that year.
- The infant mortality rate per 1 000 live births for South Africa (excluding the 'independent' homelands) was 50 in 1989, compared to 113 for the rest of Africa, 55 for Latin America and ten for Europe.
- Although hospitals were desegregated in May 1990, 22 provincial hospitals admitted no African patients during 1990.
- Only 4% of patients admitted to previously white hospitals in 1990 were black.
- Although the government had committed itself to primary health care, only 5% of the health budget in 1991/92 was devoted to this purpose.
- At the end of 1990 between 119 000 and 168 000 people in South Africa were believed to be infected with the human immuno-deficiency virus (HIV).
- According to the South African National Tuberculosis Association, 100 000 people in South Africa could be suffering from tuberculosis.
- About 16,3m South Africans (or 45% of the population) were living below the minimum living level in 1991.
- Between 1965 and 1991 the gap between African and white old-age pensions narrowed from 7 to one, to 1,4 to one.
- It would cost R6bn to equalise pensions for all race groups in South Africa (including the ten homelands).
- In the first six months of 1990 some 4 176 cases of child abuse were reported to the police, including 2 274 cases of sexual abuse.

Health

Policy

Although hospitals had been opened to all races in May 1990 (see *1989/90 Survey* pp387-388 and see *Desegregation of Hospitals* below), there were continuing complaints that South Africa's health service was not meeting the needs of all. However, during the period under review there were a number of attempts to rationalise the health service and to provide a more efficient and cost-effective service to a greater number of people.

In March 1991 the Cape Town City Council agreed to take over administration of five day hospitals previously run by the House of Representatives within the city. The decision was seen as a move towards a more logical and rationalised health service in the Cape Peninsula. The council was to act as an 'agent' of the coloured own affairs administration in providing comprehensive primary health care in return for funding of the services rendered. The council's medical officer of health, Dr Michael Popkiss, said that the council had agreed to the proposal provided it did not incur additional costs for ratepayers.

Services were to be rendered on a nonracial basis.¹ [¹ *Cape Times* 3 April 1991]

The minister of national health and population development, Dr Rina Venter, said in April 1991 that own affairs would continue to exist in health until a new constitutional dispensation had been negotiated.² [² *The Citizen* 25 April 1991]

In May 1991 Dr Venter announced the 'restructuring and rationalisation' of the health services. The changes were seen as cutting across racial divisions, streamlining administration and ensuring more efficient use of limited financial resources.³ [³ *Financial Mail* 17 May 1991]

The main features of the policy announcement were:⁴ [⁴ *Business Day, The Citizen* 14 May 1991]

- only one 'role player' was to be responsible for each of the primary, secondary and tertiary levels of health care;
- at national level, the government was to formulate policy, develop a national health plan, set norms and standards, and allocate funds;
- each of the 13 academic hospitals was to become an autonomous body, funded by the government, but with the authority to raise additional funds. Each academic institution would no longer fall under a provincial administration, but would be run by a management board;

- the provincial administrations and the ten non-independent homeland authorities were to be responsible for secondary health services (which included the provincial hospitals). National guidelines were to be set regarding policy and fees for these services; and
- primary health care, previously the responsibility of the Department of National Health and Population Development, the three own affairs administrations, the provincial administrations and local authorities, was to be the responsibility of local authorities alone. Provincial administrations were to help develop primary health services at the local level where the local authority was not competent to do so. Those local authorities (mainly black) who were unable to provide the required local health services or expertise would be able to call on neighbouring local authorities (mainly white) for assistance.

Dr Venter added that within two years substantial progress would be made with the restructuring of the health service, but that it could take as long as ten years to restructure it fully. She said that a national policy advice committee would be formed, comprising representation from the medical schools, the South African Medical and Dental Council, the South African Nursing Council and the health care authorities to advise her on health matters.⁵ [⁵ *The Star* 14 May 1991]

Alternative proposals

The African National Congress outlined its views on health policy in a document submitted to its national conference in Durban in June 1991. The document said that health care was a basic human right and it should be entrenched in a bill of rights. It noted that there was ‘an enormous imbalance of power’ between health workers and their patients, and that more than half of health expenditure went to the private sector, which provided for only 20% of the population. The document recommended that:⁶ [⁶ *Business Day* 2 May 1991, 17 June 1991; *Sowetan* 3 May 1991, *Sunday Times* 14 May 1991]

- there be a single ministry of health and social services;
- the health service be unified, nonracial, accessible and affordable;
- it focus on those most in need, including ‘those who have suffered psychological and physical trauma because of apartheid’;
- health services focus on the eradication of major diseases, such as acquired immune deficiency syndrome (AIDS), measles, poliomyelitis and tuberculosis;
- health care be financed by public funds, derived from taxation. Nobody should be denied health care because of his or her inability to pay for it;

- most health care be provided by the public health service. Private sector workers should be attracted back into the public health service;
- some means be found to involve the private health sector in the national health system;
- the cost of private health care be ‘regulated’;
- health workers such as doctors and nurses be required to do compulsory service in rural areas;
- a national drug policy be established, to ensure that the most cost-effective drug be used in all circumstances. A state-controlled pharmaceutical utility might need to be established, to ensure the supply of basic drugs; and
- an ‘appropriate relationship’ be developed between traditional healers and the rest of the health service.

The New Unity Movement outlined its views on health policy in December 1990. It said that the most important reason for poor health in South Africa was the ‘maldistribution of resources, with the vast majority of people doomed to ... abject poverty and squalor’. It argued that the health of South Africans could not improve until there had been extensive political and economic change. The organisation recommended that:⁷ [⁷ *New Unity Movement Bulletin* December 1990]

- adequate electricity, housing, nutrition, water and sewerage be made available to all. Such provision would help to improve health;
- health care be made accessible to all in terms of availability and cost;
- preventative measures in the form of inoculation campaigns, health education and motivation programmes play a more prominent role; and
- the training of medical, dental and paramedical personnel be accelerated.

The health care manager of Andersen Consulting, Mr Maurice Goodman, said in October 1990 that a national health system needed to be instituted in which the state had access to private health-care facilities and expertise. He believed that this goal could be achieved through a public health service in which the state paid a fixed fee to private sector doctors for the treatment of people who could not afford to pay (this being known as a capitation-based system). Mr Goodman said that such a system would also encourage doctors to become involved in primary health care, an area which was currently regarded as not financially viable. He pointed out that current reimbursement schemes like the fee-for-service system of payment provided no incentive for private doctors to become involved in health promotion.

However, a capitation-based system would provide fixed revenue for the private sector doctor, and encourage him or her to contain costs so as to maximise profits.⁸ [⁸ *Business Day* 14 September 1990, 29 October 1990]

The Medical Association of South Africa announced in October 1990 that it was investigating the feasibility of health management organisations (HMOs) as a health care system for South Africa. HMOs, which are common in the United States, combine the financing and provision of health services in exchange for a pre-negotiated monthly premium paid by members of the public. Any excess of income over expenditure is distributed to health care professionals and shareholders in the HMO. (Under current legislation it is not possible to set up HMOs in South Africa.)⁹ [⁹ *The Star* 15 October 1990]

The National Medical and Dental Association (NAMDA) criticised HMOs as applicable to only 20% of the South African population: NAMDA said that what was needed was a single health care system which would provide for the whole population, including those who could not afford to pay for medical care.¹⁰ [¹⁰ *Ibid*]

In an article entitled ‘Balancing the scales—a strategy for combating poverty’, the Helen Suzman professor of political economy at the University of the Witwatersrand, Professor Charles Simkins, said that three principles should underlie the redesign of the health care system.

These were that:¹¹ [¹¹ Simkins C, ‘Balancing the scales- a strategy for combating poverty’, *SANTA newsletter*, January 1991]

- there should be agreement on the proportion of the state budget to be spent on the public health care system. This should take into account norms regarding the number of medical personnel per 1 000 people and expansion of the medical education system to provide the necessary skills;
- there should be a private health system financed by a variety of sources, including HMOs, medical aid schemes and insurance schemes for specific diseases. The use of private health care could be encouraged by a modest state grant for each individual who agreed not to use the public health system; and
- remuneration levels in the public health sector should be sufficient to prevent medical practitioners being discouraged from working there.

Professor Simkins said that the application of these principles should produce a three-tiered health system, ranging from public health care for the poorest, through a mixture of public and private health care for workers with higher incomes, to an insurance system providing health care in the private sector alone for the most affluent.

Legislation

The minister of national health and population development, Dr Rina Venter, said in Parliament in May 1991 that draft legislation was being prepared to discourage smoking. It was alleged that the proposed legislation would tighten restrictions on cigarette advertising, requiring such advertising to carry a health warning. It would also prohibit the depletion of women of 'childbearing age' in association with smoking and disallow smoking to be associated with 'challenging sporting activities'. The draft legislation would prevent the sale of cigarettes to minors and limit smoking in certain public places, such as buses and hospitals. In July it was reported that the draft bill was due to be gazetted but had been held back. At the time of writing (August 1991) the bill had still to be published.

The co-ordinator of community health research at the Medical Research Council, Dr Derek Yach, remarked that he feared that the government had received 'high-level input from the tobacco industry' aimed at seeing that the legislation would not be passed. A government spokesman replied that the draft bill had merely been delayed to 'allow for the incorporation of a few new ideas'.¹² [¹² *The Star* 15 May 1991, *Business Day* 16 May 1991; *The Weekly Mail* 21 June 1991, 12 July 1991]

The National Council Against Smoking said that South Africa's tobacco industry had an annual turnover of R3bn.¹³ [¹³ *The Weekly Mail* 21 June 1991]

Finance

Government expenditure on health is controlled by the Department of National Health and Population Development; the own affairs administrations for coloured people, Indians and whites; the four provincial administrations; and the authorities of the ten homelands. Racial breakdowns of expenditure are not available for the provinces, where most spending takes place.

Figures given here for the own affairs administrations and the Department of National Health and Population Development are not comparable to those given in the 1990/91 *Survey*, which excluded certain items of health expenditure for coloured people and Indians, as well as administrative costs.

Health expenditure in South Africa in the 1990/91 and 1991/92 financial years was as follows:¹⁴ [¹⁴ Various estimates of expenditure for the state revenue account, the own affairs administrations and the provinces for the 1990/91 and 1991/92 financial years]

Health expenditure in South Africa: 1990/91-1991/92

1990/91

1991/92

Increase

R

R

Department of National Health and Population Development

526 465 000

632 713 000

20%

House of Assembly

432 545 000

512 007 000

18%

House of Delegates ^a

18 909 000

23 432 000

24%

House of Representatives ^a

95 391 000

150 645 000^b

58%

Provinces

Cape province

1 600 058 000

1 821 391 000

14%

Natal

777 396 000

908 079 000

17%

Orange Free State

434 943 000

510 946 000

17%

Transvaal

1 983 767 000

2 336 764 000

18%

Ten homelands

1 374 195 721

N/A

N/A

Total

7 243 669 721

6 895 977 000

N/A

a

Excludes administrative costs, as these are allocated jointly to health and social services.

b

A large part of the increase in the 1991/92 health budget for the House of Representatives was allocated to primary health care.

N/A—Not available

A breakdown of spending on health in the homelands in the 1991/92 financial year was not available at the time of writing.

According to the Department of Finance, spending on health in the 1991/92 financial year in South Africa (excluding the ‘independent’ homelands) totalled R8,18bn, or an increase of 9% on expenditure in 1990/91. This represented a real decrease in health

Although the ten homelands contained about 44% of the total population of South Africa, they were allocated only 29% of the national health budget in 1990/91. The ten homelands made the following allocations for spending on health in 1989/90 and 1990/91:¹⁶ [16 Estimates of expenditure for the various homelands]

Health budgets in the homelands: 1989/90 and 1990/91

1989/90

1990/91

Increase

R

R

(decrease)

Bophuthatswana

160 498 178

174 839 630

9%

Ciskei

138 935 000

158 863 000

14%

Gazankulu

87 214 100

88 365 200

1%

KaNgwane

43 195 465

49 736 656

15%

KwaNdebele

8 923 000

8 314 000

(7%)

KwaZulu

292 711 894

345 656 493

18%

Lebowa

153 645 463

157 034 197

2%

QwaQwa

30 660 000

30 450 000

0%

Transkei

246 698 000

307 944 000

25%

Venda

44 959 500

52 992 545

18%

Total

1 207 440 600

1 374 195 721

14%

The director general of national health and population development, Dr Coen Slabber, said in June 1991 that 11% of the main budget was allocated to health services, which he regarded as adequate. He argued that in developing countries about 5% of the national budget was spent on health, while the comparable figure for developed countries was about 9%.¹⁷ [¹⁷ *RSA Policy Review* June 1991]

Dr Max Price of the Centre for the Study of Health Policy at the University of the Witwatersrand claimed in the same month that South Africa spent about 5,6% of its gross domestic product on medical services, compared with 7,5% in the United Kingdom and 14% in the United States. He said that the proportion spent in South Africa was appropriate for its current stage of development, and in line with targets set by the World Health Organisation. However, he pointed out that 20% of all patients (mainly white) consumed 56% of all public and private sector expenditure on health services, with the remaining 80% of the population getting only 44% of health expenditure. Dr Price also said that in terms of spending, patients in the private health care sector received five times more per head than patients in the public sector.¹⁸ [¹⁸ *Sunday Times* 2 June 1991]

In August 1991 the government announced an aid package of R1bn, raised by sales of South Africa's strategic oil reserves, for use on socio-economic projects (see chapter on *The Economy*). Of this amount, R84m would be allocated to health services, to construct 141 clinics and 64 creches.¹⁹ [¹⁹ *Business Day* 28 August 1991]

In November 1990 the Representative Association of Medical Aid Schemes (RAMS) said that health care costs in the private sector were expected to rise by 25% in 1991, to reach R7,5bn.²⁰ [²⁰ *The Natal Witness* 11 October 1990]

The private health care sector provided a service to more than 6m South Afri

Provincial health budgets

More than two thirds of the public health budget was allocated to the provinces during the period under review. The provincial health budgets increased by only 1% between 1989/90 and 1990/91, but by an average of 16% between 1990/91 and 1991/92. Hence, funds allocated to the provinces showed a real decrease between 1989/90 and 1991/92, resulting in cuts in provincial health services and increases in charges to patients.

In March 1991 the administrator of the **Cape province**, Mr Kobus Meiring, revealed that the province faced a deficit of R50m in the current financial year (1991/92) and a further R200m in the next. He ordered a range of cost-cutting measures, including:²¹ [²¹ *Daily Dispatch* 5 March 1991, *Cape Times* 8 March 1991]

- curtailing out-patient visits to specialist and academic hospitals and, where possible, limiting out-patient treatment to emergency cases;
- discontinuing out-patient transport between rural local authorities and city hospitals;
- stopping the supply of medicines to old-age homes;
- suspending the visits of medical specialists to rural areas: and
- freezing vacant staff posts.

The cuts in expenditure in the Cape were seen as likely to affect black patients most severely, as they were least able to fall back on medical aid schemes or to pay for private health care. The faculty of medicine at the University of Cape Town said that the cuts would 'cause extensive harm to a wide spectrum of patients, especially the poor and elderly, for whom primary and community health care facilities are already inferior and overburdened ... We object to the simplistic and arbitrary solutions that are being applied to the South African health crisis. Insufficient attention has been paid to the long-term damage that such arbitrary measures will have on the quality of South African medicine'.²² [²² *The Argus* 8 March 1991]

In April 1991 the Cape Provincial Administration announced a wide range of increases in hospital tariffs. Out-patient fees for lower-income groups were increased from R3 a visit to between R5 and R9 a visit. In-patient fees were increased from R3 a day to a single payment of between R17 and R21. Fees for private patients were substantially increased; for example the charge for chemotherapy for private patients was increased from R80 to R410.²³ [²³ *The Citizen* 9 April 1991]

In October 1990, after a visit to hospitals in **Natal**, the state president, Mr F W de Klerk, announced that KwaZulu and Natal would be given an additional R50m for health services. The health services in KwaZulu and Natal were seen as being overloaded by increased caseloads of people injured in Inkatha Freedom Party/African National Congress conflict (see also chapter on *Political Developments*). Some R24m of these funds were to be allocated to the King Edward VIII Hospital (Durban).

In the extended public committee on provincial affairs for Natal in March 1991, Mr Mahmoud Rajab MP (Democratic Party) said that there were many indications of the dire straits of health services in Natal. He pointed out that the 1991/92 budget had been unable to provide R56m required to replace obsolete medical equipment in the province. Mr Rajab added that 408 doctors had resigned from the Natal Provincial Administration during 1990, with 217 of these resignations having taken place at the King Edward VIII Hospital alone.²⁴ [²⁴ *Hansard* (Extended public committee on provincial affairs) 8 q cols 4125-4128, 26 March 1991]

The administrator of Natal, Mr Con Botha, said in the same debate that if the additional allocations of funds in 1990/91 were taken into account, health services in Natal had been allocated R50m less in 1991/92 than in the previous financial year. He argued that taking inflation into account, this amount represented a decrease in purchasing power of R100m for the provincial health services.²⁵ [²⁵ *The Star* 27 March 1991]

Hospital fees in the **Transvaal** were increased in August 1990 and again in March 1991. The member of the executive council for health services in the Transvaal, Mr Fanie Ferreira, said in March 1991 that the increases were an interim measure before the introduction of uniform national tariffs in April 1993. Income categories were changed so that, in general, patients would move down a category. Fees for patients in the lowest-income category were increased from R15 to R21 for admission to an academic hospital and from R10 to R17 for admission to a community hospital. Intensive care costs were increased in March 1991 by 24%. The highest increases were for private in-patients, who were expected to pay a 30% levy in addition to a daily rate of R205. However, primary health care fees were reduced to R4 a visit.²⁶ [²⁶ *The Citizen, Sowetan* 27 March 1991] The South African Health Workers' Congress and the National Education, Health and Allied Workers' Union subsequently called on patients not to pay the increased hospital fees, which they described as 'malicious'.²⁷ [²⁷ *City Press* 31 March 1991]

Value added tax

The minister of finance, Mr Barend du Plessis, announced in his budget speech in March 1991 that value added tax (VAT) at 12% would be introduced in September. Unlike general sales tax, he said, VAT would be charged on all medical services, including consultations with doctors, surgical procedures and

medicines. (Previously, only medicines had been taxed.) (See also chapter on *The Economy*.)²⁸ [28 Department of Finance, *Budget Review*, 20 March 1991]

The imposition of VAT on medical services was criticised by a wide range of organisations. The chairman of the Medical Association of South Africa (MASA), Dr Bernard Mandell, said that the introduction of VAT meant that doctors would either have to absorb extra costs or increase their fees. He added that MASA would apply to the government for a zero rating for medical treatment.²⁹ [29 *Business Day* 13 May 1991] A spokesman for NAMDA said that the low increase in health spending in the 1991/92 budget and the introduction of VAT on medical services would lead to growing inequality in access to health care.³⁰ [30 *Ibid* 22 March 1991]

The executive director of RAMS, Mr Rob Speedie, argued in March 1991 that the introduction of VAT would add R536m annually to expenditure in the private health sector. He believed that the application of VAT to health services would necessitate medical aid schemes increasing subscriptions by an additional 8,5% over and above the usual annual increases.³¹ [31 *Ibid*]

In August 1991 MASA handed a petition to the deputy minister of finance, Dr Theo Alant, which objected to the levying of VAT on medical services and which bore the signatures of 130 000 people. Two days later Mr Du Plessis announced that all state and state-assisted hospitals would be exempted from charging VAT on hospital fees. VAT would also not be charged on contributions to medical aid schemes. However, he said that VAT would still be charged on all other types of medical service. In addition the initial rate for VAT was to be reduced from 12% to 10%.³² [32 *The Citizen* 20, 22 August 1991]

Medical aid schemes

The 1990 annual report of the registrar of medical aid schemes provided the following figures regarding membership of medical aid schemes by race, as at 31 December 1989:³³ [33 Report of the registrar of medical aid schemes for the year ending 31 December 1990]

Membership of medical aid schemes: 31 December 1989

Members

Dependants

Beneficiaries

African

458 162

916 389

1 374 551

Coloured

362 641

572 156

934 797

Indian

131 485

182 059

313 544

White

1 367 697

2 084 723

3 452 420

Total

2 319 985

3 755 327

6 075 312

Between 1988 and 1989 the number of beneficiaries of medical aid schemes grew by 5%. The largest change was in the number of African beneficiaries, which grew by 21%, The number of white beneficiaries grew by 1,5%, while the number of coloured and Indian beneficiaries declined by 0,7% and 0,1% respectively.

However, large numbers of Africans remained outside medical aid schemes. While 30% of coloured people, 33% of Indians and 69% of whites were beneficiaries of such schemes, only 5% of the African population were beneficiaries. These figures pointed to the continuing dependence of the overwhelming majority of Africans on the public health system.

Proposed amendments to the Medical Schemes Act of 1967 were gazetted in June 1991. They included a proposal that enforced direct payment of suppliers of medical services by medical aid schemes be abolished, as direct payment was believed to lead to 'overutilisation, overservicing and abuse of benefits'. It was also proposed that maximum scales of benefits no longer be legislated.³⁴ [³⁴ *Government Gazette*, no 13297, 14 June 1991]

The minister of national health and population development, Dr Rina Venter, said in August 1991 that medical aid contributions had risen at twice the rate of inflation in the previous seven years. While the inflation rate, as measured by the consumer price index, had risen by 151% since 1983, contributions to medical aid schemes had risen by 32

Medical personnel

According to the South African Medical and Dental Council (SAMDC) and the South African Pharmacy Council, the following numbers of doctors, dentists and pharmacists were registered with the councils in the years given below. The figures exclude the 'independent' homelands.³⁶ [³⁶ Figures provided by the South African Medical and Dental Council and the South African Pharmacy Council, 16 August 1991]

Registered doctors, dentists and pharmacists: 1970-1990

Year

Doctors

Dentists

Pharmacists

1970

10 912

1 594

N/A

1975

13 347

2 070

N/A

1980

15 663

2 654

N/A

1985

20 477

3 367

7 239

1990

23 139

3 775

8 930

N/A - Not available

In South Africa (excluding the 'independent' homelands) the ratio of the population to doctors improved between 1970 and 1990 from 1 663 to one, to 1340 to one. However, according to the SAMDC, doctors were concentrated in urban areas, while in rural areas, particularly in the homelands, there was a marked shortage of medical personnel. In July 1991 it was reported that the ratio of the population to doctors in the non-independent homelands was 15 625 to

Doctors

In December 1990 MASA warned the government that three out of four educators at medical schools were planning to move to the private sector, and 41% were considering emigrating. MASA argued that the training of medical personnel would be adversely affected by such a loss of medical school staff.³⁸ [³⁸ *The Citizen* 6 December 1990]

In the same month a survey of medical specialists employed by the state found that 80% of full-time specialists intended leaving the public health service within two years. The survey, conducted by the Association of Specialists at the University of the Witwatersrand, found that 96% of respondents believed that their salaries were inadequate. It was reported that the gap between public and private sector salaries had widened to unacceptable proportions. Public sector specialists were said to earn a third to a tenth of their counterparts' income in the private sector. About 40% of doctors in the public sector were reported to be moonlighting in order to supplement their incomes.³⁹ [³⁹ *Business Day* 7 December 1990]

In April 1991 the minister of national health and population development, Dr Rina Venter, held a meeting with the South African Full-time Specialists' Association to discuss the exodus of doctors from the public health service, particularly from academic hospitals. Dr Venter announced that the government had accepted the principle of limited private practice for specialists working for the state. In addition, a committee of government officials and doctors would investigate the problems of poor pay and unsatisfactory working conditions in state hospitals.⁴⁰ [⁴⁰ *Cape Times* 29 April 1991, *Business Day* 30 April 1991]

Speaking in March 1991 at a graduation ceremony of the Medical University of Southern Africa (MEDUNSA), the deputy president of the African National Congress, Mr Nelson Mandela, expressed concern at the low number of black doctors graduating annually. He said that of 1 300 doctors who graduated annually, only 300 were black, and of these, only 120 were African. (If graduate doctors were produced in proportion to the numbers in each race group, 981 African, 109 coloured, 34 Indian and 175 white doctors should graduate annually.) Among the graduates in March 1991 was the first African ophthalmologist.⁴¹ [⁴¹ *The Argus* 26 March 1991]

The vice chancellor of MEDUNSA, Professor Leon Taljaard, said in the same month that the survival of his institution was at stake unless substantial financial aid was obtained. (MEDUNSA was the only university devoted entirely to medical training for Africans.) Professor Taljaard argued that the cuts in government funding to universities (see also chapter on *Education*) had affected MEDUNSA particularly severely. Unlike other established universities, MEDUNSA did not have reserve funds on which it could draw to balance its budget. Professor Taljaard said that the university could have a deficit of R10m in its 1991/92 budget. It would be compelled to close down its faculty of veterinary science, school of pharmacy and Department of Nutrition, he added. Professor Taljaard also said that some courses and support services might have to be abolished, and that 10% of the staff might have to be retrenched.⁴² [⁴² *Sowetan* 7 March 1991]

The minister of education and training, Dr C J van der Merwe, argued that MEDUNSA ‘was established in a previous era, for ideological reasons. Consequently, perhaps it received a little more from the state than other universities’. He said that the university would have to ‘learn to make do with less’ and to ‘establish priorities’.⁴³ [⁴³ *The Citizen* 9 March 1991]

MEDUNSA had been established in 1978 with the intention of producing 200 doctors a year. However, it had never been able to produce more than half this number of graduate doctors annually. According to Professor Taljaard, this was partly due to the fact that the only training hospital available to MEDUNSA, the GaRankuwa Hospital (near Pretoria), was the ‘most inferior academic hospital in the country’ which could be ‘rated one of the poorest in the world’.⁴⁴ [⁴⁴ *The Star* 19 January 1991]

A survey of the intentions of medical students regarding emigration was published in the *South African Medical Journal* in May 1991. The study by two sixth-year medical students at the University of Cape Town, Messrs D Wynchank and S Granier, said that emigration of doctors from developing countries to the developed world was a universal phenomenon. However, it was exacerbated in South Africa by the economic recession and political instability. The survey sample comprised 629 medical students at the University of Cape Town, of whom 54% were found to be considering emigrating. The major reasons given for emigration (in descending order of importance) were moral dissatisfaction with the present government, better career opportunities abroad, fear of a right-wing government and military conscription. Messrs Wynchank and Granier suggested that attention be given to choosing medical school applicants who were more likely to remain in South Africa and that the government be lobbied to provide an alternative to national service.⁴⁵ [⁴⁵ Wynchank D RSM and Granier S K, ‘Opinions of medical students at the University of Cape Town on emigration, conscription and compulsory military service’. *South African Medical Journal*, 4 May 1991, pp532-535]

During 1990 and 1991 several steps were taken to facilitate the registration of foreign-trained doctors with the SAMDC, so that they could work in South Africa. In November 1990 the government announced that doctors trained in Egypt would be allowed to work in state hospitals. About 80 Egyptian-

trained doctors were expected to be affected by the announcement. In early 1991 changes were announced to the rules of the SAMDC to enable doctors trained in Cuba and eastern Europe to practise in South Africa. About 90 South African exiles who had trained in these countries, and who were expected to return to South Africa, were expected to benefit from the new ruling. The president of the World Medical Association, Professor Manuel Machado Macedo, said in February 1991 that changes to SAMDC rules would make it easier for Portuguese-trained doctors to register with the council.⁴⁶ [⁴⁶ *The Star* 15 November 1990, *Business Day* 23 January 1991, *The Citizen* 20 February 1991]

By July 1991 more than 160 doctors and dentists who had qualified in other countries had been granted full recognition by the council.⁴⁷ [⁴⁷ *The Citizen* 11 July 1991]

In July 1991 it was reported that the medical school at the University of Natal, which had been established in 1951 as the only training institution in South Africa (at that time) for black doctors, was considering accepting applications from whites from the beginning of 1992. Some staff and students at the medical school were said to be opposed to the opening of the institution to all races, on the grounds that there was a greater need for black doctors than for white ones.⁴⁸ [⁴⁸ *The Star* 18 July 1991]

The *South African Medical Journal* reported in August 1991 that 315 doctors—270 general practitioners and 45 specialists—had left South Africa between 1986 and 1990. However, the loss of doctors through emigration had dropped steadily, from a loss of 85 doctors in 1986 to only 28 in 1990. During the first three months of 1991, three medical practitioners had left South Africa⁴⁹ [⁴⁹ *South African Medical Journal*, 17 August 1991] (see also chapter on *Population*).

Nurses

The South African Nursing Council provided the following figures for the number of registered nurses of different race groups in South Africa (excluding the ‘independent’ homelands) in various years from 1977 to 1990. These figures include enrolled nurses and midwives, and enrolled nursing assistants.

Registered nurses: 1977-1990

African

Coloured

Indian

White

Total

1977

48 547

10 740

1 396

39 119

99 802

1980

53 538

12 568

1 706

41 382

109 194

1985

64 039

16 292

2 211

42 645

125 187

1990

76 277

21 192

3 122

47 967

148 5

Between 1977 and 1990 the total number of nurses increased by 49%, the largest contribution to this increase being made by African nurses, whose numbers increased by 57%. However, figures for the total number of nurses concealed the differences in qualification between different race groups. In 1990 some 68% of white nurses were registered (the highest category of qualification); the same was true of only 40% of African, 30% of coloured and 53% of Indian nurses.

The president of the South African Nursing Council, Professor Wilma Kotze, said in March 1991 that the number of nurses qualifying each year needed to double, if there was to be an adequate ratio between registered nurses and the population. She said that the number of nurses at the end of 1990 represented an increase of only 2% over the figure for the previous year, which was higher than the 1,1% increase between 1988 and 1989. Professor Kotze added that the council was alarmed as these increases were below the annual population increase of 2,4% per year. She said that the main obstacle to training more nurses was a shortage of finance.⁵⁰ [⁵⁰ *The Star* 19 March 1991]

Earlier, in October 1990, the South African Nursing Association had declared that 32 000 nurses would have to be trained within the next decade if the nursing shortage was to be alleviated. (This goal would require an increase of approximately 60% on current numbers trained annually.)⁵¹ [⁵¹ *The Weekly Mail* 19 October 1990]

Dr Venter said in March 1991 that at the end of 1990, 4 186 provincial nursing posts throughout the country had not been filled.⁵² [⁵² *The Star* 27 March 1991]

Health indicators

The minister of national health and population development, Dr Rina Venter, said in Parliament in July 1990 that a white baby had a six times better chance than an African baby of surviving beyond the first six months of life. The infant mortality rate per 1 000 live births for South Africa (excluding the

'independent' homelands) was 50 in 1989, compared to 113 for the rest of Africa, 55 for Latin America and ten for Europe. However, Dr Venter said, the infant mortality rate in South Africa in 1989 varied from 9,3 for whites to 60,6 for Africans.⁵³ [⁵³ Ibid 30 July 1990]

In October 1990 *The Weekly Mail* reported that a disproportionately low number of public hospital beds provided general care for the population of South Africa (excluding the ten homelands). The number of beds per 1 000 people in each of the provinces was as follows: Cape, 4,8; Natal, 4,5; Orange Free State, 3,4; and the Transvaal, 4,3.⁵⁴ [⁵⁴ *The Weekly Mail* 19 October 1990]

The World Health Organisation recommended that there should be a maximum of 1 000 people per health care clinic. However, in 1990 the provinces had the following ratios of people per clinic: Cape, 11 015; Natal, 21 878; Orange Free State, 17 958; and the Transvaal, 19 133.⁵⁵ [⁵⁵ Ibid]

A document entitled *1990 Health Trends*, which was published by the Department of National Health and Population Development in May 1991, showed that the health of South Africans had worsened since 1986 owing to the economic recession. The document contained the following health indicators, which provided evidence of the effects of increased poverty and unemployment on health:⁵⁶ [⁵⁶ Department of National Health and Population Development, *1990 Health Trends*, 1991]

- infant mortality rates for coloured people, Indians and whites worsened between 1986 and 1988, with the rate for whites rising by 89% over this period;
- the mortality rates for children up to four years of age for all races worsened between 1985 and 1988;
- the notification rates for hepatitis per 100 000 population increased for all race groups between 1986 and 1989;
- the malnutrition mortality rates for coloured people and Indians in 1988 were at their worst levels since 1980. The malnutrition mortality rate for Africans declined by 32% between 1987 and 1988;
- between 1986 and 1989 the number of cases of tuberculosis among Africans increased by 22%, and the number of cases among coloured people by 35%; and
- the number of in-patients in state psychiatric hospitals increased by 22% between 1987 and 1989.

Health services

Family planning

According to Dr Venter, her department budgeted R113m in 1989/90 and R128m in 1990/91 on family planning.⁵⁷ [⁵⁷ *Hansard* (A) 5 q col 307, 5 March 1991] Replying to a question in Parliament in April 1991, Dr Venter said that the government did not intend amending the Abortion and Sterilisation Act of 1975, which limited severely the availability of abortion. She said that in reply to the government's call in April 1990 for representations on the subject, she had received letters from 48 846 people, 99% of whom were opposed to any reform of existing legislation.⁵⁸ [⁵⁸ *The Star* 10 April 1991]

It had been reported in June 1990 that each year 4 000 women were admitted to Baragwanath Hospital (Soweto) suffering from the effects of illegal abortions. The Abortion Reform Action Group estimated that more than 300 000 women in South Africa had had illegal abortions.⁵⁹ [⁵⁹ *Daily Mail* 21 June 1990]

Hospitals

The 1991/92 health budget allocated R37m to the construction of four new hospitals which would serve predominantly African areas. The hospitals were to be built in Botshabelo (Orange Free State), Durban, GaRankuwa (Bophuthatswana) and Pretoria. The funding brought to an end a moratorium imposed by the government in 1990 on the construction of new hospitals.⁶⁰ [⁶⁰ *The Star* 16 April 1991] However, the total cost of the four hospitals at 1990 prices was R1,3bn, so the amount allocated in 1991/92 would go only a small part of the way towards construction costs.⁶¹ [⁶¹ *Business Day* 16 April 1991]

The announcement of a new 300-bed hospital in Botshabelo was widely welcomed. The township, with a population exceeding 500 000, was served by a hospital with only 34 beds. In 1990 the hospital served some 129 060 patients in its out-patient departments, with an additional 160 890 people being seen at 11 clinics. When all the hospital beds were occupied, patients who required admission had to be transported by ambulance to hospitals in Bloemfontein and Thaba Nchu, 50km away.⁶² [⁶² *Sunday Times* 28 April 1991]

The construction of a new 800-bed hospital in Soweto was again deferred by the government. This hospital had been planned for at least nine years.⁶³ [⁶³ *Business Day, The Star* 16 April 1991]

Desegregation of hospitals

Dr Venter had announced in May 1990 that all provincial hospitals were to be opened to all races, subject to certain guidelines (see *1989/90 Survey* pp387-388). However, there were a number of allegations during the period under review that hospitals, particularly in the Orange Free State and the Transvaal, continued to be segregated.

In July 1990 it was reported that formerly white own affairs hospitals in Natal had noticed a marked increase in the number of black patients using their facilities. The chief medical superintendent of Addington Hospital (Durban), Dr Patrick Fitzgerald, said that his hospital's intake of black patients had increased by 18% since May 1990. The only problem with desegregation, he declared, was accommodating more patients within the existing hospital budget. The chief medical superintendent of Grey's Hospital (Pietermaritzburg), Dr I du Toit, also commented that there had been a 'substantial' increase in the number of black patients seeking treatment at his institution. However, at both institutions non-emergency cases involving black patients were still referred to 'black' hospitals.⁶⁴ [⁶⁴ *The Natal Witness* 25 July 1990]

In September 1990 it was announced that the Coronation and J G Strijdom hospitals (both in Johannesburg) were to amalgamate some of their services as a result of the desegregation of hospitals. The announcement was seen as a rationalisation of services, as the formerly 'coloured' hospital was overcrowded and the formerly 'white' hospital underutilised. In March 1991 the academic surgery department of Coronation Hospital was transferred to the J G Strijdom Hospital as part of this process. Some out-patient and emergency services and some staff had previously been transferred. One result of the amalgamation was said to be an increase in the capacity of the J G Strijdom Hospital from 200 to 350 beds.⁶⁵ [⁶⁵ *Sowetan* 11 September 1990, *The Citizen* 28 March 1991]

In October 1990 it was reported that the first white baby had been delivered at Baragwanath Hospital (Soweto).⁶⁶ [⁶⁶ *The Citizen* 24 October 1990]

In February 1991 Dr Atul Patel, a doctor at the Witbank Hospital (eastern Transvaal), alleged that many white wards in the hospital remained empty while black patients received treatment in 'greatly crowded, inferior facilities'. The Transvaal Provincial Administration (TPA) was accused of 'robbing' black private patients. 'It is patently unfair to charge them the same as whites when the black patient gets third-class treatment and facilities,' he said. The assistant liaison director of the TPA, Mr Jan Loubser, commented, 'Patients are not purposely segregated on racial lines, but by language and cultural affiliations. If there are no beds available on the black side, then there is no problem accommodating black patients with whites.'⁶⁷ [⁶⁷ *The Star* 11 February 1991]

In March 1991 at least three hospitals in the Orange Free State, ie those at Odendaalsrus, Virginia and Welkorn, were still segregated. The director of hospital services for the province, Dr Jan Kruger, defended this policy, saying that there would be 'endless trouble' if wards were suddenly desegregated. 'It's a matter of different civilisations,' he said, alleging that some black patients had 'used the wards as lavatories. We cannot allow such people to be accommodated in the same wards as sophisticated people'. Even when given the choice of being nursed, Dr Kruger claimed, most blacks preferred to be 'among their own people'.⁶⁸ [⁶⁸ *Business Day* 6 March 1991]

During a visit to the Welkom Provincial Hospital in the same month, a delegation of African National Congress and Democratic Party members allegedly saw:⁶⁹ [⁶⁹ *The Star* 12 March 1991]

- black children sleeping on concrete floors;
- as many as three black children in a bed;
- a distressed African mother with a burned baby waiting five hours for admission to the hospital;
- flies in the wards; and
- a white section with empty beds and air conditioning.

According to the regional hospital superintendent, Dr Gert van Zyl, the black wards of the Welkom Provincial Hospital had an average occupancy rate of 120%, while the white wards were only 85% full. The Goldfields hospital desegregation campaign committee subsequently laid a complaint of unethical behaviour with the Medical Association of South Africa (MASA) against Dr Van Zyl, on the basis that he was exercising racial discrimination in segregating wards. MASA found Dr Van Zyl not guilty.⁷⁰ [⁷⁰ Ibid 11 March 1991; *The Citizen* 12, 13 March 1991]

In March 1991, following press reports about these segregated facilities, Dr Venter asked all four provincial administrators to investigate implementation of policy guidelines on the ‘orderly management of hospital patients’. A month later it was reported that only the Orange Free State had ordered an inquiry into hospital desegregation, the other provinces allegedly ignoring Dr Venter’s request.⁷¹ [⁷¹ *The Star* 23 April 1991]

The Centre for the Study of Health Policy at the University of the Witwatersrand said in a study published in March 1991 of nine hospitals in the Pretoria/Witwatersrand/Vereeniging (PWV) area, that although important progress had been made in making health services available to more people, hospital apartheid had not come to an end. The study compared admission figures for black patients a month before Dr Venter’s announcement of desegregation (ie for April 1990) and six months later (ie for October 1990) at various hospitals in the PWV area.⁷² [⁷² Centre for the Study of Health Policy, ‘An end to hospital apartheid? A case study of progress towards nonracialism’, University of the Witwatersrand, March 1991]

The centre said that out of the nine hospitals which it had studied, only the Johannesburg General and J G Strijdom hospitals (both in Johannesburg) had made significant progress in desegregating wards.

Doctors working in Alexandra (near Johannesburg) told researchers that they had experienced difficulty referring patients to the nearest hospital, Edenvale Hospital, because it was still considered to be for whites only. In Krugersdorp (west Rand), African patients were admitted to Leratong Hospital and whites to Paardekraal Hospital, regardless of which hospital was closer. The Centre for the Study of Health Policy said that the policy regarding the desegregation of health services was ambiguous and that it allowed each hospital superintendent to make decisions about the admission of blacks to his or her hospital. It recommended that the government should formally adopt a policy of desegregation of all health services and that it should set out a timetable for the process of full integration.⁷³ [⁷³ Ibid]

In answer to questions in Parliament in April 1991, Dr Venter said that in 1990 there were 5 727 beds in 'white' and provincial hospitals which were not utilised. (The reasons for non-utilisation included lack of funds and lack of nursing staff.) They were as follows:⁷⁴ [⁷⁴ *Hansard* (A) 11 q cols 1073-1074, 16 April 1991; *Hansard* (A) 13 cols 1177-1180, 24 April 1991]

Beds not utilised: 1990

Provincial hospitals

'White' hospitals

Cape province

3 382

167

Natal

232

10

Orange Free State

—

—

Transvaal

962

974

Total

4 576

1 151

In March 1991, in her capacity as minister of health services in the House of Assembly, Dr Venter said that in 1990 the following numbers of each race group had been admitted to hospitals previously under white control:

Patients admitted to 'white' hospitals: 1990

African

Coloured

Indian

White

Cape province ^a

621

1 036

107

23 798

Natal

1 577

66

525

20 776

Orange Free State

66

2

—

17 432

Transvaal

1 107

574

201

98 532

Total

3 371

1 678

833

160 538

a

Excluding W

The largest proportion of admissions of black patients to ‘white’ hospitals in 1990 took place in the Cape (6,9%) and Natal (9,4%), and the smallest proportion in the Orange Free State (0,4%) and the Transvaal (1,9%).

According to Dr Venter, the number of provincial hospitals in each province which admitted no African patients in 1990 was as follows: Cape, five; Natal, none; Orange Free State, two; and the Transvaal, 15.⁷⁵ [⁷⁵ *Hansard* (A) 6 q cols 529-546, 14 March 1991]

Primary health care

In December 1989 the Department of National Health and Population Development had drafted a comprehensive strategy for primary health care (PHC). The document stressed that the objectives of primary health care were availability, affordability, fairness and acceptability to all. It said that the components of the policy should be:⁷⁶ [⁷⁶ Department of National Health and Population Development, *Strategy for the Development of Primary Health Care*, 22 December 1989]

- immunisation against the most important infectious diseases;
- prevention and control of local endemic diseases;
- treatment of minor ailments and injuries;
- mother and child health care, including family planning;
- provision of medicines and vaccines;
- information about general health problems and their prevention;
- promotion of correct nutrition; and
- provision of water and basic sanitation.

The department stressed community involvement as a prime objective of the PHC strategy. It also said that community members had a right and duty to participate in the planning and implementation of health care individually and collectively. The involvement of political and community leaders was also identified as an important element in the new strategy.⁷⁷ [⁷⁷ *Ibid*]

At a conference on the future of academic medicine held in Broederstroom (central Transvaal) in May 1990, MASA said that it would submit proposals to the government regarding its strategy for PHC. These proposals included the rendering of PHC by a properly trained team under the supervision of a doctor, a minimum patient/ doctor ratio of 20 000 to one, and community-based vocational training for

doctors and nurses.⁷⁸ [78 Medical Association of South Africa, resolutions passed at a conference, 'Summit on the Future of Academic Medicine', Broederstroom, 28-30 May 1990]

In its annual report for 1990 the Department of National Health and Population Development said that as part of its PHC programme it had erected 14 clinic buildings, bought 11 mobile clinics and made extensions to five clinic buildings, at a total cost of R2,5m. It had also spent R4m on the provision of health facilities in newly urbanised areas such as informal settlements.

The report said that PHC was provided by 382 local authorities at a cost of R132m. A further component of the PHC programme was the immunisation campaign, particularly against measles (see below).⁷⁹ [79 Department of National Health and Population Development, Annual report 1990, 1991]

In his budget speech to Parliament in March 1991, the minister of finance, Mr Barend du Plessis, said that although the national health budget for 1991/92 would be R8,18bn, 'less than 5% is devoted to primary health care'. This statement seemed to contradict the government's commitment to primary health care.⁸⁰ [80 Department of Finance, *Budget Review*, 20 March 1991]

In June 1991 the chief director of the National Botanical Institute, Professor Brian Huntley, argued that environmental care and primary health care should be priorities in the new South Africa. He pointed out that 'millions of rands' were spent on medical services such as heart transplants while a 'pitiful sum' was devoted to primary health care.⁸¹ [81 *Business Day* 5 June 1991]

Diseases

The Central Statistical Service (CSS) provided the following information regarding the number of reported cases of some specific notifiable diseases in South Africa (including the ten homelands) in 1989:⁸² [82 Information supplied by Mrs A du Plessis, Central Statistical Service (CSS), 6 August 1991]

Notifiable diseases: 1989

Disease

1989

Cholera

Diphtheria

12

Leprosy

44

Malaria

7 055

Measles

18 267

Meningococcal infection

916

Poliomyelitis

12

Trachoma

640

Tuberculosis (all forms)

68 075

Typhoid fever

2 540

Viral hepatitis

2 239

The number of reported deaths from these notifiable diseases in South Africa (excluding the 'independent' homelands) in 1989 were as follows:⁸³ [83 Information supplied by Mrs L Coertse, CSS, 6 August 1991]

Reported deaths from notifiable diseases:1989

Disease

1989

Cholera

3

Diphtheria

4

Leprosy

15

Malaria

36

Measles

808

Meningococcal infection

104

Poliomyelitis

5

Trachoma

Tuberculosis (all forms)

6 511

Typhoid fever

1

The CSS also reported that in 1989 there were 18 cases of brucellosis, 12 cases of haemorrhagic fevers, 20 cases of rabies and 139 cases of tetanus in South Africa (including the ten homelands).

Acquired immune deficiency syndrome (AIDS)

Policy

In November 1990 it was reported that the government was to cut R1,8m from the acquired immune deficiency syndrome (AIDS) budget for 1990/91 of R5,4m, in order to finance the general immunisation programme, which was short of funds. However, later in the same month the minister of national health and population development, Dr Rina Venter, allegedly reversed this decision, which had apparently been made at a lower level in her department.⁸⁴ [⁸⁴ *Sunday Times* 25 November 1990, 2 December 1990]

In the same month the member of the executive committee for hospitals in Natal, Mr Peter Miller, announced that a doctor and a nurse employed by the provincial administration had become the first people in South Africa to be infected with the human immuno-deficiency virus (HIV) by contaminated medical instruments. He added that five other people in Natal had suffered similar accidents and were waiting to see if they would become HIV positive. It was reported that the Natal Provincial Administration had spent R8m in seven months on providing protective equipment to medical staff because of the risk of infection with the HIV virus.⁸⁵ [⁸⁵ *Ibid* 18 November 1990]

In the same month the Democratic Party spokesman on health, Mr Mike Ellis, criticised the government's low level of expenditure on AIDS programmes. He pointed out that Mozambique, which was one of the poorest countries in the world, spent twice as much as South Africa on combating AIDS. The South African government's allocation of R5,4m for 1990/91 had to cover 'AIDS education, advertising, training and paying people to deliver education, surveillance projects, the National Institute of Virology and AIDS training and information centres'. Mr Ellis estimated that it would cost R50m to cover these tasks adequately.⁸⁶ [⁸⁶ *Sunday Tribune* 2 December 1990]

Dr Venter said in an interview in *Leadership* in October 1990 that 'people who say [that the

government's response to the AIDS crisis has been inadequate] are ill-informed. We are doing what we can. The problem with AIDS is that it is not primarily a medical problem. It relates to social behaviour. You can't legislate against sexual behaviour'. She admitted that more could be done 'in terms of a high profile education programme. All our surveys show that there is a fairly good general knowledge of AIDS, but we are dealing with two issues: knowledge and habits. Involvement in sexual relations, is sometimes an impulsive thing'.⁸⁷ [⁸⁷ *Leadership* October 1990]

Dr Venter said in Parliament in February 1991 that the government's AIDS programme embraced the following:⁸⁸ [⁸⁸ *Hansard* (A) 4 q cols 169-175, 26 February 1991]

- the testing of blood and blood products for transfusion since 1985;
- the establishment of an interdepartmental committee, on which 167 government departments were represented, to co-ordinate the AIDS programme of the public sector;
- the distribution of condoms, primarily through family planning clinics, at a cost of R4,5m a year;
- the establishment of ten AIDS information and training centres in South Africa's larger cities. Another two centres were to be established in Pietermaritzburg (Natal) and Soweto;
- a workshop of educationists and parents, at which an AIDS educational strategy would be planned; and
- the production during 1991 of two AIDS educational videos for schools.

In the same month Dr W J Snyman MP (Conservative Party) said in Parliament that all returning exiles should be tested for HIV and refused entry to South Africa if their tests showed the presence of the virus. Dr Venter rejected the suggestion, pointing out that it was not possible to prevent exiles who were suffering from AIDS from entering the country when they were South African citizens. She added that such a policy would also not prevent the spread of AIDS.⁸⁹ [⁸⁹ *Ibid*] Earlier, the African National Congress had rejected a call by the CP for exiles infected with HIV not to be allowed back into South Africa, saying that to single out returnees for testing was illogical and unfair.⁹⁰ [⁹⁰ *Business Day* 15 January 1991]

In July 1991 it was announced that the government would spend R1,5m on a publicity campaign against AIDS, which would begin in mid-August. The campaign would make use of billboards, newspapers, pamphlets, radio and television. Groups to be targeted included community leaders, parents, children, people with sexually transmitted diseases and health-care workers. The contract for the campaign was awarded to a Sandton-based advertising company.⁹¹ [⁹¹ *Ibid* 30 July 1991]

In the same month the Department of National Health and Population Development and the Department of Education and Development Aid announced that they would spend R5m on AIDS education. The first part of the education programme would involve commissioning the Human Sciences Research Council to conduct a survey to ascertain attitudes to AIDS in schools. The second phase would involve training personnel from the education departments of the own affairs administrations and the ten homelands to provide training in AIDS education to teachers. The trained personnel would then train teachers to provide AIDS education to pupils as part of their youth preparedness programme. A spokesman for the Department of National Health and Population Development said that the department hoped that AIDS education in schools would be able to begin in 1992. The aim of the educational programme was to make all children 'AIDS literate' by standard 5.⁹² [⁹² Telephonic interview with official of the Department of National Health and Population Development, 8 August 1991]

Statistics

The Department of National Health and Population Development provided the following information regarding the number of AIDS cases reported in South Africa from 1982 to 8 March 1991:⁹³ [⁹³ Information supplied by the Department of National Health and Population Development, 7 August 1991]

Annual number of AIDS cases in South Africa: 1982-1991

Year of diagnosis

Total no of cases

No of deaths

Fatality rate

1882

2

2

100%

1983

4

3

75%

1984

8

8

100%

1985

8

8

100%

1985

24

23

96%

1987

39

32

82%

1988

87

52

60%

1989

172

86

50%

1990

291

3

22%

1991^a

48

5

10%

Total

683

282

41%

a

As at March 1991

The department supplied the following breakdown of AIDS cases up to 8 March 1991 according to method of transmission, race and sex:⁹⁴ [⁹⁴ Ibid]

AIDS cases—breakdown according to method of transmission, race and sex: 1982-1992

Homo/bisexual

Heterosexual

Homosexual

Other blood transfusion

IVDU^a

Paediatric

Total

African

M^b

2

109

3

4

0

51

169

F^c

0

123

0

0

0

39

162

U^d

0

1

0

0

0

1

2

Coloured

M^b

10

2

1

1

0

0

14

F^c

0

4

0

1

0

0

5

Indian

M^b

4

1

0

0

0

0

5

F^c

0

0

0

0

0

0

0

Whites

M^b

285

9

12

10

1

0

317

F^c

0

4

0

4

0

0

8

U^d

0

1

0

0

0

0

1

Totals

M^b

301

121

16

15

1

51

505

F^c

0

131

0

5

0

39

175

U^d

0

2

0

0

0

1

3

Grand Total

301

154

16

20

1

91

683

a

Intravenous drug user

b

Male

c

Fem

In March 1990 an official spokesman for the Ciskei authorities, Mr Ian Dixon, said that eight AIDS cases had been detected in the homeland, of which three had died.⁹⁵ [⁹⁵ *Daily Dispatch* 27 November 1990] Figures for the three remaining 'independent' homelands were unavailable. In theory, all AIDS cases in South Africa (including all ten homelands) were reported to the South African Institute for Medical Research, which provided figures to the Department of National Health and Population Development. Many researchers believed that in practice underreporting in the homelands was as high as in countries north of South Africa (where 80% of cases were unreported).

The Durban functional region forum, an informal planning group of businessmen, academics and local government officials, said in October 1990 that socio-economic conditions in Natal were especially conducive to the spread of the disease. The forum added that the infection rate in the province was higher than anywhere else. It believed that violence in the area had played a major role in spreading AIDS, through increased cases of rape and the forced closure of many primary health care clinics, whose responsibilities had included AIDS education.⁹⁶ [⁹⁶ *Sunday Tribune* 14 October 1990]

Writing in the *South African Medical Journal* in March 1990, Dr Nicky Padayachee and Dr Robert Schall declared that between 119 000 and 168 000 people in South Africa were expected to be HIV positive at the end of 1990, and the number was expected to increase to between 317 000 and 446 000 by the end of 1991. Drs Padayachee and Schall believed that the number of HIV-positive cases was doubling every eight-and-a-half months.⁹⁷ [⁹⁷ *The Star* 7 April 1990] The World Health Organisation said in November 1990 that 446 000 Africans in South Africa would be infected with HIV by the beginning of 1991.⁹⁸ [⁹⁸ *Ibid* 28 November 1990]

In July 1991 the South African Medical Research Council reported that a study of more than 5 000 blood samples in Natal showed that HIV infection was more common in urban than in rural areas. The council said that HIV infection was four times more common in women than in men. The study found that HIV infection was most common in women between 15 and 30 years of age and in men between 20 and 25 years'. The youngest infected subject was a 12-year-old girl and the oldest a 66-year-old woman.⁹⁹ [⁹⁹ *Ibid* 12 July 1991]

In August 1991 it was reported that blood samples taken from 14 376 women who had attended state antenatal clinics in October and November 1990 had shown an HIV-positive rate of 0,76%. The regional breakdown of HIV positivity was: Cape, 0,16%; Natal, 1,61%; Orange Free State, 0,58%; and the Transvaal, 0,53%. The high rate in Natal was attributed to transmission of infection from Mozambique.¹⁰⁰ [¹⁰⁰ *Sunday Star* 25 August 1991]

Major developments

In July 1990 it was reported that the director of the Highveld Blood Transfusion Service, Dr S P Field, had resigned after a furore regarding a personal directive he had written to a colleague. The directive had allegedly requested that donations of blood should not be taken from Africans and coloured people, as they were likely to be infected with HIV. It was reported that Dr Field had been forced to resign after staff who were members of the Black Health and Allied Workers' Union had gone on a short work stoppage in reaction to the directive, and demanded his resignation. The Highveld Blood Transfusion Service subsequently issued a statement declaring that it did not practise racial discrimination with regard to its donor population or the allocation of blood to patients.¹⁰¹ [¹⁰¹ *The Star* 25, 26 July 1990]

In November 1990 the *South African Medical Journal* reported the results of a study of the attitudes to AIDS of 377 African high-school pupils from four Cape Peninsula townships. Some 75% of respondents had been sexually active and 91% had heard of AIDS, yet only 11% of the sexually active respondents had used a condom. Two thirds of the pupils were not aware that there was no cure for AIDS. The report said that the pupils were reluctant to acknowledge that AIDS could affect them directly, with the problem attributed to prostitutes and 'promiscuous people' in 36% of responses and to whites in 24% of responses. The report revealed that the respondents showed intolerance, fear and rejection of people with

AIDS, and only 6% of respondents would accept an affected person into their class. The researchers concluded by saying that AIDS education was urgently needed in schools.¹⁰² [102 Mathews C, Kuhn L, Metcalf C A, Joubert G, Cameron N A, 'Knowledge, attitudes and beliefs about AIDS in township school students in Cape Town', *South African Medical Journal*, 3 November 1990, pp511-516]

It was reported in the same month that at least one HIV-infected African baby was born each day in South Africa. A spokesman for Baragwanath Hospital (Soweto) said that 100 babies with HIV infection had been born at the hospital in 1989, and a further 300 in 1990. A paediatrician at the hospital, Dr Ian Friedland, said that it was not official policy to test infants for AIDS and so the number who were infected could be much higher than these figures.¹⁰³ [103 *Sunday Times* 11 November 1990]

The senior deputy medical officer of health for Johannesburg, Dr Nicky Padayachee, said in February 1991 that the health care system would soon be 'hopelessly overloaded' if only conventional care in hospitals was provided to AIDS patients. (At the time of writing state care was provided only in academic teaching hospitals.) Dr Padayachee insisted that the present use of expensive drugs such as AZT at a cost of R1 500 per patient per month could not be extended to a greater number of patients. The alternative proposal of a system of privately run hospices was equally untenable, Dr Padayachee argued, as they were costly to establish and run. In his view, it would be impossible to develop adequate numbers of hospices in the black community to meet the growing need to care for people with AIDS. Dr Padayachee believed that South Africa would have to settle for a cheaper and simpler care system for AIDS, based mainly on primary health care and care in the home.¹⁰⁴ [104 Interview with Dr Nicky Padayachee, Johannesburg, 7 February 1991]

In April 1991 Messrs A Marks and G Downes suggested in an article in the *South African Medical Journal* that informal sector shops (also known as spazas) should be considered as venues for the dissemination of information about AIDS prevention and the distribution of condoms. The researchers said after interviews with the owners of 88 spazas in Khayelitsha (Cape Town) that they showed great willingness to become involved in AIDS education. Messrs Marks and Downes concluded that spazas were an unexplored means of educating township residents about AIDS.¹⁰⁵ [105 Marks A S and Downes O M, 'Informal sector shops and AIDS prevention'. *South African Medical Journal*, 20 April 1990]

In the same month the national spokesman for blood transfusion services, Mr John Cotterell, said that with the escalation of the AIDS epidemic, fewer people were eligible to donate blood, making it increasingly difficult for blood transfusion services to ensure an adequate supply of 'low-risk' blood. Parts of KwaZulu had allegedly been declared 'out-of-bounds' for blood-taking, with HIV-positive rates of 6% in some of the worst areas. Mr Cotterell said that it was necessary 'urgently [to] broaden the safe donor base before the situation became desperate'. He warned that people who needed transfusions could die if the blood shortage was not rectified.¹⁰⁶ [106 *The Star* 11 April 1991]

A report delivered at the national conference of the African National Congress (ANC) in Durban in July 1991 proposed that an AIDS education officer be appointed in each of the organisation's 936 branches to create awareness of the disease. The report also proposed that the ANC's national executive committee appoint a sub-committee on AIDS to work closely with other organisations to combat the disease.¹⁰⁷ [¹⁰⁷ Ibid 12 July 1991]

The Congress of South African Trade Unions (COSATU) held its first conference on AIDS in the same month in Johannesburg. The national education secretary of COSATU, Mr Khetsi Lehoko, said, 'The epidemic is a union issue. We have a responsibility to confront it, to educate workers and to establish fair AIDS policies in the workplace.' COSATU was to address the issue of the disease at its national conference later that month (see chapter on *Labour Relations*).¹⁰⁸ [¹⁰⁸ *Echo* 4 July 1991]

In August 1991 a businessman from Brakpan (east Rand) sued his doctor in the Witwatersrand Local Division of the Supreme Court in Johannesburg for breach of confidence and invasion of privacy after the doctor allegedly informed his friends and colleagues that the businessman was HIV positive. The case was seen as important in that its outcome would establish the rights to privacy of people diagnosed as HIV positive. The outcome was not known at the time of writing.¹⁰⁹ [¹⁰⁹ *The Weekly Mail* 16 August 1991]

Projections

A senior research fellow in the economic research unit at the University of Natal, Mr Alan Whiteside, provided the following information regarding the number of HIV-positive people in South Africa (including the ten homelands) in 1995 and 2000, given different doubling times for the disease:¹¹⁰ [¹¹⁰ Whiteside A, *AIDS in Southern Africa*, University of Natal and the Development Bank of Southern Africa, 1990]

HIV cases in South Africa: 1995 and 2000

Doubling time ^a

Number of HIV cases

1995

2000

6 months

7 416 964

12 695 303

9 months

1 874 966

12 130 825

12 months

666 025

8 591 348

15 months

342 836

4 348 887

a

The present accepted doubling time between eight and 12 mo

Mr Whiteside said that in the West it took an average of seven to eight years for HIV infection to seroconvert to full-blown AIDS, and the person with AIDS usually died one to three years after this stage. However, he pointed out that in Africa it could take a considerably shorter period for people to fall ill and die of AIDS, as they were often less healthy, more malnourished and exposed to a wider range of diseases.¹¹¹ [¹¹¹ Ibid] Mr Whiteside also provided the following figures for cumulative deaths from AIDS in the adult age group (15 to 64 years) and among infants, given different doubling times:¹¹² [¹¹² Ibid]

Cumulative deaths from AIDS in South Africa: 1995 and 2000

1985

2000

Doubling time

Adults

Infants

Adults

Infants

6 months

1 417 942

463 560

6 324 998

793 456

9 months

354 988

117 185

4 481 577

758 177

12 months

140 841

41 627

2 440 391

536 959

15 months

80 262

21 427

1 154 630

271 805

There are widely differing perceptions of the effects of AIDS on population growth. The chief economist of Nedbank, Mr Edward Osborn, said in February 1991 that as a result of AIDS, the total South African population in 2010 could be at the same level as in 1990 (38m), growing thereafter to 45m by 2020. However, Dr Robert Schall of the Institute for Biostatistics at the South African Medical Research Council in Parow (Cape) believed that the African population (which would be worst affected by AIDS) would at no stage show a decline in numbers. Instead, it would increase from 28m in 1990 to 38m in 2000 and 41m in 2010, after which it would remain static for almost a decade.¹¹³ [¹¹³ Hamilton ^*Social and Economic Update 14: Special Issue on AIDS*, South African Institute of Race Relations, May 1991]

The minister of national health and population development, Dr Rina Venter, said in October 1990 that every available state and private hospital bed in South Africa would be filled if only 0,55% of the population had to be hospitalised for AIDS. ‘The costs involved in treating the patients would be equal to the entire present health budget for the country,’ she declared.¹¹⁴ [¹¹⁴ *Cape Times* 26 October 1990] According to Mr Whiteside, this situation could arise before 2000.

The Department of National Health and Population Development estimated the cost of treating one AIDS patient at between R30 000 and R60 000 a year. However, Mr Whiteside took the view that the future cost of medical care should be based on that of countries with similar income levels to South Africa, such as Mexico and Brazil. Based on these countries’ figures, the cost per patient would be \$6 000 or R15 000. Mr Whiteside estimated the medical cost of AIDS in 1995 and 2000, given different doubling times for the disease, would be as follow

Medical cost of AIDS to South Africa: 1995 and 2000

1995

2000

Doubling time

Cases

CosCases

Cos9 months

198 000

2,97

1 043 080

15,65

12 months

71 616

1,07

838 717

12,58

15 months

35 805

0,54

435 581

6,53

The World Bank has estimated that the medical cost of AIDS is only 20% of the true cost, which means that the cost to the economy could be between R32bn and R78bn in the year 2000.¹¹⁶ [¹¹⁶Ibid]

A study carried out by the medical school at the University of the Witwatersrand and the South African Medical Research Council and published in July 1991, said that the most pessimistic scenario was that 5,2m people in South Africa would be infected with HIV and 667 000 people would have died of AIDS by the year 2000. According to the study, the cost of AIDS could reach 2,3% of the gross national

product (GNP) by the year 2000, and 9% of the GNP by 2005. 'The directly measurable economic impact of AIDS is likely to be sustainable, at least until [2005],' the study said. Lost work years as a result of AIDS would increase from 22 175 in 1991 to 2,6m in 2000.¹¹⁷ [¹¹⁷ *Business Day* 8 July 1991]

Furthermore, the study also said that AIDS could consume between 19% and 45% of health expenditure by 2000, and 34% to 75% by 2005.

In *Facing AIDS—a Strategy Manual*, published in October 1990, Mr Andre Spier and Ms Marcelle Edwards argued that since AIDS would affect predominantly infants and sexually active adults between 15 and 49 years of age, the population would be increasingly skewed towards the very young and the elderly. They predicted that AIDS would consequently have the following effects on the South African economy in the next 20 years:¹¹⁸ [¹¹⁸ Spier A and Edwards M, *Facing AIDS: a strategy manual*, Syncom Publications, October 1990]

- urban elites would be the first to die of AIDS, resulting in a shortage of skilled workers;
- it could become more difficult to attract skilled emigrants from Europe, leading to an exacerbated skills shortage; and
- the economy could enter a major recession.

Hepatitis

A member of the Pharmaceutical Council, Mr C J de Bruin, suggested in May 1990 that pharmacists should be given the authority to administer immunisation against hepatitis and other diseases. He pointed out that about 2,5m people in South Africa were carriers of the disease, and more than 20 000 people had died of the disease in 1989.¹¹⁹ [¹¹⁹ *Business Day* 16 May 1990]

Writing in the *South African Medical Journal* in March 1991, Dr S S A Karim and Mr Q A Karim argued that there was consistent under-reporting of cases of hepatitis B in South Africa. The authors found on the basis of laboratory tests that only 15% of hepatitis B infections appeared to be reported. The numbers of deaths from the disease could be seven times as much as the official figures.¹²⁰ [¹²⁰ Karim S S A and Karim Q A, 'Underreporting in hepatitis B notifications', *South African Medical Journal*, 2 March 1991]

In April 1991 it was reported that hepatitis C, a more virulent virus than hepatitis B, had been detected in Natal. The director of the Natal Blood Transfusion Services, Professor Francisco Costa, said that his

service was the first in the country to start testing for hepatitis C.¹²¹ [¹²¹ *The Star* 19 April 1991]

Malnutrition

The executive director of Operation Hunger, Mrs Ina Perlman, estimated that three people died of hunger-related disease every hour, or more than 25 000 people a year. She added that aid workers believed that a quarter of all deaths in the African community were those of malnourished children under five years of age.¹²² [¹²² *Sowetan* 19 June 1991]

Operation Hunger was involved in feeding 1,6m people daily. Mrs Perlman said that the number of people needing assistance with food could rise to 2m by the end of September 1991, partly as a result of the introduction of value added tax (VAT).

The minister of finance, Mr Barend du Plessis, said in Parliament in April 1991 that state funds had been used for 28 years to prevent malnutrition in children up to five years old. The amounts spent by the programme had been R350 000 in each of the 1989/90 and 1990/91 financial years. The funds had been spent on providing an enriched milk-powder mixture to local authorities to feed such children.¹²³ [¹²³ *Hansard* (A) 10 q cols 861-862, 9 April 1990]

In the 1991/92 budget R220m was allocated to help the 'severely indigent' after the introduction of VAT on 30 September 1991. This aid would include food for children under 12 years of age, expecting and lactating mothers, the elderly and certain unemployed people. The South African Chamber of Business estimated that R1,2bn was actually needed to offset the effect of the introduction of VAT on the poor (see *Welfare Policy* below).

In August 1991 Dr Venter said that the government would take the following steps to provide food assistance for the poor:¹²⁴ [¹²⁴ *The Citizen* 19 August 1991]

- funds would be provided to registered charities which provided food assistance to the poor. The only requirement which the government had of such organisations was that they should use allocated funds for food and not for administration, and they should promote 'self help';
- food assistance to about 2 000 clinics run by local authorities (which had previously provided only skimmed milk powder) would be extended to other staple foods; and
- a committee of 'professional people' would be appointed to draw up a long-term nutritional programme.

Measles

The Department of National Health and Population Development had announced an intensive immunisation campaign against measles in March 1990 (see *1989/90 Survey* p422). In its 1990 annual report the department said that the following numbers of people had been innoculated against measles in 1989 and 1990 respectively in various parts of South Africa (excluding the 'independent' homelands):¹²⁵ [¹²⁵ Department of National Health and Population Development, Annual report, 1990]

Immunisation against measles 1989 and 1990

1989

1990

Cape province

Eastern cape

40 568

58 715

Northern cape

11 677

13 581

Western cape

75 392

95 996

Natal

89 121

225 424

Orange Free State

39 435

71 297

Transvaal

Northern Transvaal

21 113

76 086

Southern Transvaal

93 787

187 285

Total

371 113

728 384

The number of children immunised in 1990 increased by 96% over the number immunised in 1989, with the largest regional increase occurring in Natal (153%).

Writing in the *South African Medical Journal* in April 1991, Drs N Coetzee, D J Berry and M E Jacobs suggested that even given the government's immunisation programme, it could take 15 years to control the spread of measles in South Africa. They pointed out that a number of rural areas appeared to have higher measles vaccination coverage rates than some urban or peri-urban areas. Drs Coetzee, Berry and Jacobs added that the disease spread faster in urban areas and therefore immunisation was crucial in such areas. They argued that the immunisation programme should focus on babies delivered at home, children recently arrived in urban areas and large fa

Mental illness

In a paper published by the Centre for the Study of Health Policy at the University of the Witwatersrand

in 1990, it was reported that between 4m and 10m South Africans would need mental health care at some stage of their lives. The report said that there was one psychiatrist and three clinical psychologists per 100 000 people in South Africa (including the ten homelands). (In western countries comparable figures were between five and 15 psychiatrists and 15 and 35 clinical psychologists per 100 000 people.) The centre argued that the ratio of mental health practitioners to patients for whites (mainly in urban areas) was acceptable, which meant that for the majority of the black population the ratio was far worse than the national average would suggest. There were, for example, about 200 psychologists serving the white population of Johannesburg and Randburg (or 33 psychologists per 100 000 people). However, in most homelands there were no psychologists at all.¹²⁷ [127 Centre for the Study of Health Policy, 'The Need for Improved Mental Care in South Africa', University of the Witwatersrand, 1990] The report gave the ratio of psychiatrists to patients in psychiatric units as around one to 133, compared to one to 12 in the United States. The report argued that it was thus very difficult for South African psychiatric institutions to provide adequate care. Soweto, with a population of about 2m, required 900 psychiatric beds to serve the population adequately, whereas it had only 90 beds available.

The centre pointed out in its report that the majority of patients seen by state psychiatric services were psychotic, but for patients with less debilitating psychological problems (about 90% of the total number) there was almost no available state care. The state employed only about 100 clinical psychologists, giving a population/psychologist ratio for those who made use of the public sector of around 300 000 to one.

In summary, the report said that what was most desperately lacking in the mental health system in South Africa was adequate care of the African mentally ill, especially in rural areas and homelands.

Tuberculosis

In reply to a question in Parliament in March 1991, Dr Venter provided the following figures for the number of notified tuberculosis cases, the number of hospital admissions for the disease, and the number of deaths from the disease in South Africa (excluding the 'independent' homelands) in 1990:¹²⁸ [128 *Hansard* (A) 6 q cols 489-490, 12 March 1991]

Tuberculosis cases: 1990^a

Notified cases

Hospital admissions

Deaths

African

45 777

16 656

1 219

Coloured

17 706

3 038

508

Indian

538

196

5

White

844

79

22

Total

64 865

19 969

1 754

a

Figure for noticed cases and deaths are provisional

The number of cases represents an increase of 44% on the number in 1980, and an increase of 32% on figures for 1985. The disease seems to have shown a steady increase since 1985, owing to the effects of the economic recession, increased poverty and overcrowding, according to the South African National Tuberculosis Association (SANTA).¹²⁹ [¹²⁹ *The Star* 11 December 1990]

SANTA said in December 1990 that under-notification of the disease was common, particularly in the homelands, and that accurate figures for the disease would reflect 100 000 cases and 6 000 deaths annual

In June 1991 a survey by a team of anthropologists at the University of Cape Town on the health status of hostel dwellers in the western Cape was published in the *South African Medical Journal*. The survey looked at council-built migrant hostels in Guguletu, Langa and Nyanga. It found that overcrowding (one bed to 2,8 people), poverty (a weekly cash income of R100 per wage earner), and inadequate amenities (117 people to one tap and 133 people to one lavatory) were characteristic of hostels. The study said that it found a low incidence of tuberculosis among hostel dwellers, but believed that the sick were likely to be returned to the homelands and replaced by healthy workers. 'The healthy ... can renew contracts and return to the urban workplace. The sick ... are returned or remain in the rural homelands. The high infant mortality rate [of the homelands] suggests that the disease burden of the migrants is being carried by the home-base population.'¹³¹ [¹³¹ *Business Day* 26 June 1991]

Environment

Policy and attitudes

The minister of environment affairs and of water affairs, Mr Gert Kotzé, said in August 1990 that the environmental challenge in South Africa was to balance the ideals and expectations of the first world with the realities and needs of the third world. 'Development is only sustainable if it meets the needs and aspirations of the present generation without compromising the ability of future generations to meet theirs.'¹³² [¹³² *The Citizen* 31 August 1990] In the same month Mr Kotzé announced that the government had decided to ban the importation of hazardous waste. He said that the decision implied a total ban on importation for both treatment and dumping. The announcement followed controversy earlier in the year about the alleged pollution of drinking water in the Durban area by toxic waste which had been dumped by Thor Chemicals (see *1989/90 Survey* p430) and a proposal for the construction of a R400m toxic waste plant near Alexander Bay (northern Cape).¹³³ [¹³³ *The Star* 27 August 1990]

An opinion poll about environmental issues conducted by Markinor was reported in the press in August

1990. The sample comprised 1 000 whites and 800 Africans in metropolitan areas. According to the poll, those interviewed supported environmental issues but they were reluctant to pay the additional costs involved in implementing environmentally responsible actions. Some 75% of whites and 40% of Africans were concerned about the pollution of rivers and lakes. Some 79% of whites, but only 26% of African respondents were distressed about the pollution of beaches and the sea by oil tankers. The disposal of industrial waste was a concern of 71% of white and 20% of African respondents. However, only 15% of whites and 9% of Africans said that they had boy-cotted the products of a company which they regarded as 'environmentally irresponsible', while only 21 % of white respondents and 3% of Africans had elected to pay more for 'environmentally friendly' products.¹³⁴ [¹³⁴ *The Natal Mercury* 25 August 1990]

The group consultant for health, safety and environmental affairs for Sentrachem, Mr Daniel Malan, addressed the President's Council in August 1990 on environmental issues on behalf of the South African Chamber of Business (SACOB). Mr Malan said that SACOB believed that a healthy balance was necessary between development and environmental protection to ensure the long-term availability of the natural resources on which commerce and industry depended. He argued that one of the shortcomings of the present system was the large number of official bodies involved in the management of environmental affairs, and the large number of regulations and ordinances controlling these matters.

Mr Malan said that SACOB recommended:¹³⁵ [¹³⁵ *The Citizen* 8 August 1990]

- the consolidation of environmental legislation into three or more major acts;
- the formulation of a national policy on the environment under the auspices of a single body; and
- the appointment of an ombudsman to resolve conflict arising between developers and environmentalists.

The minister of national health and population development, Dr Rina Venter, announced a draft policy to control air pollution in September 1990. She called for comment on the document before the end of 1990. The draft document made the following points:¹³⁶ [¹³⁶ *Ibid* 18 September 1990]

- five major sources of pollution were pinpointed for attention. These were dust from mine dumps, the paper industry, the petro-chemical industry, power station emissions and residential areas without electricity;
- four geographical areas, in which the greatest population growth was taking place, were highlighted for attention. These were the western Cape, the greater Durban area, the Pretoria/Witwatersrand/Vereeniging area and the eastern Transvaal highveld;

- controls were proposed on pollution from informal settlements. In the long term the provision of electricity and housing for all would eradicate this problem;
- regular inspection of all industries to identify potential pollution problems was proposed; and
- the removal of lead from petrol was envisaged in the long term.

The Council for Scientific and Industrial Research (CSIR) published a report in May 1991 entitled 'The situation of waste management and pollution control in South Africa'. The report, which had been commissioned by the Department of the Environment, found that:¹³⁷ [¹³⁷ Ibid8May1991; ^UJII May 1991; *The Star* II, 25 May 1991]

- air pollution on the eastern Transvaal highveld amounted to almost half of the pollution produced in the country, 'yet conditions on the highveld are very unfavourable for efficient dispersion of pollutants';
- waste production in South Africa was particularly high because of 'special circumstances relating to mining and power generation'. Of 300m tonnes of solid waste dumped annually in South Africa, 238m tonnes were produced by the mines and 22m tonnes were fuel ash produced by power generation;
- urban areas produced 15m tonnes of garbage and 12m tonnes of sewage sludge annually;
- 81% of waste was produced in the Transvaal, 3% in Natal, 2% in the western Cape and the remainder in other areas; and
- South Africa was losing 235m tonnes of topsoil a year through erosion.

The report said that solid waste, mostly disposed of on land, was controlled by 'no fewer than 37 statutes, which leads to confusion, administrative overlap and difficulties in pinpointing departmental responsibilities'. It said that the Department of Water Affairs had the best record in prosecuting polluters—it employed ten lawyers and had instituted ten prosecutions in two years. However, the report implicitly criticised the Department of National Health and Population Development, which was responsible for the implementation of air pollution legislation, for never having instituted a prosecution. The CSIR report said that the Department of National Health and Population Development employed no lawyers. It had only eight enforcement officers to inspect 2 000 industrial processes which emitted noxious gases. The report said that fines for air pollution were also ludicrously low, with the fine for a first offence not exceeding R500.

The report recommended that:

- more scientific research be undertaken into the effects of pollutants and the best way to control them;
- a central and national environmental protection agency be established;
- the administration of the Atmospheric Pollution Prevention Act of 1965 be taken away from the Department of National Health and Population Development and 'administered by a central government department whose chief concern should be environmental protection';
- there be less secrecy about pollution. Information was often difficult to obtain;
- industries be required to take the 'best practicable environmental option' in reducing air pollution, rather than the more lenient 'best practicable means';
- industries be required to monitor their own pollution and to submit an annual report on it, with penalties for evasion or false reporting similar to those for tax evasion;
- guidelines be established for safe and acceptable land disposal practices for waste; and
- the public be given easier access to the courts to fight environmental nuisances.

A conference on the environment, held under the auspices of the World Conference for Religion and Peace at the University of the Western Cape in July 1991, was attended by 230 delegates from a wide range of political organisations and trade unions. The conference was entitled 'Ecologise politics, politicise ecology!' Several delegates made the point that environmental issues could not be shelved until after political issues had been settled. The conference was reported to have shattered preconceptions that political activists were ignorant of environmental issues. A representative of the African National Congress said that environmental issues were as important as economic growth, as all development had to be sustainable. A member of the Congress of South African Trade Unions, Mr Mosey Peterson, said that the labour movement was directly affected by the state of the environment. He cited the state of the fishing industry, where overfishing had led to a drop in the size of catches and the loss of jobs. A member of the National Council of Trade Unions, Mr Buti Msimanga, argued that national health and environmental health were synonymous.¹³⁸ [¹³⁸ *The Star* 18 July 1991]

Pollution

In May 1990 it was announced that the South African Medical Research Council was to undertake a study of the effects of air pollution on children in the Vaal Triangle. The study, which was to involve 600 children, would attempt to identify any correlation between pollution levels and health. Eskom, Iscor and Sasol were among the funders of the investigation, which would cost R5m. Critics of the study questioned its objectivity, saying that the funders of the project were among the worst polluters in the

Transvaal. However, the co-ordinator of the study, Dr Petro Terblanche, said that the research would be unbiased, and that if necessary it would recommend the introduction of air pollution limits.¹³⁹ [¹³⁹ Ibid 2 May 1990]

Later in the year it was announced that the South African Medical Research Council had also initiated a programme to study 4 000 children born in Johannesburg and Soweto between April 1989 and May 1990. The programme was expected to cost R 10m. It would monitor the health, growth and wellbeing of the children until the age of ten years. The effects of exposure to air pollution would form part of the study.¹⁴⁰ [¹⁴⁰ Ibid 27 August 1990]

Addressing the President's Council in August 1990, a member of the National Advisory Committee on Air Pollution, Dr G Heyman, stated that measured in per capita terms. South Africa pumped ten times as much carbon dioxide into the atmosphere as the world average. He added that the largest proportion of the gas was generated by the country's energy industry, which produced 246m tonnes a year. Dr Heyman declared that pollution in the eastern Transvaal was 'noticeably better' than it had been several years ago. In judging the pollution in the region, he said, one had to consider whether it was not better to concentrate pollutants in that area, and be content that the national average of pollution in South Africa was low compared with the rest of the world.¹⁴¹ [¹⁴¹ *The Citizen* 9 August 1990]

The managing director of Fraser Alexander Waste (a waste disposal company), Mr Ken Bromfield, said in September 1990 that each South African produced in excess of 1kg of waste a day. This amounted to more than 30 000 tonnes per day, requiring at least 30 000 cubic metres of disposal volume daily. Mr Bromfield added, 'As living standards rise ... with more disposable packaging being purchased, the amount of refuse can rise to an excess of 2,5kg per person per day in high income areas.' He pointed to a recent survey of the waste disposal of 234 local authorities countrywide. The survey showed that the waste sites of local authorities had the following environmental problems: 50% caused water pollution, 52% caused air pollution, 34% caused a public health risk and 76% were an aesthetic problem. Mr Bromfield claimed that rapid urbanisation in South Africa was placing increased strain on local authorities' ability to handle disposed waste. The capacity of landfill sites in the national survey would last only another five years in 44% of cases, and a further 42% would last a maximum of 20 years.¹⁴² [¹⁴² *The Star* 28 September 1990]

A side effect of the boycott of rent and service charges in African townships has been that African local authorities have in some cases been unable to pay for the treatment of sewage. In November 1990 health authorities warned that many township sewerage systems on the Reef were blocked and overflowing, as a result of the discontinuation of some sewerage services. An official of the Department of Water Affairs said that the sewage had polluted four rivers in the central Transvaal, namely the Blesbokspruit, the Klip River, the Natalspruit and the Rietspruit. 'The sewage spillovers represent a serious health hazard to township residents but will not harm fish and river life unless there is a depletion of oxygen levels,' he added.¹⁴³ [¹⁴³ *Sunday Times* 11 November 1990]

A virologist at the South African Institute for Medical Research, Dr Margaretha Isaacson, warned that use of the polluted water could cause cholera, gastro-enteritis, hepatitis and typhoid. Informal settlers who lived on the banks of the polluted rivers were believed to be in particular danger of infection.¹⁴⁴ [¹⁴⁴ *The Star* 10 November 1990] There were no subsequent reports of infection.

A lecturer in the pulmonology department of the medical faculty at the University of the Witwatersrand, Professor S Zwi, presented a paper at a conference on pollution in Pretoria in October 1990, describing a survey of more than 2 000 white schoolchildren in 16 polluted towns in the Transvaal. The study found that pollution from power stations in the eastern Transvaal caused health problems in the children ranging from respiratory illnesses to stunted growth. Professor Zwi urged that a similar study be carried out on African children.¹⁴⁵ [¹⁴⁵ *Ibid* 26 October 1990]

An article in *Leadership* in the same month said that the eastern Transvaal highveld had the dirtiest air in South Africa. It said that more than 1m tonnes of sulphur dioxide were released into the air in the Transvaal each year. Some 31 tonnes of sulphur dioxide were released annually over each square kilometre of the eastern Transvaal. Other pollutants released in the eastern Transvaal highveld every year were 123m tonnes of carbon dioxide, 339 000 tonnes of carbon monoxide, 374 000 tonnes of dust particles, 276 000 tonnes of hydrocarbons and 355 000 tonnes of nitrogen oxide. According to Professor Peter Tyson, a vice chancellor of the University of the Witwatersrand, these levels matched the worst pollution in Europe and north America.¹⁴⁶ [¹⁴⁶ *Leadership* October 1990]

Eskom power stations were said to be the source of 95% of the carbon dioxide, 83% of dust particles, 91% of the nitrogen oxide and 90% of the sulphur dioxide in the eastern Transvaal highveld region. However, a spokesman for Eskom said that the public wanted cheap electricity, and that it was most economical to situate the power stations close to coalfields in the eastern Transvaal. He claimed that pollution by Eskom was within international limits. The spokesman added that the worst polluters in South Africa were the African townships, where cheap coal burned for cooking and heating produced pollution 2,6 times as heavy as the concentration in the eastern Transvaal.¹⁴⁷ [¹⁴⁷ *Ibid*]

In February 1991 it was reported that levels of faecal contamination of the Umsindusi River (Natal) had risen to dangerous levels. It was believed that the pollutants originated in informal settlements higher up the river which had no waterborne sanitation. The medical officer of health in Pietermaritzburg, Dr I Waters, said that the annual canoe marathon on the river might have to be cancelled because of the health risk of the faecal matter. Some 90% of competitors in the previous year's canoe race had developed gastro-enteritis, with some of the competitors having to be hospitalised. 'We cannot allow the severe health risks the race involves while pollution runs at present levels ... we feel that urgent action is called for,' he added. The high faecal levels were also seen to pose a health threat to informal settlers who lived further downstream and who used the river water for drinking and bathing.¹⁴⁸ [¹⁴⁸ *The Citizen* 7

February 1991, *The Natal Mercury* 6 June 1991]

Welfare

Policy

The group economist of the Barlow Rand Group, Mr Piet Haasbroek, said in June 1990 that the South African economy was in no position to satisfy African expectations of welfare in the short run. He warned that a background of increased political tension meant that South Africa had limited resources to bring about socio-economic improvement.¹⁴⁹ [¹⁴⁹ *The Citizen* 27 June 1991]

In December 1990 the South African Chamber of Business (SACOB) estimated that it would cost R52bn to bring about equality in the basic living standards of blacks and whites. This estimate was based on parity in areas such as education, health, housing and social services. The chamber said that the cost was three times higher than South Africa's annual income from gold exports. The chief economist of the chamber, Dr Ben Rensburg, argued that it would take ten years to reach parity without causing 'mortal damage' to the economy (see also chapter on *The Economy*).¹⁵⁰ [¹⁵⁰ *The Star* 13 December]

In October 1990 the Department of National Health and Population Development distributed a document calling for the overhaul of South Africa's welfare system. The plan was compiled by a departmental committee and the South African Welfare Council. It proposed that:¹⁵¹ [¹⁵¹ *Business Day* 3 February 1991]

- 'individuals, families and communities be primarily responsible for the financing of welfare services needed for their effective social functioning';
- ethical guidelines for the planning and financing of welfare services focus on universal human rights;
- government's contribution to welfare provision be reduced, and the burden be shifted to the private sector;
- welfare structures be privatised; and
- government funding for welfare organisations depend upon welfare organisations meeting certain criteria, including support for a democratic political dispensation and exposure to 'normal market forces'.

Welfare organisations overwhelmingly rejected these proposals, saying that they resuscitated

government proposals first made in 1985, which had been rejected then. A member of a co-ordinating committee of Transvaal welfare organisations set up to fight the new proposals, Ms Leila Patel, believed that privatisation would reinforce inequality. She said that welfare clients were the most vulnerable members of the community, and welfare could not be a saleable commodity like health care. Ms Patel argued that the plan failed to address the issues of socio-economic backlogs, economic redistribution, underdevelopment or the need to dismantle welfare apartheid. The Durban welfare policy committee said in response to the proposals that they would mean more rather than less government control over the welfare system.¹⁵² [¹⁵² Ibid; *The Citizen* 4 January 1991] The Department of National Health and Population Development said later that the report was a preliminary document, and that a final version would be sent to the minister later in January 1991.¹⁵³ [¹⁵³ *Business Day* 3 January 1991]

In February 1991 the Vatcom Report, published by the Department of Finance, stated that 16,3m South Africans (or 45% of the population) were living below minimum income levels. 'The minimum living level differs depending on region and family circumstances, but roughly speaking it is a total family income of R600 a month.' The report said that 2,3m of this number, mainly pre-primary and primary school children and lactating mothers, were in 'dire need' of nutritional support to combat malnutrition. It emphasised that levels of poverty in South Africa (including the ten homelands) were far worse than ever officially acknowledged. 'The assistance outside the tax system to those persons in the welfare system could best be achieved by increasing social pensions, grants and subsidies to compensate them for the effect of value added tax (VAT)', the report said.¹⁵⁴ [¹⁵⁴ Ibid 28 February 1991]

In the same month the executive director of Operation Hunger, Mrs Ina Perlman, said that more and more whites were asking charities for food as 'South Africa suffers its worst malnutrition problem in years'. She added that her organisation was feeding 20 000 whites across the country, Werk en Oorleef (a welfare organisation in Pretoria) said that it was handing out food to some 4 000 families, with 'three or four new families asking for help each day'.¹⁵⁵ [¹⁵⁵ Ibid 27 February 1991]

The 1990/91 budget had been described as a 'budget with a social conscience', with more than 40,5% of the budget being allocated to social services (see *1989/90 Survey* p278). However, in March 1991 the minister of finance, Mr Barend du Plessis, said in his budget speech in Parliament that equity could be achieved only through growth and stability. Nevertheless, some R32bn (or 40,3%) of the 1991/92 budget was allocated to social spending. This represented a decrease in social spending in real terms of 3%. Social security and welfare services made up 17,1% of social expenditure (see also chapter on *The Economy*).¹⁵⁶ [¹⁵⁶ Ibid 22 March 1991]

Mr Du Plessis's announcement in the budget speech that general sales tax would be replaced by VAT at 12% from 30 September 1991, was seen by many critics as increased taxation of the very poor. Although general sales tax had been charged at 13%, a range of fresh foodstuffs was excluded from this form of taxation. Mr Du Plessis revealed that the only items on which VAT would not be charged were brown bread and mealie meal (as these were staple foodstuffs of the very poor). As a relief measure, he

announced that R220m had been set aside for aid to the ‘severely indigent’ owing to the extra burden of taxation under VAT. Mr Du Plessis said that this amount would be made available to government departments and non-government organisations to help feed the following groups of people:¹⁵⁷ [¹⁵⁷ Ibid]

- children up to the age of 12 years;
- expecting and lactating mothers;
- the elderly; and
- ‘certain’ unemployed people.

In terms of the number of people estimated in the Vatcom Report to be living below minimum income levels, the amount set aside in the budget for the indigent worked out at only R 13,50 per person.

In a memorandum sent to the minister of national health and population development, Dr Rina Venter, in August 1991, SACOB warned that ‘unless a suitable programme is announced for the alleviation of extreme poverty, the implementation of VAT [after 30 September] stands under threat’. It said that the issue of VAT could become politicised and the system of VAT ‘derailed’. In its memorandum SACOB suggested that measures to be taken to offset the short-term disadvantages of VAT would cost R1,2bn a year. These measures comprised a food assistance programme, initially only in the rural areas, where the need was believed to be greatest, as well as school feeding and food stamp schemes.¹⁵⁸ [¹⁵⁸ Ibid 5 August 1991]

Later in August 1991 Mr Du Plessis announced a number of measures to alleviate poverty, including:¹⁵⁹ [¹⁵⁹ *The Weekly Mail* 23 August 1991]

- lowering the initial rate of VAT from 12% to 10%;
- raising all social assistance, such as old-age pensions, by R10 a month; and
- not charging VAT for medical services and medicines at state hospitals and clinics (see also *Finance* above).

A draft welfare charter drawn up at a conference held at the University of the Witwatersrand in Johannesburg in June 1991 and entitled ‘Regional consultative conference on social welfare policy in national reconstruction and social development’ recommended that:¹⁶⁰ [¹⁶⁰ *The Star* 24 June 1991]

- social services be used to correct the ‘unjust distribution of wealth, and to address the special needs of those who had suffered through past discrimination’;
- the largest portion of the welfare budget be allocated to priorities which were ‘determined democratically’;
- social services be rationalised and made accountable to the public;
- free and compulsory education until the age of 16 years be introduced;
- hunger be eradicated by laying down national minimum standards of nutrition, with emphasis placed on pre-school and school feeding;
- housing be addressed by a joint state/private sector strategy and a ban on eviction without the provision of alternative accommodation; and
- special protection be offered to ‘vulnerable groups’ such as the elderly, children and the mentally and physically disabled.

The South African National Council for Child and Family Welfare outlined its views on welfare policy in a document published in July 1991. It proposed that:¹⁶¹ [¹⁶¹ *Cape Times, Business Day* 10 July 1991]

- a time limit be set to dismantle the existing fragmented and ineffective welfare system;
- a single welfare department be established;
- private welfare organisations be rationalised;
- the government spend 9,6% of the gross national product (GNP) on welfare, rather than the 1,6% spent at present. This would increase the welfare budget from R2bn to R12bn a year, and bring it into line with international norms;
- welfare funding be boosted by a state lottery and tax concessions on donations to welfare organisations;
- a bill of rights for children be drawn up;
- an integrated family court system be established; and
- programmes be implemented urgently for infant care, job creation, literacy, nutrition and vocational

training.

Legislation

In June 1991 the **Child Care Amendment Act**, amending the Child Care Act of 1983, was passed. Section 40(b) of the principal act had required that a child's racial classification be the same as those of his or her adoptive parents. The amendment, inter alia, abolished this requirement for adoption. Mrs Carole Charlewood MP (Democratic Party) pointed out that for many years there had been long waiting lists of white parents wanting to adopt children, while there had been no shortage of African babies needing homes. 'There have been so many that the numbers have overflowed the limited accommodation in homes for black children and they have been sent to black hospitals where they have become part of the overcrowded, understaffed, dismal scene, exposed to infections, deprived of mother love and family care. Many white families would have welcomed these babies into their homes but for the legislation that forbade it.' Mrs Charlewood described the amendment as 'one of the most compassionate and meaningful advances in the process of the dismantling of apartheid'.¹⁶² [¹⁶² *Hansard* (A) 11 cols 5986-5987, 19 April 1991]

The Child Care Amendment Act was widely welcomed. The development manager of the National Council for Child and Family Welfare, Dr Margriet Herman, said that of 4 600 children in homes associated with her organisation in 1990, only 323 were placed for adoption and a further 389 returned to their parents. She hoped that the new legislation would enable more children to be adopted.¹⁶³ [¹⁶³ *The Weekly Mail* 21 June 1991]

The manager of the adoptions department of the Johannesburg Child Welfare Society, Mrs Marionka Manias, lauded the amendment. However, she warned that the society would be hesitant to place children with parents of a different race group unless such parents were specifically able to meet the needs of the children. 'The answer to the backlog of children awaiting adoption is not only in removing laws that prevent inter-racial adoption, but in introducing subsidised adoption,' Mrs Manias said.¹⁶⁴ [¹⁶⁴ *Sowetan* 31 January 1991]

Finance

Comparison of government spending on welfare in 1980/81 and 1990/91 in South Africa (excluding Bophuthatswana and the Transkei) by race group shows that the proportion spent on Africans has more than doubled, from 24% to 53% of total expenditure. During the same period, the proportion of the total welfare budget allocated to Indians has remained unchanged at 5%, while the proportion spent on coloured people has declined slightly from 20% to 19%. However, the proportion spent on white welfare has declined from 52% to 24% of the total welfare budget. This proportion still remains disproportionately high if equity in spending is taken as allocating welfare budgets in proportion to

population ratios: if this were the case, Africans outside Bophuthatswana and the Transkei would receive 71% of welfare spending and whites only 16%.

In the 1991/92 financial year the government allocated R5,98bn to 'social security and welfare services', which was reported to be an increase of 23% over spending for the previous year. (This figure is not comparable to figures provided for 1990/91, as it includes administrative expenditure and some non-welfare expenditure.)¹⁶⁵ [165 Republic of South Africa, *Estimate of the Expenditure to be defrayed from the Slate Revenue Account During the Financial Year Ending 31 March 1991*, RP2-1990; estimates of expenditure for the various homelands; estimates of revenue and of expenditure for the provinces for the financial year ending 31 March 1991, as follows: Province of the Cape of Good Hope, RP18-1990; Province of Natal, RP21-1990; Province of the Orange Free State, RP24-1990; Province of Transvaal, RP27-1990; estimates of revenue and of expenditure for the Financial year ending 31 March 1991 for the three chambers of Parliament as follows: House of Assembly, RP6-1990; House of Delegates, RP12-1990; House of Representatives, RP9-1990]

The following amounts were allocated to welfare services in the 1990/91 financial year:¹⁶⁶ [166 *Business Day* 21 March 1991]

African Welfare expenditure: 1990/ 91

R

Homelands^a

Bophuthatswana

168 015 719

Ciskei

103 010 000

Gazankulu

79 295 600

KaNgwane

42 707 183

KwaNdebele

29 838 000

KwaZulu

626 178 493

Lebowa

178 660 330

QwaQwa

39 030 000

Transkei

378 552 000

Venda

94 153 800

Homelands sub-total

1 739 441 125

Provinces

Cape

295 980 000

Natal

152 442 000

Orange Free State

195 072 000

Transvaal

583 946 00

Provinces sub-total

1 227 440 000

Department of Planning

and Provincial Affairs

3 394 000

Total

2 970 275 125

a

Welfare services in most homelands are administered in conjunction with health services, and the exact expenditure with regard to certain items of welfare spending (eg total administrative cost) could not be ascertained independently of health expenditure

Total Welfare expenditure: 1990/ 91

R

African

2 970 125

Coloured

871 980 000

Indian

222 323 000

White

1 088 2

In August 1991 the government announced that it would allocate R15m of the R1bn revenue obtained from the sale of South Africa's strategic oil reserves to welfare services. Another R8m would be spent on community facilities, including centres for the aged and workshops for the disabled.¹⁶⁷ [¹⁶⁷ *The Star* 28 August 1991]

Welfare personnel

The South African Council for Social Workers said in July 1991 that at the end of June 1991 there were 7 198 social workers registered with the organisation. This represented an increase of 6% on the number of social workers registered in 1989. No racial breakdown was available.¹⁶⁸ [¹⁶⁸ Figure provided by the South African Council for Social Workers, 30 July 1991]

Research published by the Central Statistical Service in September 1989 showed that welfare organisations employed a total of 27 819 people.¹⁶⁹ [¹⁶⁹ CSS, *Census of social, recreational and personal services*, P9307, 20 September 1989]

Welfare services

Social pensions

The following amounts were allocated for all social pensions in the homelands in the 1990/91 financial year:¹⁷⁰ [¹⁷⁰ Information obtained from the estimates of expenditure for the various homelands]

Homeland social pensions:1990 /91

R

Bophuthatswana

102 000 000

Ciskei

88 716 000

Gazankulu

77 662 000

KaNgwane

42 035 593

KwaNdebele

29 406 000

KwaZulu

599 676 300

Lebowa

175 720 099

QwaQwa

33 150 000

Transkei

376 636 000

Venda

90 408 295

Total

1 615 410 295

a

Excluding all ex-gratia payment and administrative cost

b

Including assistance to indigents but excludes administrative cost

c

Including ex-gratia payments but excludes administrative cost

d

Includes administrative cost

The amounts paid in social pensions in the ten homelands in 1990/91 represented an increase of 23% on social pensions

The minister of planning, provincial affairs and national housing, Mr Hernus Kriel, said in reply to a question in Parliament in March 1991 that there were the following numbers of African social pensioners in each of the provinces: Cape province, 138 958; Natal, 70 324; Orange Free State, 88 701; and the Transvaal, 266 363.¹⁷¹ [¹⁷¹ *Hansard* (A) 7 q cols 622-623, 19 March 1991]

The deputy minister of planning, Mr André Fourie, said in March 1991 that equal pensions for all races were already paid to war veterans and blind people. He added that it was not yet possible to introduce parity for other pensions, although the government committed itself to equal pensions within five years (see *Old-age pensions* below). Mr Fourie said that from 1 April 1991, African grants would constitute the following proportions of white grants: old-age pensions, 74%; child allowances, 70%; single-care allowances, 67%; parent allowances, 74%; and foster-child allowances, 75,5%.¹⁷² [¹⁷² *Sowetan* 21 March 1991]

In August 1991, as part of its programme to alleviate poverty, the government announced that it would increase old-age pensions and other forms of social assistance by R10 a month.¹⁷³ [¹⁷³ *The Weekly Mail's* August 1991]

Old-age pensions

The following amounts were allocated for old-age and war veterans' pensions in 1990/91, and for old-age pensions in 1991/92:¹⁷⁴ [174 Various government estimates of expenditure as follows: RP6-1990; RP9-1990; RP12-1990; RP18-1990; RP21-1990; RP24-1990; RP27-1990; *Hansard* (A) II q col 1096, 19 April 1990; *Hansard* (A) 6 q col 390, 11 March 1991]

Old-age and war veterans' pensions: 1990/ 91 and 1991/92^a

1990 /91

1991/ 92

Old-age pension

War veterans' pensions

Old-age pensions

R

R

R

African^b

Cape

176 500 000

1 114 000

203 930 000

Natal

110 922 000

608 000

140 884 700

OFS^c

119 947 000

814 000

115 480 000

Transavaal

424 687 000

3 353 000

558 593 000

Coloured

290 656 000

23 740 000

345 463 640

Indian

78 600 000

821 000

99 443 000

White

471 190 000

43 299 000

504 891 000

Total

471 190 000

73 749 000

1 968 685 340

a

War veterens' pension for 1991/ 92 are not available

b

Excluding the ten homelands

c

Orange Free State

The allocation for old-age pensions in South Africa (excluding the ten homelands) in 1991/92 represented an 18% increase on expenditure in 1990/91. However, as the number of old-age pensioners is likely to have increased over this period, it is unclear whether the increase represents a real per capita increase in expenditure on pensions for the elderly.

Old-age pensions in South Africa (excluding the ten homelands) for the various race groups for various years in the period 1965 to 1991 are gi

Old-age pensions: 1965-1991

Year

African

Coloured

Indian

White

R

R

R

R

1965/ 66

4,00

4,80^a

4,80^a

28,00

1970/ 71

4,72

16,30

16,11

35,59

1975/ 76

15,00

34,00

34,00

64,00

1980/ 81

33,00

62,00

62,00

109,00

1985/ 86

79,00

117,00

117,00

180,00

1990/ 91

174,70

224,70

224,70

275,70

1991/ 92

225,00

263,00

263,00

304,00

a

This rate is the average pension paid, as differing pensions were paid in rural and urban areas.

The ratio of pensions paid to the various race groups in South Africa (excluding the ten homelands) between 1965 and 1991 is as follows:¹⁷⁶ [¹⁷⁶ Ibid]

Ratio of old-age pensions: 1965-1991

<i>Year</i>
Whites
Indian
Coloured
African
1965/66
7,0
1,2
1,2
1
1970/71
7,5
3,4
3,5
1

1975/76

4,3

2,3

2,3

1

1980/81

3,3

1,9

1,9

1

1985/86

2,3

1,5

1,5

1

1990/91

1,6

1,3

1,3

1

1991/92

1,4

1,2

1,2

1

In April 1990 Professor W L Mouton, the chairman of the Mouton committee (which had been appointed to investigate South African pensions), said that retirement schemes covered nearly 80% of formally employed people in South Africa (excluding the 'independent' homelands). He believed that this figure was higher than in most other countries. The committee had established that in 1987 there were 12 000 retirement funds with a membership exceeding 6m, compared to only 700 000 members of retirement funds in 1960. Professor Mouton believed that the establishment in 1989 of a provident fund for African mineworkers, which had a potential membership of 500 000, would have increased the number of retirement fund members substantially. However, he pointed out that there were more than 1m employed in the informal sector who did not belong to retirement funds. Professor Mouton added that the committee was investigating ways of incorporating an estimated 4m people in the informal sector into reti

In previous years there had been repeated complaints about poor payout facilities for African pensioners (see *1989/90 Survey* p311). One method which was suggested to alleviate the necessity for African pensioners to queue for many hours at payout points was the direct payment of pensions into bank accounts. Mr Kriel said in reply to a question in Parliament in March 1991 that the following proportion of African social pensioners in each province were receiving payment directly into bank or savings accounts: Cape, 22%; Natal, 12%; Orange Free State, 16%; and the Transvaal, 12%.¹⁷⁸ [¹⁷⁸ *Hansard (A)* 4 q col 273, 1 March 1991]

In his budget speech in March 1991 the minister of finance, Mr Barend du Plessis, announced that old-age pensions were to be increased by the following amounts: R50 for Africans in the white-designated area and the non-independent homelands, R38 for coloured people and Indians, and R28 for whites. African pensions in the 'independent' homelands would be increased to bring them up to the same level as in the rest of the country. The increases meant that after 1 April 1991 old-age pensions per month would be as follows: Africans, R225; coloured people and Indians, R263; and whites, R304.¹⁷⁹ [¹⁷⁹ *The Star* 21 March 1991]

Mr Du Plessis argued that equalising pensions at once would make serious inroads into other social spending such as education and health, or raise taxes to the extent that the economy's growth capability

would be impaired. He ruled out the abolition of the means test. However, Mr Du Plessis said that over ten years the age at which women were eligible for old-age pensions would be raised, until both men and women qualified at 65 years'. (At present men qualify for pensions at 65 years' and women at 60.)¹⁸⁰ [¹⁸⁰ *The Weekly Mail* 22 March 1991] The deputy director general of finance, Dr Estiaan Calitz, said later that it would cost R6bn to equalise pensions for all race groups in South Africa (including the ten homelands) and to eliminate the means test. However, the government had accepted the principle of parity for old-age pensions.¹⁸¹ [¹⁸¹ *Ibid* 28 March 1991]

Commenting on the increases in pensions, the South African National Council for the Aged said that it was 'deeply concerned' that the budget would not be able to combat 'the increasing impoverishment of the elderly of South Africa'. The council called on the government to:¹⁸² [¹⁸² *The Citizen* 22 March 1991]

- introduce a compulsory, fully transferable pension system for all;
- provide more tax benefits for retirement provisions;
- encourage the elderly to remain in the community longer by providing home-care allowances and adequate subsidies for 'community service'; and
- compel the children of the elderly to contribute towards their keep.

Other services for the aged

The following amounts were allocated to welfare services for the aged (excluding pensions) in the 1990/91 financial year:¹⁸³ [¹⁸³ Various government estimates of expenditure as follows: RP6-1990; RP9-1990; RP12-1990; RP18-1990; RP21-1990; RP24-1990; RP27-1990]

Welfare budget for the aged (excluding pensions) :1990/ 91

R

African^a:

Cape province

224 000

Natal

400 000

Orange Free State

302 000

Transvaal

706 000

Coloured

18 281 000

Indian

656 000

White

202 209 000

Total

222 778 000

a

Excludes the ten homelands

In 1990/91 welfare spending on elderly whites consumed 91% of the budget for the elderly in South Africa (excluding the ten homelands). If equity in state welfare spending on the aged were to be introduced now, and based on white standards, the government would have to increase its budget by 195%, to R658m.

The need for assistance to the elderly was highlighted in Parliament by Mrs Carole Charlewood MP (Democratic Party). She said that 80% of elderly Africans, 25% of elderly coloured people, 33% of elderly Indians and 20% of elderly whites had an income of less than R40 a month. In effect, 87% of elderly Africans, 68% of elderly coloured people, 61% of elderly Indians and 32% of elderly whites

were living below the breadline, she argued. Mrs Charlewood pointed out that the number of old people in homes for the frail elderly was ‘miniscule’, ranging from less than 1% of the African elderly to 8% of the white elderly. She said that it would cost R520m to provide homes for all frail elderly people, which was clearly unaffordable. The only answer lay, in her view, in providing home care services on a far broader scale to the elderly in the community.¹⁸⁴ [¹⁸⁴ *Hansard* (A) 6 q cols 2711-2713, 12 March 1991]

The director of the South African National Council for the Aged, Mr Syd Eckley, said in April 1991 that South Africa could no longer afford a welfare policy which allocated 70% of its budget for the elderly to white people. He pointed to the difficulty of streamlining a welfare system for the aged which allocated R940 a month to a frail aged white but only R124 a month to a frail aged African. Mr Eckley said that the welfare system had favoured the white elderly to the extent that many whites believed that they were entitled to a wide variety of special services. ‘We have bent over backwards to please and comfort this section of the community to the detriment of others.’ Mr Eckley added that segregated social services compounded the pr

The minister of national health and population development, Dr Rina Venter, said in reply to a question in Parliament in June 1991 that old-age homes in South Africa provided places for 1 200 Africans, 328 Indians and 31 720 whites. She added that the coloured own affairs administration had opened its old-age homes to all races and therefore it did not provide figures regarding the number of places available to elderly coloured people. (In the 1989/90 *Survey* it was reported that homes for the coloured aged provided 3 387 places.)¹⁸⁶ [¹⁸⁶ *Hansard* (A) 24 q cols 1977-1979, 18 June 1991]

Between 1990 and 2000, the population of South Africa (including the ten homelands) over 65 years will increase by 36%, to nearly 2m people. If pensions and other welfare services are to be provided to all elderly people in the year 2000 at present white standards, the total budget for the elderly in that year will exceed R6bn.¹⁸⁷ [¹⁸⁷ Figures based on population estimates given in the 1989/90 *Survey*, p38; annual inflation rate of 15% assumed for 1991 to 2000]

Services for alcoholics and drug addicts

The following amounts were allocated to rehabilitation services for alcoholics and drug addicts in the 1990/91 financial year:¹⁸⁸ [¹⁸⁸ RP6-1990; RP9-1990; RP12-1990; RP18-1990; RP21-1990; RP24-1990; RP27-1990]

Rehabilitation budget: 1990/ 91

R

African^a:

Cape province

4 000

Natal

481 000

Orange Free State

317 000

Transvaal

1 068 000

Coloured

4 450 000

Indian

1 638 000

White

15 783 000

Total

23 741 000

a

Excludes the ten homelands

The rehabilitation budget for 1990/91 represents an increase of only 3% on spending in the previous financial year and hence a real decrease.

The **Abuse of Dependence-Producing Substances and Rehabilitation Centres Amendment Act** was gazetted in July 1990. The amendment act made a distinction between drug dealers and drug users in terms of sentencing. Previously courts could impose a fine not exceeding R20 000 for drug abuse; the amendment imposed no limit on such a fine. The maximum term of imprisonment for drug abuse, which could be imposed in addition to a fine, remained 10 years. The maximum penalty for drug dealing was increased from 15 to 25 years' imprisonment, in addition to an unlimited fine.¹⁸⁹ [189 *Government Gazette*, no 12577, 4 July 1990]

The South African National Council on Alcoholism and Drug Dependence (SANCA) welcomed the legislation. The executive director of SANCA, Dr Liz Pretorius, said that the new legislation was in keeping with international trends, ie tougher penalties for drug abuse and drug de

The director of the Phoenix House rehabilitation centre (Johannesburg), Dr Sylvain de Miranda, said in February 1991 that there had recently been an increase in the number of patients treated by him for cocaine addiction. He believed that rising stress levels and increased 'anxiety, fear and insecurity' in various communities in South Africa had led to an escalation in drug abuse.¹⁹¹ [191 *The Citizen* 16 February 1991]

In July 1991 members of the South African Narcotics Bureau found 19kg of cocaine with a resale value of R10m in an unclaimed suitcase at Jan Smuts Airport (Johannesburg). Commenting on the discovery, Dr De Miranda said that he suspected that 'crack', a very potent form of cocaine, would shortly be available on the streets of South African cities. He warned that crack had caused serious abuse problems in other countries and that its cheap manufacture would make it affordable to the less affluent members of society. Dr De Miranda pointed out that there had been no public awareness programme to warn the public of the dangers of crack. In addition, a plan to fight alcohol and drug abuse at national level, which had been announced in 1988 (see *1988/89 Survey* p313) had not yet been implemented.

According to the National Institute for Crime Prevention and the Rehabilitation of Offenders, in 1991 at least 10% of the school pupils in Soweto were abusing drugs. Dr De Miranda said that mandrax use, which had previously been restricted to the white community, was now common among African children.¹⁹² [192 *Sowetan* 13 August 1991]

Services for children

The following amounts were allocated to child welfare in the 1990/91 financial year:¹⁹³ [193 RP6-1990; RP9-1990; RP12-1990; RP18-1990; RP21-1990; RP24-1990; RP27-1990]

Child welfare budgets: 1990/ 91

R

African ^a :

Cape province

35 813 00

Natal

9 591 000

Orange Free State

14 146 000

Transvaal

25 073 000

Coloured

255 964 00

Indian

65 199 000

White

136 388 000

Total

542 094 000

a

Excludes the ten homelands

The amount allocated represents an increase of 10% on spending on child welfare in the 1989/90 financial year, and hence a real decrease.

If welfare expenditure on white children is taken as the norm, equal welfare expenditure on children of all races would require R1,53bn, or an increase of 182% in child welfare

In September 1990 the dean of the faculty of education at the Rand Afrikaans University, Professor P J Maree, said that there were about 9 000 street children in the five major cities of South Africa. (In February 1990 the government had estimated the number of street children at 2 055—see *1989/90 Survey* p315.) Addressing a conference on street children at the Umlazi (Durban) campus of the University of Natal, Professor Maree said that their numbers were expected to increase as poverty and the population explosion ‘took their toll on society’. He believed that 90% of street children were African boys, as ‘girls seemed to be better retained in family structures’. Where girls did become street children, Professor Maree said, they were likely to be drawn into prostitution and exploited by pimps. He pointed out that not all street children were delinquents or criminals, but that there was a direct relationship between the length of time spent on the streets and the development of delinquent and gang behaviour. Professor Maree reported that less than one third of street children were successfully reintegrated into schools and homes.¹⁹⁴ [¹⁹⁴ *The Natal Mercury* 8 September 1990]

Speaking at the same conference. Major C J Blignaut of the Child Protection Unit of the South African Police (SAP) said that overcrowding, unemployment, unrest and poverty were the main causes of children taking to the streets. He believed that shortfalls in existing legislation were the major cause of the inability of the police to combat the increasing numbers of street children. Major Blignaut argued that alternative accommodation for street children and places of safety would always be inadequate to deal with the problem.¹⁹⁵ [¹⁹⁵ *Ibid* 8 September 1990]

In the first six months of 1990 some 4 176 cases of child abuse were reported to the police, including 2 274 cases of sexual abuse. A spokesman for the SAP said that the incidence of reported child abuse had almost doubled since 1988, and that the real incidence of child abuse was believed to be ten times higher than the reported figure. The cases reported in the first half of 1990 included 888 cases of rape, 732 cases of indecent assault, 639 cases of common assault, 467 cases of ‘serious’ assault, 355 cases of other sexual offences, 218 cases of sodomy, 81 cases of incest and 48 cases of child murder. The western Cape, northern Transvaal and the Witwatersrand had the highest incidences of child abuse. Some 1 514 cases of child abuse were reported in the western Cape, accounting for 36% of the total for the country.¹⁹⁶ [¹⁹⁶ *Financial Mail* 10 August 1990]

Mrs Sheila Camerer MP (National Party) said in Parliament in April 1991 that social workers of the Department of Health Services and Welfare (white own affairs) had dealt with more than 6 000 cases of

child abuse in 1990, including physical abuse, sexual abuse and neglect.¹⁹⁷ [¹⁹⁷ *Hansard* (A) 12 col 6328, 23 April 1991]

Speaking in Parliament in the same month, the minister of the budget and of welfare, housing and works in the House of Assembly, Mr Sam de Beer, drew attention to the fact that the National Child Emergency Service, which had been set up by the government in August 1989, provided a 24-hour crisis help-line for children in distress. He said that calls to the service had increased from an initial 300 a month to over 22 000 a month. Only a small proportion of these involved child abuse. Mrs Camerer pointed out that only 6% of calls involved African children and drew attention to African children's lack of access to telephones. 'Telephones are virtually non-existent in the squatter camps where the need, particularly in the case of child neglect, is the greatest,' she added. Mr De Beer said in reply to Mrs Camerer that the liaison committee on child abuse was considering setting up a letter service for those who did not have easy access to telephones.¹⁹⁸ [¹⁹⁸ *Ibid*]

In August 1990 the Johannesburg Child Welfare Society was reported to have refused to take on any new cases of child abuse. The director of the society, Dr Adele Thomas, said that her organisation did not have the staff or the funds to deal with new cases of abuse. She added that welfare organisations had been overwhelmed by the increase in the number of child abuse cases. 'We have to choose between quality or quantity and have referred many cases to state-owned welfare organisations. We are receiving several cases of child abuse daily and can't cope any longer,' Dr Thomas remarked.¹⁹⁹ [¹⁹⁹ *The Star* 15 August 1990]

The minister of national health and population development, Dr Rina Venter, said in Parliament in April 1991 that 222 African, 103 coloured, one Indian and nine white children were being held in police cells as at 28 February 1991. She also provided the following figures for the number of places available to children of different races in places of safety at the end of February 1991 (excluding police cells and prisons) and the number of children being held in such places:²⁰⁰ [²⁰⁰ *Hansard* (A) II q cols 1023-1024, 15 April 1991]

Accommodation in places of safety for children: 1991

Places available

Children accommodated

Africa

1 279

1 008

Coloured

675

598

Indian

148

112

White

505

374

Total

2 607

2 092

In May 1991 Dr Venter provided the following information in Parliament regarding the numbers of places for children in children's homes in South Africa (excluding the 'independent' homelands) and the number of children accommodated:²⁰¹ [²⁰¹ *Hansard* (A) 17 q col 1518, 20 May 1991]

Accommodation available in children's homes

Places available

Children accommodated

African ^a

1 421

1 257

Coloured ^b

2 532

2 187

Indian ^c

303

290

White ^d

6 573

5 075

Total

10 829

8 809

a

As at 30 March 1991

b

As at 30 April 1991

c

As at 8 May 1991

d

As at 3

Dr Venter added that the government spent about six times more on children's homes for whites than for Africans. Some R35m was spent on white children's homes and R6m on homes for African children in 1990/91. This represented expenditure of R6 837 per white child and R4 535 per African child. The shortage of accommodation for black children is shown by the fact that if the provision of accommodation for African, coloured and Indian children was in the same proportion to the black population under 19 years' as it is for the white population, another 62 000 places would have to be found for African, coloured and Indian children.²⁰² [²⁰² Ibid]

In September 1991 Dr Thomas said that child labour in South Africa was increasing, especially in rural areas, as a result of mounting poverty and the recession. She estimated that there were as many as 60 000 African children working as farm labourers, most of whom were between eight and 14 years of age. Dr Thomas pointed out that there was legislation to protect children from economic exploitation, but that there was a lack of legal machinery to prosecute employers who broke the law.²⁰³ [²⁰³ *The Star* 5 September 1991]

Services for disabled people

The following amounts were allocated to welfare services for disabled people in the 1990/91 financial year:²⁰⁴ [²⁰⁴ RP6-1990; RP9-1990; RP12-1990; RP18-1990; RP21-1990; RP24-1990; RP27-1990]

Budgets for the disabled: 1990/ 91

R

African^a:

Cape province

463 000

Natal

491 000

Orange Free State

625 000

Transvaal

3 978 000

Coloured

4 756 000

Indian

2 585 000

White

29 256 000

Total

42

Services for returning exiles

The number of exiles who were expected to return to South Africa after the lifting of the banning orders on the African National Congress and the Pan-Africanist Congress in February 1990 was estimated at between 10 000 and 50 000 (see also chapters on *Constitutional Negotiations* and *Political Developments*).²⁰⁵ [²⁰⁵ *The Citizen* 6 March 1991] The United Nations High Commissioner for Refugees said that it believed the cost of repatriation would be about R100m.

In January 1991 it was reported that the government had published detailed guidelines for looking after the short- and medium-term health and welfare needs of returning exiles. The returnee programme was described in the document as a joint venture between the government, the national co-ordinating committee for the repatriation of South African exiles (set up under the auspices of the South African Council of Churches) and local communities. The guidelines:²⁰⁶ [²⁰⁶ *Business Day* 22 January 1991]

- acknowledged the 'uniqueness of returnees' social welfare needs'. However, they stated that returning exiles would receive equal, rather than preferential treatment, compared with other citizens;
- made provision for health and welfare officials to be available at points of entry to the country to

evaluate the needs of returnees;

- said that medical services would be available on request;
- emphasised that nobody would be compelled to undergo medical examination. This clause was interpreted as referring to fears that exiles could be compelled to undergo testing for the human immunodeficiency virus (HIV) which causes acquired immune deficiency syndrome (AIDS); and
- said that officials should 'be prepared to meet the following anticipated needs: food, clothing, housing, transport, social grants, bridging grants and any other needs that might handicap the returnees' social functioning'.

In March 1991 the minister of home affairs, Mr Gene Louw, denied that any specific assistance was available to returning exiles, and maintained that they would be given the same assistance as that given to other South Africans. He said that the various government departments involved in setting up the 14 'ports of entry' for exiles would attempt to finance their costs from their present budgets. Mr Louw added that the cabinet would be asked for additional funding only if this proved impossible.²⁰⁷ [²⁰⁷ *The Citizen* 6 March 1991]

Mr Louw said that his department had received 5 967 applications for 'extraordinary travel certificates' (mainly from returning exiles). To date, he said, 2 874 travel certificates had been issued, and none had been turned down.²⁰⁸ [²⁰⁸ *Ibid*]

Amounts given by foreign governments to assist in the repatriation of South African exiles included:²⁰⁹ [²⁰⁹ *Sowetan* 21 March 1991, *The Citizen* 22 April 1991, *The Star* 9 July 1991]

- a grant of R100 000 from the Canadian government to the national co-ordinating committee for the repatriation of South African exiles in March 1991;
- a grant of R 10,8m from the United States to the United Nations High Commissioner for Refugees in April 1991; and
- a grant of R4,6m from the British government to various bodies to assist in repatriation in July 1991.

In September 1991 the government and the United Nations High Commissioner for Refugees signed a bilateral agreement, whereby the commissioner would establish an office in South Africa to facilitate the return of exiles. The agreement was expected to enable \$14m to be raised from foreign governments for

the repatriation of exiles.²¹⁰ [²¹⁰ *The Star, Business Day* 5 September 1991]

Key Projections

- Some 32 000 nurses need to be trained within the next decade if the nursing shortage is to be alleviated by the turn of the century.
- Between 4,3m and 12,7m people in South Africa are likely to be infected with the human immunodeficiency virus (HIV) by the year 2000.
- Between 1,3m and 7m people will have died of acquired immune deficiency syndrome (AIDS) by the year 2000.
- The medical cost of AIDS may be between R6,53bn and R15,65bn by the year 2000.
- The indirect cost of AIDS to South Africa may be between R32bn and R78bn by the turn of the century.
- The total budget for the elderly in the year 2000 may exceed R6bn.

BUSINESS

Key Points

- Africans owned less than 4% of the total number of businesses in South Africa (excluding the 'independent' homelands) in 1990.
- In March 1991 the South African Reserve Bank estimated that the informal sector contributed between 6% and 8% to the country's gross domestic product.
- Full-time employment in the informal sector increased by 20% between October 1989 and October 1990.
- As many as 4m people (or 29% of the economically active population) are wholly or partly employed in the informal sector in South Africa (including the 'independent' homelands).
- Forty-four percent of all commuters used taxis as a main mode of transport in 1990, as compared to 29% in 1987.
- Fifty-seven percent of African consumers were optimistic about the future of the economy for the 12-

month period subsequent to May 1991, while 37% expected the economy to deteriorate.

- The corporate sector spent R840m on social upliftment programmes in 1990/91 compared to R495m in 1987/88.

African Business

Statistics and structure

In 1990 African-owned business enterprises were estimated to constitute less than 4% of the total number of businesses in South Africa (excluding the 'independent' homelands).¹ [¹ *Update Twelve*, 1990, p5]

The Industrial Development Corporation (IDC) and the Small Business Development Corporation (SBDC) both assist medium and small enterprises. Between its inception in 1981 and April 1990, the SBDC invested R280m in 740 000 square metres of property in African townships.² [² *New Nation* 12 April 1991] Between 1981 and 1991 it lent R1bn to small businesses and created about 280 000 jobs, at a cost to the corporation of R3 600 per job. In the 1990/91 financial year the IDC approved R660m for industrial financing but created only 9 400 jobs at a cost of R70 000 per job.³ [³ *Financial Mail* 26 April 1991]

The Foundation for African Business and Consumer Services (FABCOS) and the National African Federated Chamber of Commerce and Industry (NAFCOC) are the main umbrella organisations which have facilitated black (and more particularly African) economic empowerment. NAFCOC's membership through its affiliated chambers of commerce has been estimated at 100 000. In previous years NAFCOC concentrated primarily on the retail sector but since 1989 it has also represented hawkers and taverners. The official membership of FABCOS is also about 100 000, while its estimated de-facto membership is about 1,2m.⁴ [⁴ Interview with the president of NAFCOC, Dr Sam Motsuenyane, Soshanguve, 7 May 1991; Interview with the director of public affairs of FABCOS, Mr M Ntlatleng, Pretoria, 8 May 1991]

In July 1991 NAFCOC launched the National African Farmers' Union. The president of NAFCOC, Dr Sam Motsuenyane, said that the aims of the new organisation were to promote African acquisition of agricultural land, to facilitate the transition of African farmers from subsistence to commercial farming and to work towards the removal of barriers that had impeded African participation in commercial agriculture (see also chapter on *Land and Agriculture*).⁵ [⁵ *Business Day* 9 July 1991]

FABCOS's main area of focus has been the informal sector. In September 1991 the South African

Reserve Bank accepted an application for preliminary authorisation to establish Future Bank, a financial institution to be run as a joint venture by FABCOS and Wesbank. The bank was to be launched in November 1991, with the aim of providing financial assistance to FABCOS members, most of whom were active in the informal sector.⁶ [⁶ Telephonic interview with the general secretary of FABCOS, Mr Joas Mogale, 1 August 1991] FABCOS and Wesbank also agreed that Wesbank would provide training of African staff for the new bank over a ten-year period. The bank was to open initially in the Pretoria/Witwatersrand/Vereeniging (PWV) area.⁷ [⁷ *The Star* 5 September 1991]

FABCOS also planned to develop 'taxi towns' consisting of a taxi rank, a bottle store, a food outlet and a consumer advice centre, where the owners of the facilities would be affiliated members of FABCOS.⁸ [⁸ Interview with Mr M Ntlatleng, Pretoria, 8 May 1991]

In February 1991 the South African Chamber of Business established joint committees with FABCOS and NAFCOC, with the objective of identifying matters of common business interest and addressing specific economic issues.⁹ [⁹ *Business Day* 20, 21 February 1991; *The Star* 20 February 1991]

The Foundation for the Informal Business Sector (FAIBS) claimed in May 1991 to have a membership exceeding 4 000 in the PWV area and the Orange Free State. In June 1990 FAIBS began to run a business skills course through the Centre for Developing Business at the University of the Witwatersrand. By mid 1991, 90 people had completed the course.¹⁰ [¹⁰ FABCOS, Corporate Report 1991, p87]

The privatisation of National Sorghum Breweries (NSB) in 1991 provided Africans with the opportunity of participating in a business undertaking generating a far greater income than was previously possible. The executive director of NSB, Mr Mohale Mahanyele, said in May 1991 that the NSB was the only business entity which afforded Africans an opportunity of participating in a major company as owners, directors, shareholders, managers and distributors.¹¹ [¹¹ *New Nation* 30 May 1991] African ownership of the NSB would provide Africans with the opportunity of reaping profits from the R15bn beverage industry, in which African consumers accounted for 88% of turnover but retained only R500 000 (0,003%) of the business.¹² [¹² *City Press* 16 June 1991]

In May and June 1991 the NSB made nearly 44m shares at 100 cents each available, primarily to its employees, distributors and consumers. Thirty percent of the shares were reserved for the 3 500 employees, the first 200 shares of which were issued free.¹³ [¹³ *Sunday Tribune* 9 June 1991] Furthermore, no individual or group could hold more than 10% of the shares.¹⁴ [¹⁴ *Black Enterprise* May 1991] The shares were not to be traded on the Johannesburg Stock Exchange but in an over-the-counter market free

from transaction fees.¹⁵ [¹⁵ *Business Day* 23 May 1991] Almost 90% of the applications for shares were from the African community. Nearly 40m shares were issued to the following groups in the following proportions: distributors (6%), consumers (21%), the general public (35%), and the NSB Employee Share Trust (30%). The IDC took up the remaining 4m shares in terms of its underwriting commitment.¹⁶ [¹⁶ *Sowetan* 1 July 1991]

The NSB was granted exclusive rights to manufacture, sell and deliver sorghum beer in 'South Africa' (excluding the homelands). These rights were to expire on 30 June 1995.¹⁷ [¹⁷ *Business Day* 19 June 1991, *The Star* 29 May 1991]

The chairman of the gold and uranium division of the Anglo American Corporation of South Africa, Mr Clem Sunter, predicted that the African building industry would be the next African sector to expand. According to the 1990 FABCOS corporate report, some of the factors militating against this were a lack of capital to acquire land for building projects, over-regulation and the legacy of the Group Areas Act of 1966. The president of the African Builders' Association, Mr Joas Mogale, said in a telephonic interview in August 1991 that he believed that the African building industry could become a major force in the economy by the turn of the century, provided that assistance was given to developing the necessary business skills within the next few years.¹⁸ [¹⁸ Telephonic interview with the president of the African Builders' Association, Mr Joas Mogale, 1 August 1991]

Policy

Deregulation

The National Manpower Commission's working document on microbusinesses, which was published in late 1990, sought to free small enterprises from constricting bureaucratic regulations and labour legislation. According to the working document, a microbusiness:¹⁹ [¹⁹ *Update Sixteen*, 1991, p6]

- was managed and controlled by a natural person who was also its owner;
- employed no more than ten permanent or full-time employees;
- had an annual turnover of less than R250 000; and
- was an independent economic unit.

The working document sought to encourage entrepreneurship and hence job creation and growth. The document recommended that microbusinesses be able to obtain exemptions from labour legislation more easily.²⁰ [20 Ibid]

The deputy minister of trade and industry, Dr Theo Alant, told Parliament in March 1991 that 'according to estimates, the informal sector of the economy is growing at approximately 8% per annum. As a result of deregulation in the 1980s, according to surveys, 3m job opportunities were created in the informal sector, which made an enormous contribution to employment and offered an economic refuge for many people who could not obtain work in the formal sector ... Consequently the job creation possibilities in the informal sector are of enormous importance'.²¹ [21 *Hansard* (joint sitting) 6 cols 2967-2968, 14 March 1991]

The **Businesses Act**, which was aimed at eliminating cumbersome and unnecessary business legislation, was passed by Parliament in May 1991. The act abolished licensing boards and all licensing requirements in some 76 business categories. 'Licensing control is retained over businesses providing meals, certain types of health facilities, entertainment, or which hawk meals or perishable foodstuffs.'²² [22 Ibid cols 2911, 2947] The act, which aimed to deregulate all sectors of business and eliminate cumbersome systems of control, was also a significant step in the development of the informal sector.

The Businesses Act stipulated further that hawkers could be prevented from trading in front of a shop that sold similar goods unless the owner of the shop consented to their presence. Hawkers causing an obstruction could also be restricted. However, local authorities would not be able to restrict hawkers to designated areas. Home industries were largely exempted from licensing or registration, provided that they complied with the provisions of the relevant town planning schemes.²³ [23 Ibid col 2912]

Finance

A lack of access to finance continued to hamper the creation and expansion of African business. Between its inception in 1981 and the end of its 1990/91 financial year, the Small Business Development Corporation (SBDC) granted 25 302 loans totalling R780m.²⁴ [24 Small Business Development Corporation, Annual report, 1990] The SBDC did not indicate the extent to which its operations benefited black business development, but of its total operating budget of R506m in 1989/90, only 12% had gone towards the construction of business premises in developing (ie African) areas.²⁵ [25 *Update Twelve, 1990*, p5] From April to November 1990 the SBDC granted loans of R193m to 2 934 small businesses, creating 21891 new job opportunities.²⁶ [26 *Business Day* 10 January 1991; *Update Sixteen, 1991*, p6] In February 1991 Robert Bosch, a company manufacturing power tools, became the

first subsidiary of a German multinational company to acquire shares and invest in a joint venture with the SBDC. An amount of R70 000 was to be used to establish a pilot project which would allow African entrepreneurs to set up outlets to sell and service power tools. Robert Bosch would also fund a customer-care programme for the SBDC.²⁷ [²⁷ *Update Sixteen*, 1991, p6] In May 1991 Hoechst SA invested R2,5m in an 'industrial hive' project to be set up by the SBDC in Industria (Johannesburg). The industrial hive project sought to develop small manufacturing businesses in one location.²⁸ [²⁸ *Financial Mail Survey* 19 April 1991]

The Get Ahead Foundation gave loans to stokvels to a total value of R173 282 in 1989/90, averaging R545 per loan. The largest proportion of these loans (57%) went to hawkers. The foundation also made larger loans available to African businesses employing an average of five workers. The recovery rate for these loans was almost 100%, as opposed to the recovery rate of 57% for SBDC loans.²⁹ [²⁹ *Update Twelve*, 1990, p5]

The private sector has assisted the development of small business since the early 1980s. Since its inception in 1981 the Small Business Development and Advisory Department, set up by the Standard Bank, has assisted more than 2 600 businesses with loans to a total value of R230m. While the majority of these businesses were white owned, black entrepreneurs were expected to receive an increasing proportion of funding in the future.³⁰ [³⁰ Standard Bank Group, Social Report 1990] First National Bank also had a Small Business Unit which identified small business opportunities and structured financial packages and business proposals to assist small businesses.³¹ [³¹ First National Bank, Annual report and Financial Statements for 1990]

The Small Business Initiative, established by the Anglo American Corporation of South Africa and De Beers Consolidated Mines in 1989, with the aim of increasing the number of business transactions with the small business sector, conducted R22m worth of transactions in 1990. Approximately 100 entrepreneurs were assisted in 1990, 65% of whom were African.³² [³² Telephonic interview with Mr Johan Kruger, manager of the Small Business Initiative, Anglo American Corporation, 30 July 1991]

Constraints on black business

Finance Week said in June 1991 that although legislative barriers had been removed, black business continued to have to deal with the legacy of apartheid and with the volatile political situation which had under-mined economic growth and stability. The rents and services boycotts had caused local authorities to cut off services to businesses in the townships (see chapter on *Housing and Urbanisation*). Consumer boycotts in 1991 had affected township businesses, it said. Wholesalers had been unable to obtain access to many townships, and prices had escalated to offset the risks of entering the townships. The number of

hawkers in the townships had also been reduced as a result of violence (see chapter on *Political Developments*).³³ [³³ *Finance Week* 6 June 1991]

Other problems experienced by African businesses during the period under review included the establishment of large supermarkets on the peripheries of townships and the emergence of the informal sector which competed with these businesses, as well as the reluctance of major institutions to grant loans to Africans because they were considered a high risk.³⁴ [³⁴ *Sowetan* 1 March 1991]

According to a spokesman for the Foundation for African Business and Consumer Services (FABCOS), Mr Fanyana Shiburi, African industries suffered reductions of between 10% and 25% in turnover in 1991 as a result of the violence.³⁵ [³⁵ *Finance Week* 6 June 1991] The *Innes Labour Brief* estimated in June 1991 that the violence in the Transvaal in the first half of 1991 had cost the South African economy about R3bn.³⁶ [³⁶ *Financial Mail* 14 June 1991] The president of the National African Federated Chamber of Commerce and Industry (NAFCOC), Dr Sam Motsuenyane, said in July 1990 that almost 90% of black businesses in the Ciskei had been destroyed in acts of violence during 1990. Most of these businesses were partially insured or totally uninsured.³⁷ [³⁷ NAFCOC, Annual report 1990]

Access to insurance was a major constraint on black business. The general secretary of FABCOS, Mr Joas Mogale, claimed in June 1991 that insurance premiums were unaffordable and the costs of security demanded by insurance contracts were prohibitive.³⁸ [³⁸ *Finance Week* 6 June 1991] Mr Mogale added that a thorough understanding of the value of insurance was also lacking among African people, because consultants were not properly trained to explain the concept to Africans.³⁹ [³⁹ Telephonic interview with Mr J Mogale, 1 August 1991]

Although the repeal of the Group Areas Act of 1966 during the 1991 parliamentary session ostensibly removed barriers to the expansion of black business, the *Financial Mail* said in April 1991 that many blacks viewed it as the removal of the 'protection that small black businessmen had against competition from major white retailing chains'.⁴⁰ [⁴⁰ *Financial Mail Survey* 19 April 1991] African businesses were now confronted with more sophisticated competition on service and pricing. *Finance Week* said in May 1991 that the only real obstacle to the expansion of the major chains into the townships was the high level of violence.⁴¹ [⁴¹ *Finance Week* 30 May 1991] The director of the Centre for the Development of Human Resources, Mr George Negota, maintained that deregulation had to be accompanied by suitable financing packages for black entrepreneurs.⁴² [⁴² *Financial Mail Survey* 19 April 1991] In 1991 the retail committee of NAFCOC made representations to the Competition Board to provide a moratorium of ten to 15 years before allowing white-owned businesses to enter the townships, so as to protect local businesses.⁴³ [⁴³ *African Business* July/August 1991]

The chief executive officer of Trust Bank, Mr John Howell, argued in May 1991 that the ongoing violence was putting bank loans to township businessmen at risk. He said that 'black-on-black violence' was also a hindrance to the development of black business.⁴⁴ [44 Supplement to the *City Press* 26 May 1991] The director of Afsure Brokerage, Mr Khehla Mthembu, believed the perpetuation of violence to be destructive to both the social fabric of society and to business potential.⁴⁵ [45 *Sowetan* 5 June 1991]

Informal sector

Statistics

According to the public affairs director of the Foundation for African Business and Consumer Services (FABCOS), Mr Mike Ntlatleng, South Africa's high rate of unemployment, declining employment in rural areas and urbanisation had all contributed to the growth of the informal sector. Mr Ntlatleng said in May 1991 that the informal sector was inevitable in a third-world country like South Africa because of limited and untapped resources and the high population growth rate. Mr Ntlatleng also believed that attempts to legalise the informal sector or change its nature would eliminate its comparative advantage.⁴⁶ [46 Interview with Mr M Ntlatleng, Pretoria, 8 May 1991]

In March 1991 the South African Reserve Bank revised the estimated contribution of the informal sector to gross domestic product (GDP) in South Africa (including the ten homelands but excluding the activities of whites) from an original estimate of 10%-15% to 6%-8%.⁴⁷ [47 *Business Day* 18 March 1991]

The general manager of the beer division of The South African Breweries, Mr A Parker, argued in June 1991 that the informal sector could provide employment for up to 8m people by the year 2000.⁴⁸ [48 *Sowetan* 27 June 1991]

According to the Central Statistical Service (CSS), full-time employment in the informal sector in South Africa (excluding the 'independent' homelands and the informal activities of whites) increased by more than 20% between October 1989 and October 1990. The CSS said in June 1991 that 80% of those engaged in the informal sector received a monthly income of less than R650.⁴⁹

[49 Central Statistical Service (CSS), *Statistically Unrecorded Economic Activities of Coloureds, Indians and Blacks: October 1990*, Statistical News Release, P0315, 27 June 1991]

An economic consultant for the Development Bank of Southern Africa, Mr Wolfgang Thomas, estimated in July 1991 that as many as 4m people (or 29% of the economically active population) were wholly or partly employed in the informal sector in South Africa (including the 'independent' homelands). He added that approximately 90% of the people employed in the informal sector were African.⁵⁰ [50 Telephonic interview with the economic consultant for the Development Bank of Southern Africa, Mr Wolfgang Thomas, 15 July 1991]

The main function of the informal sector in South Africa has been to absorb many of the unemployed, thereby cushioning the effects of unemployment. Messrs Iraj Abedian and M Desmidt, a senior lecturer and a senior research assistant respectively at the school of economics at the University of Cape Town, said in December 1990 that the maximum level of informal income of the African population in South Africa (excluding the 'independent' homelands) could not have exceeded 12% to 13% of the GDP between 1970 and 1988. They said that the bulk of informal activity took place in peri-urban and urban centres occupied primarily by the newly urbanised African population. Messrs Abedian and Desmidt concluded that the state of the formal economy had a direct bearing on the operation of informal activity. 'While informal activities are a last resort for survival, in a dual developing economy in a transition phase they also form the preparatory buffer for entry into the formal economy.' They found that African urbanisation had a favourable impact on the growth of the informal sector, but cautioned that 'without a commensurate absorption of labour in the formal economy', urbanisation could impede the growth of the informal sector.⁵¹ [⁵¹ Abedian I and Desmidt M, 'The Informal Economy in South Africa', *South African Journal of Economics*, vol 58, no 4, December 1990, pp412, 419]

According to the International Labour Organisation, the absorption capacity of the informal sector anywhere in the world would be weakened during an economic recession, which would also lead to an increase in the number of unemployed.⁵² [⁵² International Labour Organisation, *ILO Information*, May 1991, p²] This point was supported by the executive director of the South African Institute of Race Relations, Mr John Kane-Berman, who in his book, *South Africa's Silent Revolution*, reported that violent conflict in the black taxi industry was reputed to be a consequence of overtrading.⁵³ [⁵³ Kane-Berman J, *South Africa's Silent Revolution*, Johannesburg, South African Institute of Race Relations (SAIRR) and Southern Book Publishers, Second Edition, 1991, p22]

Hawkers

In March 1991 the Johannesburg City Council announced an information campaign to train and advise nearly 4 000 hawkers in the city's central business district (CBD) on environmental issues. Pamphlets were to be issued, addressing problems such as littering, the inaccessibility of sidewalks to the public, unsatisfactory health standards and storage space for hawkers' equipment.⁵⁴ [⁵⁴ *The Star* 25 March 1991, *The Citizen* 26 March 1991] The council also formed a group of ten officials to advise hawkers. Businesses in the CBD were to be encouraged to arrange storage facilities for the hawkers' wares and the council also erected folding shelters in the city for hawkers. The director of markets of the Johannesburg City Council, Mr Peter Venter, said that the programme would be expanded into other areas at a later stage.⁵⁵ [⁵⁵ Telephonic interview with the director of markets of the Johannesburg City Council, Mr Peter Venter, 28 June 1991]

The executive director of the Self-Employment Institute, Mr Theo Rudman, claimed in April 1991 that spaza shops and hawkers accounted for a combined annual turnover of more than R3bn, equal in size to the third biggest supermarket chain in the country. He said that informal settlements were also an important source of wealth creation. In Khayelitsha (Cape Town) alone, Mr Rudman said, spaza shops and hawkers accounted for R79m worth of business a year.⁵⁶ [⁵⁶ Cape Town Chamber of Commerce, *Weekly Bulletin*, 3 May 1991]

Spaza shopowners

A study of the informal retail sector, conducted in Khayelitsha in 1990 by Mr Mike Broom of the Department of Business Science at the University of Cape Town and Ms Carolyn Joyce-Clarke, formerly of the Institute of Retail Studies of the Graduate School of Business at the University of Cape Town, found that the sector provided 'a crucial role in serving a specific market by providing convenience, credit and bulkbreaking facilities and keeping adequate stocks', although large retail chains were also supported by black shoppers. The study found that only 5% of retailers in the formal sector in Khayelitsha had cash registers, 11% electricity and 26% refrigerators. This compared unfavourably with spaza shopowners, 18% of whom had cash registers, 23% electricity and 95% vehicles. According to Mr Broom and Ms Joyce-Clarke, these results would militate against moving into the formal sector. The study also found that 94% of credit links in the formal sector were of an informal nature, as opposed to 73% in the informal sector. However, they deduced that the ability of the informal sector to create jobs was less than that of the formal sector.⁵⁷ [⁵⁷ Broom M and Joyce-Clarke C, 'A Retail Perspective of the Informal Sector', *South African Journal of Economics*, vol 58 no 4, December 1990]

The public affairs director of FABCOS, Mr Mike Ntlatleng, said in May 1991 that spazas competed effectively with supermarkets because they were accessible to township residents, opening early in the morning and closing late at night.⁵⁸ [⁵⁸ Interview with Mr Mike Ntlatleng, Pretoria, 8 May 1991] Spazas in mining areas were seriously affected by retrenchments in the mining industry during the period under review. The president of the African Council of Hawkers and Informal Businesses, Mr Lawrence Mavundla, said that approximately 250 shops in Carletonville and 100 shops in Krugersdorp (both west Rand) had closed in 1991 as a result of retrenchments of mineworkers. Mr Mavundla maintained there were about 20 000 spazas nationwide with annual profits averaging R9 000 each.⁵⁹ [⁵⁹ *Business Day* 12 April 1991]

Taverns

According to the managing director of the marketing branch of the South African Taverners' Association (SATA), Mr David Moshapalo, a survey conducted in April 1991 had indicated that there were 1 460 licensed taverns in South Africa out of a total of 120 000 taverns and shebeens. He ascribed

the relatively low figure for licensed taverns to the lengthy licensing procedure and the intransigence of some local authorities. Mr Moshapalo added that SATA was running courses and counselling its members on licensing regulations.⁶⁰ [⁶⁰ Telephonic interview with the managing director of the marketing branch of the South African Taverners' Association (SATA), Mr David Moshapalo, 28 June 1991]

In 1990 SATA launched its first building project, a liquor depot and hotel complex, in Tumahole, near Parys (Orange Free State). Feasibility studies for similar projects were being undertaken in Port Elizabeth (eastern Cape), Sharpeville (southern Transvaal) and on the west Rand.⁶¹ [⁶¹ FABCOS, Corporate Report 1991]

Mr Moshapalo said in June 1991 that between 1990 and 1991 turnover at taverns declined by 50% as a result of violence and robberies in the townships. He added, however, that no taverns had been forced to close down.⁶² [⁶² Telephonic interview with Mr D Moshapalo, 28 June 1991]

The National Taverners' Association, which joined the National African Federated Chamber of Commerce and Industry in early 1991, claimed a membership of 20 000 throughout South Africa.⁶³ [⁶³ *African Business* March 1991]

SATA claimed a paid membership of 4 000, and it aimed to sign up 25 000 additional members over the next decade.⁶⁴ [⁶⁴ Telephonic interview with Mr D Moshapalo, 28 June 1991]

Another body, the United Taverners' Association of South Africa, was formed in 1991.⁶⁵ [⁶⁵ *Sowetan* 27 June 1991]

Relaxation in the granting of liquor licences and the concomitant overtrading in an oversupplied market undermined the viability of the liquor sector. At the regional conference of the Federated Hospitality Association of South Africa in April 1991, the chairman of liquor affairs in the Transvaal, Mr Manny Pombo, said that overtrading in the liquor trade had destabilised the industry and had resulted in increased insolvency, especially among African entrepreneurs. Mr Pombo believed that overtrading was fostering a climate for 'delinquent trading', which he explained as involving the hijacking of vehicles, the selling of export liquor and the fraudulent bottling and labelling of branded products.⁶⁶ [⁶⁶ *The Star* 28 April 1991]

Taxis

In March 1991 there were more than 60 000 taxis on South Africa's roads with a total value of R3,5bn.⁶⁷ [⁶⁷ *Black Enterprise* March 1991]

In its drive to expand into southern Africa, the Southern Africa Black Taxi Association (SABTA) sent

two officials and ten taxis to Mozambique in July 1991 to help Mozambican taxi operators set up an association and routes. SABTA had previously established links with taxi operators in Zambia and Zimbabwe. SABTA also assisted taxi owners in neighbouring states by guaranteeing a portion of the deposits needed to buy kombitaxis.⁶⁸ [⁶⁸ *Business Day* 4 July 1991]

According to a survey conducted by the National Passenger Panel of the Department of Transport, state-subsidised passengers (ie on trains and buses) constituted 50% of all commuters in 1987 and 1988, 51% in 1989, but only 40% in 1990. The use of taxis as the main mode of transport increased from 29% of commuters in 1987 to 44% in 1990. Furthermore, on 51% of trips in 1990 taxis were used for at least part of the journey, reflecting the use of taxis as a feeder service for buses and trains.⁶⁹ [⁶⁹ *Finance Week* 30 May 1991]

During the period under review, violence had a significant impact on the earnings of the taxi industry. The *Financial Mail* reported in February 1991 that the monthly income of individual taxis had dropped from R2 500–R3 500 in 1989 to an average of R1 500 in 1990.⁷⁰ [⁷⁰ *Financial Mail* 15 February 1991] In March 1991 the executive consultant of the Toyota Taxi Business Circle, Mr Paul Browning, attributed the plunge in earnings to the increase in the price of petrol, the spiralling costs of spare parts and the price of new kombitaxis. Market saturation was also affecting incomes, as most taxis stood unused between morning and afternoon peak hours, he added.⁷¹ [⁷¹ *Sowetan* 26 March 1991; *Black Enterprise* March 1991]

In June 1991 the Johannesburg City Council embarked on a R1bn scheme to build six kombitaxi terminals, which were to include lavatories, restaurants and shops.⁷² [⁷² *Business Day* 7 June 1991] The terminals were to serve an estimated 15 000 taxis. Mr Browning said that the planning of the terminals was based on the faulty assumption that kombitaxis would continue as the dominant mode of mass transport for many years, whereas he believed that midi-buses which seated 30–35 people would soon replace kombitaxis.⁷³ [⁷³ *Financial Mail* 14 June 1991]

According to research conducted by the South African Institute of Race Relations, the following problems plagued the taxi industry: increased competition encouraged by deregulation, consumer resistance to fare hikes and taxi feuds, which had undermined the positive image of the taxi industry. Feuds were caused by disputes among taxi operators about which rank to use or which route to ply, conflict between legal and pirate operators and attacks against drivers suspected of working for white owners.

The following areas for the possible future expansion of the taxi industry were outlined:

- transporting cargo;

- supplying hawkers with stock during off-peak times;
- supplying construction teams in remote areas with food and beverages during off-peak times;
- providing school transport on a hire basis;
- catering for the suburban white consumer market between 11am and 3pm; and
- doubling as metered taxis in the CBDs for businessmen in off-peak hours.⁷⁴ [⁷⁴ Mc Caul C, *No Easy Ride: The Rise and Future of the Black Taxi Industry*, Johannesburg, SAIRR, 1990, p114]

Black consumers

In May 1991 the international affairs director of the African National Congress, Mr Thabo Mbeki, emphasised the impact on the economy of the expanding power of African consumer spending. Mr Mbeki claimed that by the turn of the century African consumers would hold 80% of the country's disposable income.⁷⁵ [⁷⁵ *Sowetan* 8 May 1991]

In 1970, 68% of the retail market was white, 23% African and 9% coloured and Asian. By 2000 the white share of the market was expected to decline to 38%, the coloured and Asian market to increase to 17% and the African market to increase to 45%.⁷⁶ [⁷⁶ Supplement to the *Financial Mail* 26 April 1991]

In June 1991 a director of Econometrix, Mr Michiel Bester, attributed growth in consumer spending to the narrowing of the wage gap and higher than expected wage increases, especially in the lower-income groups.⁷⁷ [⁷⁷ *Business Day* 5 June 1991] In the same month an economist at First National Bank, Mr Simon Wilson, said that the concentration of retail demand on household items during 1990 was due primarily to the increased housing of families and an extension of services into township areas.⁷⁸ [⁷⁸ *Ibid*] He argued that African townships had few shops even though the repeal of the Group Areas Act of 1966 had removed restrictions on trading in African areas. According to Ibis Marketing Information Services' estimates, 50% of purchases by Soweto residents occurred outside Soweto.⁷⁹ [⁷⁹ Supplement to the *Financial Mail* 26 April 1991] However, this figure represented a significant improvement on the comparable figure for 1978, when 90% of purchases were made outside Soweto.⁸⁰ [⁸⁰ Kane-Berman J, *Soweto: Black Revolt, Wilite Reaction*, Johannesburg, Ravan Press, 1978, p62]

A survey conducted by the Bureau for Economic Research at the University of Stellenbosch in May

1991 showed that 57% of African consumers were optimistic about the economy over the subsequent 12-month period while 37% expected it to deteriorate. Less than half of the African consumers interviewed were optimistic about their financial position over the subsequent 12 months. Forty percent of respondents expected an improvement in their financial position while 35% expected it to remain unchanged and 20% expected a deterioration. The survey also found that only 21% of respondents regarded the present as an appropriate time to purchase durable household appliances, compared with 40% who considered it an inappropriate time.⁸¹ [⁸¹ University of Stellenbosch, Bureau for Economic Research, *Trade and Commerce*, vol 6 no 3, June 1991, pp14-15]

According to the Domestic Tourism Research Unit at the University of Durban-Westville, the number of African tourists would grow from 1,25m in 1988 to 2,5m in 1995 and 5m in the year 2000.⁸² [⁸² Kane-Berman J, *South Africa's Silent Revolution*, p14] Total revenue for domestic tourism in 1988/89 was R2bn, of which R150m was attributed to African tourism.⁸³ [⁸³ *Business Day* 17 September 1990]

The repeal of apartheid legislation in the 1991 parliamentary session was expected to contribute positively to the African tourist market. The executive director of the South African Tourism Board, Mr Spencer Thomas, said in September 1990 that African tourism was a growing sector that would have to be catered for. He pointed out that 50% of hotel occupancies in Durban in December 1989 were accounted for by Africans.⁸⁴ [⁸⁴ *Ibid*]

Pepkor, which caters for primarily African consumers at the lower end of the market, increased its turnover by 32% from February 1990 to February 1991. This increase was attributed mainly to discretionary spending among African consumers. *The Star* said in April 1991 that longer term demographic and socio-economic developments would see the bulk of consumer spending power remaining among the poorer sectors of the population.⁸⁵ [⁸⁵ *The Star* 26 April 1991] Africans accounted for about 80% of total carbonated soft drink sales in South Africa. National Beverage Services, the master franchise holder for Coca-Cola International, increased its distribution to the informal sector by 30% between 1989 and 1990. Formal sector sales in the same period increased by only 4%.⁸⁶ [⁸⁶ *Finance Week* 29 August 1991]

The executive director of the Furniture Traders' Association, Mr Frans Jordaan, said in September 1991 that growth in African spending in the furniture sector far outstripped growth in coloured, Indian and white spending during the first half of 1991. He pointed out that about 35% of the business of the eight major furniture groups involved Africans.⁸⁷ [⁸⁷ Telephonic interview with the executive director of the Furniture Traders' Association, Mr Frans Jordaan, 17 September 1991]

The director of vehicle sales and field operations at Toyota Marketing, Mr Henk Maree, said in

September 1991 that the number of African car owners was expected to rise from the current 714 000 to 1,4m by the year 2000. Seventy percent of these potential owners would buy used cars.⁸⁸ [88 *The Citizen* 11 September 1991]

Private Sector and Social Responsibility

Corporate social responsibility

A survey by Business Marketing Intelligence in 1991 indicated that social responsibility was a growing interest of companies. An estimated R840m was spent by the corporate sector on social upliftment programmes in 1990/91 compared to R495m in 1987/88. Education received the largest share in 1990/91 (R554m).⁸⁹ [89 *Business Day* 7 May 1991]

While there has been a shift away from paternalistic social responsibility projects to encouragement of community participation in the programmes, trade unions like the National Union of Mineworkers maintained that workers should be involved in their capacity as employees and not merely as community members. In May 1991 the chairman of Baird, Mr Jacques Verster, criticised companies that still supported social programmes where only their own employees stood to benefit, describing it as little more than 'an extension of the organisation's conditions of service'.⁹⁰ [90 *Ibid*] The African National Congress was reported in the same month to be examining the concept of 'prescribed assets' requirement, whereby companies would be legally required to invest a percentage of the value of their assets in socially useful projects, such as housing.⁹¹ [91 *Ibid*]

During the period under review social responsibility investors began to place greater emphasis on funding development projects that would create self-sufficiency. In May 1991 the senior manager of the Gencor Development Trust, Mr Kobus Visagie, emphasised the link between the creation of and redistribution of wealth. Mr Verster said in May 1991 that the approval, support and involvement of the community benefiting from the programme was necessary and handouts had to be avoided.⁹² [92 *Ibid*]

The First National Bank group allocated R8,5m annually to over 900 projects throughout South Africa. Education received about 55% of funds, social services 32% and the remaining 13% went to the arts, historical conservation and nature conservation.⁹³ [93 First National Bank, Annual report and Financial Statements for 1990] Pick 'n Pay channelled more than R5m in 1990 into social responsibility programmes.⁹⁴ [94 *Sowetan* 29 May 1991]

Employee share-ownership plans

Shareholding has emerged as a significant component of black economic empowerment. Various Foundation for African Business and Consumer Services projects during the period under review provided members with the opportunity to buy shares in, inter alia, building supply outlets, liquor depots and petrol stations. Until the end of 1990 African Bank sold ordinary shares only to Africans, and had allocated shares to the value of R4,2m to 3 800 shareholders by then.⁹⁵ [⁹⁵ African Bank, Annual report 1990]

The president of the National African Federated Chamber of Commerce and Industry, Dr Sam Motsuenyane, said in August 1991 that employee share-ownership plans (ESOPS), provided one way in which Africans could obtain equity. However, Dr Duncan Innes of the *Innes Labour Brief*, maintained that ESOPS were not feasible unless they empowered workers. He believed that this was not possible unless management accepted significant worker shareholdings. In the view of Dr Innes, black empowerment could be better facilitated through profit-sharing schemes where workers and management could negotiate the sharing of profits.⁹⁶ [⁹⁶ *Finance Week* 27 June 1991]

Determining the number of African shareholders in ESOPS is difficult as many companies do not list shareholders according to race. However, Africans have access to the schemes listed below.

The **African Life Assurance Company**, of which the Southern Life Association was a majority shareholder, was listed on the Johannesburg Stock Exchange (JSE) in November 1990. The share offer was 45% oversubscribed. It was one of the few companies on the JSE in which the majority of the shareholders were African.⁹⁷ [⁹⁷ Anglo American Corporation of South Africa, Annual report 1991] In 1990 approximately 160 000 present and former employees of the **Anglo American Corporation of South Africa** held more than 2m shares worth R200m.⁹⁸ [⁹⁸ Anglo American Corporation of South Africa, Chairman's Statement 1990]

Prior to its privatisation in 1990, the government placed 92,5m ordinary **IsCOR** shares (or 5% of the issued share capital) in the State Share Trust for the purpose of an employee share purchase scheme. As at 30 June 1990 approximately 56m shares had been issued to employees.⁹⁹ [⁹⁹ ISCOR, Annual report 1990]

National Sorghum Breweries (NSB) placed 30% of the 44m shares offered in 1991 in an Employee Share Trust. The NSB ESOPS scheme was unique in that it offered employees more than 25% of shares, which would thus allow employees some veto rights on the board of the NSB. However, if the workers were to take up only their free quota of 200 shares each and nothing more from the Employee Share Trust, their holding could be as low as 5%. According to *Finance Week*, the remaining shares were then likely to be taken up by managerial and supervisory staff, and directors, thus 'furthering black elitism rather than broadening empowerment'.¹⁰⁰ [¹⁰⁰ *Finance Week* 27 June 1991]

Demands by the National African Federated Chamber of Commerce and Industry (NAFCOC)

At the National African Federated Chamber of Commerce and Industry (NAFCOC) conference in October 1990, a number of demands were made of the business community, which were seen as necessary for black economic empowerment. These were that:¹⁰¹ [¹⁰¹ Interview with Dr S Motsuenyane, Soshanguve, 7 May 1991]

- thirty percent of all board members of companies listed on the Johannesburg Stock Exchange (JSE) should be black by the year 2000. NAFCOC expected the economy to grow in the next ten years, thereby facilitating blacks becoming board members. NAFCOC, together with the Black Management Forum (BMF), has begun to implement a programme to facilitate the achievement of this target. A list of 1 000 potential board members was being drawn up by NAFCOC and the BMF. These people would undergo a seven-month training course which would enable the organisations involved to recommend blacks capable of being board members;

- forty percent of all shares on the JSE should be black owned by the year 2000. This could be achieved through:¹⁰² [¹⁰² Telephonic interview with Dr S Motsuenyane, 2 August 1991]
 - employee share-ownership programmes;

 - company-guaranteed bank loans to prospective shareholders, as was done with National Sorghum Breweries' shares;

 - loans by development corporations at lower rates of interest; and

 - crediting blacks with a certain number of shares and using the dividends to liquidate the debt;

- fifty percent of the value of all outside purchases by companies listed on the JSE should come from black suppliers and entrepreneurs. According to Dr Motsuenyane, this would be feasible if companies decentralised certain areas of operation, the small entrepreneur becoming a supplier of certain components to big companies, eg the cutting of diamonds in the mining industry. Discussions between NAFCOC and the South African Chamber of Business in this regard were under way during the period under review; and

- sixty percent of top management in JSE-listed companies should be black by the year 2000.

Key Projections

- The informal sector could provide employment for up to 8m people by the year 2000.
- By the end of the century 45% of the consumer retail market is expected to be African.
- By the year 2000 black consumers could earn 80% of South Africa's disposable income.

EDUCATION

Key Points

- In 1989, whereas 44% of African standard 10 pupils took history, only 0,4% took technical subjects.
- Between 1986 and 1990 enrolment at technikons increased from 43 486 to 83 448 (ie by 92%), while enrolment at universities increased from 211938 to 291471 (ie by 38%).
- The African education budget constituted 48% (R8,65bn) of the education budget in 1991/92, compared with 16% (R6m) of the education budget 20 years before.
- The gap in per capita expenditure between African and white schools narrowed from 18 to one in 1969 to four to one in 1989.
- The number of classrooms built by the Department of Education and Training (DET) increased from 25 884 in 1979 to 59 792 in 1991 (ie by 131%).
- DET schools (ie those outside the homelands) involved in double sessions increased from ten in 1987 to 57 in 1990, while the number of schools in the non-independent homelands using double sessions increased from 292 in 1989 to 369 in 1990.
- African pupil enrolment was 4,8m (ie 71% of total pupil enrolment) in 1980 and 6,8m (ie 79% of total pupil enrolment) in 1990.
- White pupil enrolment declined from 959 422 in 1980 to 924 234 in 1990, ie by 4%.
- The retention rate at DET schools (ie the proportion of pupils who did not drop out of school before standard 10) improved from 6% in 1980 to over 30% in 1990.
- Qualified teachers made up 53% of the total number of DET teachers in 1990, compared to 42% in 1988.
- Between 1987 and 1990 African enrolment at teacher training colleges increased from 21297 to 32 247

(ie by 51%), while white enrolment decreased from 13 606 to 9 467 (ie by 30%).

- The number of Africans at universities increased from 18 289 in 1980 to 100 632 in 1990 (ie by 450%).

Overall Policy

In April 1991 the minister of education and culture (House of Assembly), Mr Piet Clase, announced policy guidelines, in terms of which it was proposed that:

- there would be a single education system for the whole country, which would have to meet general acceptance;
- the education system should be affordable and equitable, with equal opportunities for all;
- the system would accommodate the ‘full diversity of our unique country’;
- education criteria would not be based on race;
- there would be a decentralised system with maximum autonomy devolved to the local level;
- much of the system would be community based. People with common goals and standards and shared values would come together and work towards an accountable educational ideal; and
- the curricula would be relevant to the needs of the country, with more attention being given to career-orientated education.¹ [1 Speech by the minister of education and culture (House of Assembly), Mr Piet Clase, 24 April 1991]

The minister of education and training, Dr Stoffel van der Merwe, said in May 1991 that it was no longer necessary to fight for a nondiscriminatory education system as this was ‘absolutely in the pipeline’.² [2 *The Citizen* 14 May 1991]

In terms of the South African constitution, education is defined as an own affair. However, tertiary institutions have been relatively free to decide which students to admit, although the quota system was repealed only in June 1991. Private schools have also been allowed to admit students of all races since 1977, while schools under the houses of Delegates and Representatives have admitted pupils of other races on certain criteria since 1983 (see *1987/88 Survey* p152 and *1989/90 Survey* p768).

Three models of criteria for admission to schools under the Department of Education and Culture in the

House of Assembly were announced in September 1990 by Mr Clase, in terms of which parents could determine admissions policy. Model A allowed state schools to become private schools with a state subsidy of 45%, to be phased in over three years. Model B allowed a particular school's management council to determine its own admissions policy, and model C provided that schools could become state-aided schools with a state subsidy of almost 75% of operating expenses.³ [³ Minister of education and culture (House of Assembly), Mr Piet Clase, 'Additional models for schooling: information document', 10 September 1990]

It was required by Mr Clase that a poll be held in which 80% of parents voted for him to approve that a white school adopt one of these models. The minister also indicated that a minimum of 72% of parents had to have voted in favour of a particular model for him to approve of their choice. If parents wanted to admit pupils of other races in terms of these models, these admissions would not affect the own affairs status of schools, ie the schools would continue to function under the Department of Education and Culture (House of Assembly). According to Mr Clase, the majority of pupils therefore had to be white, although a school management council could lay down its own criteria for admission.⁴ [⁴ Ibid]

To facilitate implementation of these models in terms of the constitution, the **National Education Policy Amendment Act (House of Assembly)** was passed on 28 June 1991. This amendment act provided for the involvement of parents, through management councils, in decision making about policy. It also allowed for gradual adjustment to practices at variance with the principle of 'mother-tongue' instruction (English or Afrikaans), which had previously governed admission to white schools.⁵ [⁵ *Government Gazette*, no 13335, 28 June 1991]

An amendment to the **Education Affairs Act of 1988 (House of Assembly)** was passed on 19 June 1991. This facilitated the declaration by schools' management councils of schools (excluding pre-primary and specialised schools) as state-aided schools, and allowed for polls to be conducted to decide on the transfer of such schools to private administrators. The amendment also provided for the transfer of personnel at public schools to state-aided schools.⁶ [⁶ *Government Gazette*, no 13313, 19 June 1991]

Mr Clase said in April 1991 that special schools (for disabled or retarded children) could also arrange to adopt one of the three models. He also granted the councils of technical colleges and technikons authority to make decisions over the admission of students to their institutions.⁷ [⁷ Media statement by the minister of education and culture (House of Assembly), Mr Piet Clase, 24 April 1990]

The general secretary of the National Education Co-ordinating Committee (NECC), Mr Ihron Rensburg, said in July 1991 that there were 1 700 vacant places in white schools that had been closed, and 2 000 in schools that were underutilised. He added that there were more than 200 empty white schools, while African pupils were accommodated under poor conditions.⁸ [⁸ *The Citizen* 25 July 1991]

The planned temporary occupation by the NECC of three white schools in Johannesburg in August 1991, which involved the transportation of pupils from Alexandra (Johannesburg), faced firm opposition from the Johannesburg Regional Management Schools Council. The council held a meeting of parents at which it was decided to oppose the NECC plan.⁹ [⁹ *The Star* 22 July 1991] The council's chairman, Mr Steve Ramoetsane, stated that although the council was in favour of school integration, it was opposed to pupils' being exploited for political purposes.¹⁰ [¹⁰ *Sunday Star* 28 July 1991] On the occasion of the occupation in August 1991, 96 people were arrested, many of whom were students of the University of the Witwatersrand.¹¹ [¹¹ *The Citizen* 22 August 1991]

In an announcement in April 1991 Dr Van der Merwe said that an additional policy model had been developed by the government, which involved the transfer of white schools with decreasing enrolment to black education departments. He said that there were two options in terms of this model. Schools could be closed and then transferred to a black education department. Alternatively, Dr Van der Merwe stated, 'White schools that are obviously becoming empty will be transformed into open schools to be used to provide an education service to all population groups.' These, however, would remain under the Department of Education and Culture (white own affairs), which would determine admissions policy.¹² [¹² *Daily Dispatch* 7 April 1991] Mr Clase said in August 1991 that the government had also decided to allow underutilised white teacher training colleges to be opened to all races rather than, as previously, closing them down.¹³ [¹³ *The Star* 27 August 1991]

Commenting on a bill proposing the removal of the quota system restricting the entry of black students to white universities, the deputy minister of finance and of national education, Dr Theo Alant, announced in June 1991 that in future universities would have total autonomy. He said that autonomy would include the right to make decisions about the admission of students and the choice of methods of teaching. Dr Alant also said that universities should try harder to meet the labour requirements of the economy.¹⁴ [¹⁴ *Hansard* (A) 23 col 13055, 14 June 1991] The **Universities Amendment Act**, abolishing the quota system, was passed in July 1991.¹⁵ [¹⁵ *Government Gazette*, no 13368, 12 July 1991]

In June 1991 the government committee investigating an education renewal strategy (ERS) published a discussion document making a number of recommendations, which included the following:

- race should no longer feature in the provision of education;
- a new education model should visibly promote and express national unity, although it should be accepted that freedom of association form a cornerstone of the new education model; and
- the new education model should provide for a central education authority, as well as possibly

regionally based departments of education.¹⁶ [¹⁶ Department of National Education *Education Renewal Strategy Discussion Document*, June 1991]

According to the ERS, progress in equal education could be enhanced if greater responsibility and authority were devolved to local communities themselves. In this regard the ERS recommended that:

- management councils be established at all schools. Steps should be taken to devolve to such councils decision-making and executive functions in regard to the provision and financing of infrastructural services, capital and educational equipment, and the management of school hostels and transport schemes;
- these councils take responsibility for appointments and remuneration of teachers and extramural educators, as well as admissions policy for schools (subject to a framework determined by the education authorities); and
- opportunity be provided for various types of management models so that schools could gradually attain greater autonomy in decision making.¹⁷ [¹⁷ *Ibid*]

According to the director general of national education, Dr Johan Garbers, the ERS discussion document did not preclude the possibility of there being whites-only schools in future. 'If parents want autogenous education this must be possible,' he said in June 1991.¹⁸ [¹⁸ *The Citizen* 5 June 1991]

In March 1991 Dr Van der Merwe stated that although education would in the interim remain an own affair, the future education system would be non-discriminatory.¹⁹ [¹⁹ *Ibid* 13 March 1991] This view was confirmed in August 1991 by the superintendent general of the Department of Education and Culture (white own affairs), Mr Johan Terblanche, when he said that race would not be a criterion in future education policy. He stressed, however, that the right to 'an own culture, language and religion' would be ensured. Mr Terblanche said that the ultimate aim was for one education system, although not necessarily a single department.²⁰ [²⁰ *Business Day* 22 August 1991]

The African National Congress (ANC) said in response to the publication of the document that it welcomed the abandonment by the government of race as a criterion for education policy. It also said that the recognition in the ERS document of the importance of universal primary education and the need for meaningful community participation was a development in government thinking. The ANC stressed, however, that what was required urgently was an education bill of rights.²¹ [²¹ *Ibid* 6 June 1991]

In July 1991 the NECC launched a R4m research project, which it said would come up with alternative

proposals to the ERS. The NECC said that the ERS document was ‘a symptom of government timidity in tackling the situation’. It also made the criticism that the ERS document was produced without consultation with various education bodies. However, the NECC stated that useful recommendations contained in the ERS document would be incorporated into the NECC initiative.²² [22 Ibid 5 July 1991]

A spokesman for the University of the Witwatersrand (Wits) Student Representative Council (SRC) and the chairman of the SRC’s education committee, Ms Lael Bethlehem, said that neither the National Union of South African Students nor the South African National Students’ Congress had been consulted in the drawing up of the ERS document. According to the Department of National Education, in May 1990 the minister of national education, Mr Louis Pienaar, had made a call for input from various organisations but had received ‘no response’.²³ [23 *Wits Student* August 1991]

In February 1991 a delegation of ANC officials and educationists met the government to decide on further discussion regarding a single education department for South Africa.²⁴ [24 *Sowetan* 26 February 1991] In August 1991 a joint working group of the government and the ANC agreed on a number of guidelines for effective provision and utilisation of education resources, including the following principles:

- democratically elected structures should be established to allow for constructive participation by parents, pupils and teachers in the provision of education;
- the state should perform the role of primary provider of education, with the support and co-operation of all interest groups;
- the state should finance education on an equal basis, without discrimination with regard to race, sex or type of school;
- racial quotas for private schools registered with the Department of Education and Culture (white own affairs) should be scrapped;
- a culture of effective learning should be created and all resources available should be utilised;
- the transition to a new education system should be managed in such a way as to avoid disruption of the process of education; and
- for effective teaching to occur, essential resources, such as classrooms, furniture, teachers and textbooks should be made available, and all interest groups should take responsibility for their provision.²⁵ [25 *The Citizen, Business Day* 20 August 1991]

The government acknowledged in May 1991 that its policy of ‘mother-tongue’ instruction up to standard 2 in African schools retarded the learning process in the years following the change over to one of the official languages. Many pupils, according to Dr Van der Merwe, had limited proficiency in the official languages. He said that research had shown that an earlier and more gradual conversion to another medium of instruction was ‘most desirable’.²⁶ [²⁶ *Hansard* (A) 19 col 11129, 30 May 1991] To facilitate the process of early conversion, the **Education and Training Amendment Act** was passed in July 1991. The act said that ‘the language or medium of instruction at a school and the extent and duration of such use shall be determined by the minister after consultation by him ... with parents of the pupils enrolled at that school’.²⁷ [²⁷ *Government Gazette*, no 13347, 3 July 1991]

Educational orientation

Statistics provided by the Research Institute for Education Planning (RIEP) show that a very limited proportion of African pupils take technical subjects. In 1989, whereas 44% of standard 10 pupils in South Africa (including the ten homelands) took history as a subject, a mere 0,4% took technical courses. A limited proportion of pupils took commercial subjects, such as accountancy, a subject in which 8% of pupils enrolled. Other commercial subjects were business economics, in which 16% of pupils enrolled, economics (10%) and typing (1,2%). A high proportion of African pupils took biology (89%), followed by other science subjects such as geography (37%), mathematics (29%) and physical science (18%).

Although significantly more pupils took science subjects than commercial or technical subjects, very few passed in these subjects. In the 1990 examinations, 35% of candidates wrote mathematics, of whom only 6% passed, compared with a pass rate of 58% for white candidates who wrote mathematics. Of 23% of African candidates writing physical science, 7% passed, compared with a pass rate of 41% for white candidates.²⁸ [²⁸ South Africa Foundation, *South Africa Information Digest*, 1991]

Commenting on the limited orientation of education to vocational training, the chairman of Barlow Rand, Mr Mike Rosholt, said in December 1989 that of every 1000 children of all races entering primary school, 600 entered secondary school but only 150 reached tertiary level. Of these, only eight qualified in science and technology, and eight in commerce.²⁹ [²⁹ *Update Twelve*, 1990, p7] The Chamber of Mines of South Africa said in March 1991 that ‘only about 500 to 800 Africans in the whole of South Africa matriculated with a standard of mathematics adequate for technical study at university or technikon level’.³⁰ [³⁰ *New Nation* 22 March 1991] This was the cause of the skills shortage among middle-level management and in the technical and engineering professions, which were still dependent on a white population with a declining birth rate for their supply of manpower, according to the chairman of the Council for Scientific and Industrial Research, Dr Louw Alberts.³¹ [³¹ *Update Twelve*, 1990, p7]

The proportions of African standard 10 pupils in South Africa (including the ten homelands) taking particular subjects in 1989 were as follows:³² [³² Research Institute for Education Planning, *Education and Manpower Development*, no 10, 1989]

African pupils per subject in standard 10: 1989

Region

Subjects

Accountancy

Biology

Business Economics

Economics

Geography

White-designated area

13%

85%

19%

10%

30%

Non-independent homelands

8%

90%

21%

10%

38%

'Independent' homelands

3%

92%

6%

8%

44%

Total

8%

89%

15%

10%

37%

Region

Subjects

History

Mathematics

Physical Science

Technical courses

Typing

White-designated area

44%

35%

25%

0,6%

3,0%

Non-independent homelands

38%

25%

11%

0,4%

0,4%

'Independent' homelands

51%

26%

18%

0,3%

0,4%

Total

44%

29%

18%

0,4%

1,3%

The Pan-Africanist Congress (PAC), noting that ‘African people lack the skills to run the economy’, stressed in its economic policy discussion paper in July 1990 that as a future nonracial government it would ensure that ‘education of school children emphasises technical education, science, management and administration’. The PAC also said that a ‘massive technical training and management education programme of the unemployed will be launched as soon as possible to enable such people to be employed or self-e

In September 1990 the South African Chamber of Business (SACOB) stated in a document on economic policy that ‘there is a need to restructure the education system with an emphasis on technical and vocational training which will equip students and scholars to enter the formal sector both in the field of formal employment and as entrepreneurs’.³⁴ [³⁴ South African Chamber of Business (SACOB) ‘Economic Options for South Africa’, 20 September 1990, p23] Although stressing that the government should continue to play the most important role in providing primary and secondary education, SACOB suggested that employers needed to participate actively in providing in-house training, a role which the Private Sector Education Council could co-ordinate and direct. The Chamber of Mines of South Africa said in March 1991 that education policy should be designed to develop an education system which would encourage economic growth and to ensure an ‘optimum flow of appropriately educated persons’. Therefore, according to the chamber, ‘emphasis in education should be laid on technical/practical skills with mathematics, science and language proficiency’.³⁵ [³⁵ *Sunday Times* 17 March 1991]

The ANC placed emphasis in its economic policy document on the economy’s labour requirements, stating in September 1990 that ‘the content of all education and training programmes in technikons, universities, schools and other institutions will need to be critically examined to ensure that they are appropriate for changing labour market needs and contribute to affirmative action policies’.³⁶ [³⁶ African National Congress (ANC), ‘Discussion document on economic policy’, 20 September 1990]

Speaking in April 1991, the executive director of the South African Institute of Race Relations, Mr John Kane-Berman, said that the debate over redistribution had overlooked a crucial aspect of redistribution, which was the redistribution of educational resources from academic to technical education. He also said

that a means of redressing this imbalance might include increasing the salaries of teachers in short supply, such as mathematics and science teachers.³⁷ [37 Kane-Bennan J, 'South Africa: the challenge ahead', Johannesburg, address to the Programme for Technological Careers (PROTEC), 24 April 1991]

One proposed solution to the mismatch between the labour requirements of the economy and that of the supply from schools was provided by the education renewal strategy (ERS) discussion document, published in June 1991. The ERS document proposed that curricula for secondary schools be rationalised so that subject packages could be offered to pupils in two streams: one offering generally orientated education, the other vocationally orientated education. The ERS document also suggested that opportunities be provided for changing subject packages, but that the number of subjects from which a generally orientated education package could be constructed should be limited. The ERS document said this measure would allow for a greater number of pupils in the field of vocationally orientated education.³⁸ [38 Department of National Education, *Education Renewal Strategy Discussion Document*, June 1991]

Commenting on the ERS proposals, the ANC's science and technology education commission said that vocational study should be part of every student's curriculum and it should be understood to be of equal status to academic education.³⁹ [39 *Mayibuye*, August 1991]

According to the executive director of the Cape Education Department, Dr Schalk Walters, the private sector required trainable school-leavers rather than school-leavers who were already trained. Speaking in October 1991, he rejected the idea that school education should be specialised in either an academic or vocational direction, except in the last two years of schooling. Dr Walters said an alternative was a generally formative school education system, providing a heterogeneous workforce with particular work skills and attitudes, styles of thinking and business sense. He said, however, that specialised vocational training would work if particular schools were established for that purpose in collaboration with employers, but he cautioned against the expectation that more vocationally trained people on the labour market would lead to economic growth and employment. In this respect, he said, vocationally orientated education should correspond with actual labour requirements.⁴⁰ [40 Walters S, 'The contribution of formal education to manpower training', *Manpower development for the new South Africa*, Pretoria, the National Training Board, national symposium, 2-4 October 1991]

In 1991 the government began a rationalisation programme which was partly intended to meet the demand for vocational education. The state president, Mr F W de Klerk, indicated in July 1991 that the government was transforming two previously all-white teacher training colleges into technikons 'to meet the increasing demand for technical training and education'. This would, he said, also provide for much-needed 'technical training to teachers of all races'.⁴¹ [41 *Financial Mail* 5 July 1991] In June 1991 the Department of Manpower opened a skills training centre for the unemployed in Tembisa (east Rand), in co-operation with the Tembisa community and Murray and Roberts (a construction company).⁴² [42

Hansard (A) 20 cols 11496-11497, 4 June 1991₁

During the period under review, various private sector initiatives also emerged to fill the gap in the provision of technical skills, one of which was the Programme for Technological Careers (PROTEC), with 11 branches countrywide. The success of the PROTEC initiative was demonstrated by a 165% increase in student numbers between 1986 and 1990 (from 1 896 to 5 019). Some 26% of PROTEC pupils passed mathematics and science in 1990, although PROTEC branches in areas such as Johannesburg West and Odi (Bophuthatswana) had pass rates in these subjects of between 69% and 79%. The national average pass rate in 1990 for PROTEC standard 10 pupils was 75%, with an exemption rate of 39%.⁴³ [⁴³ PROTEC, Annual report, 1989/90₁

A positive trend in changing educational orientation was the increased enrolment at technikons between 1986 and 1990. While enrolment at universities increased by 25% between 1986 and 1990, enrolment at technikons increased by almost 92% over the same period (see *Tertiary Education* below).

Education and employment

The National Manpower Commission (NMC) provided the following statistics as an indication of labour shortages at various levels of skill in March 1989 (see also chapter on *Employment*):⁴⁴ [⁴⁴ National Manpower Commission (NMC), Annual report, 1990, RP49/1991₁

Skills shortages according to skills level: March 1989

Number of vacancies

Proportion of total vacancies

Vacancy rate ^a

High-level manpower ^b

44 065

28%

4,8%

Middle-level manpower ^c

52 550

34%

2,4%

Low-level manpower ^d

60 141

38%

1,9%

Total

156 756

100%

2,5%

a

The vacancy rate represents the number of vacancies as a percentage of the total number of posts

b

Refers to occupations requiring a minimum of two years of training after standard 10

c

Refers to occupation whose minimum qualification is standard 7 or 8, and which may include several weeks or months of additional training

d

Refers to unskilled occupation requiring minimal formal education or tr

There were indications of an oversupply of unskilled manpower, caused, in part, by the high dropout rate from African schools, especially at primary school level. Thus, a survey published in April 1990 showed

a substantial proportion of African unemployed in the Vaal Triangle (southern Transvaal) (about 34%) had received formal schooling only up to standard 5.⁴⁵ [45 Slabbert T J C and Levin M, *A Profile of Unemployed Blacks in the Vaal Triangle, 1989* (Vista University, Report 15), April 1990] Official surveys suggested that the situation might be worse. Thus, a survey of 1 809 unemployed African juveniles in November 1990 showed that only 66% had formal education qualifications between sub A and standard 7. A survey of 1525 unemployed coloured juveniles in November 1990 showed that 59% had qualifications between sub A and standard 7.⁴⁶ [46 Department of Manpower, *Monthly Bulletin of Registered Unemployed Statistics*, November 1990]

A study in 1990 by the Centre for Community Organisation, Research and Development (CORD) at the University of Natal (Durban) said that on a projected annual unemployment growth rate of 2%, by the year 2000, 3,8m out of 9,4m unemployed would have qualifications between standard 8 and standard 10. With very few African pupils passing in subjects such as mathematics and science, about 95% 'have an educational background with a market place absorption capacity of only 20%'.⁴⁷ [47 Centre for Community Organisation, Research and Development (CORD), *Technically Skilled but Unemployed.-A Neglected Aspect of Apartheid Education*, Working Paper 5, January 1990, p2]

Unemployment among Africans with standard 8,9 or 10 qualifications was caused to some extent by a 32% decline in apprenticeship training between 1983 and 1987. This problem was likely to be redressed by the passage of the **Manpower Training Amendment Act of 1990**, which aimed at increasing the generation of artisans through a modular system of training and allowing apprentices to complete their training in a shorter period. This act also made provision for the establishment of industry training boards run by employers, which would be responsible for the administration of the apprenticeship system, the development of syllabi, the setting of training standards, and the testing and financing of training (see also chapter on *Employment*).⁴⁸ [48 *Update Twelve*, 1990, p7]

The NMC said in its annual report for 1990 that on a projected real economic growth rate of 2,7% a year, demand for high-level manpower would increase by up to 4% a year or by almost 100 000 people during the 1990s.⁴⁹ [49 NMC, Annual report, 1990] The NMC said that the white male population was expected to increase by only 1,2% a year, which meant that the demand would have to be met from among black people. According to the chairman of the Council for Scientific and Industrial Research, Dr Louw Alberts, the skills shortage was particularly acute among middle-level management and in the technical and engineering professions. CORD estimated the shortage of managerial skills in the year 2000 at 103 000, and in professional and technical occupations at 442 000. The NMC said in 1991 that greater attention had been given to addressing the lack of technical skills in the previous decade. Although blacks still constituted only 18% of technical college students in 1990, black technical student numbers increased by 26% a year between 1980 and 1990.⁵⁰ [50 *Ibid*]

According to the president of the Afrikaanse Handelsinstituut, Mr Gerrie Steenkamp, the extent of unemployment affected even trained people. Thus, of more than 242 000 people trained in 1988, only 64 000 could be employed, he said.⁵¹ [⁵¹ *The Citizen* 29 July 1991]

The managing director of Integrated Marketing Research, Mr Teddy Langschmidt, said in August 1990 that less than 1% of blacks were in managerial positions (see also chapter on *Business*).

According to the managing director of the KwaZulu Training Trust, Mr Brian Stewart, in order for the gap in the racial distribution of the labour force to narrow. South Africa required an increase of 2100% in the number of Africans who possessed professional or semi-professional skills. He said that in KwaZulu and Natal alone, this would mean that 46 129 Africans would have to acquire these skills, and a further 23 627 African people would have to acquire managerial skills. Another 61 880 Africans would need to acquire clerical skills and 36 003 become artisans, Mr Stewart added.⁵³ [⁵³ *African Business* March 1991]

Finance

State expenditure on education for various financial years between 1969/70 and 1991/92 is given below:⁵⁴ [⁵⁴ *Fast Facts No 3*, 1991]

Expenditure on education in south Africa (including the ten homelands): 1969/70-1991/92

Year

African Rm

Prop-ortionof total

Coloured Rm

Prop-ortion of total

Indian Rm

Prop-ortion of total

White Rm

Prop-ortion of total

Total

1969/70

68,5

16%

41,9

10%

15,8

4%

295,5

70%

421,7

1974/75

131,3

15%

88,6

10%

39,3

5%

611,4

70%

870,6

1979/80

431,2

24%

174,5

10%

83,2

5%

1 116,0

62%

1 804,9

1984/85

1 468,4

31%

570,5

12%

259,3

5%

2 465,1

52%

4 763,3

1988/89

4 096,5

44%

1 103,3

12%

463,2

5%

3 727,5

40%

9 390,5

1989/90

5 210,1

45%

1 370,4

12%

589,2

5%

4 392,6

38%

11 562,3

1990/91

6 504,5

44%

2 025,4

14%

824,4

6%

5 533,5

38%

14 887,8

1991/92^a

8 647,2

48%

2 257,7

13%

963,2

5%

5 976,7

33%

17 844,8

a

Figure include supplementary amount to the various black education department, but exclude R562m of the R1bn for backlogs in education.

Education expenditure on blacks improved substantially between 1969/70 and 1991/92. Whereas expenditure on African education constituted 16% of the total education budget in 1969/70, it constituted 48% of the total education budget in 1991/92. White expenditure decreased from 70% of the education budget in 1969/70 to 33% in the 1991/92 budget. Between the 1990/91 and 1991/92 financial years, expenditure on African education increased by 33%, compared to an increase of 12% for coloured education, 17% for Indian education and 8% for white

The 1991/92 education budget constituted 21% of the total national budget of nearly R85bn, which included amounts allocated to the 'independent' homelands. According to the minister of finance, Mr Barend du Plessis, education expenditure in 1991/92 constituted 6,2% of gross domestic product, which compared favourably with that of many developing countries.⁵⁵ [⁵⁵ *The Star* 1 April 1991, *Natal Post* 29 May 1991]

A professor of philosophy at the University of Natal (Durban), Professor James Moulder, said in January 1991 that African urban education was sufficiently funded compared to the education of rural Africans. Professor Moulder said that 'the funding gap between education in the homelands and education under the Department of Education and Training (DET) is far greater than that between the DET and white education'. The challenge would be, he said, to increase education spending on rural schools until it was on a par with that of urban schools.⁵⁶ [⁵⁶ *The Star* 10 January 1991]

The minister of education and culture in the House of Representatives, Mr Tommy Abrahams, said that in 1989/90 the following proportions of total coloured education expenditure were spent by the Department of Education and Culture (House of Representatives) at various levels: pre-primary education, 0,4%; primary education, 51,8%; secondary education, 29,6%; and tertiary education, 6,8%.⁵⁷ [⁵⁷ *Hansard* (R) 25 q col 2112, 21 June 1991]

Education spending in the homelands in 1989/90 and 1990/91 was as follows:⁵⁸ [⁵⁸ 1989/90 *Survey's*, Estimates of revenue and expenditure for Bophuthatswana, the Ciskei, Gazankulu, KaNgwane, KwaNdebele, KwaZulu, Lebowa, QwaQwa, the Transkei and Venda for 1991/92]

Education expenditure in the homelands a:1989/90 and 1990/91

R

R

Proportional

1989/90

1990/91

increase

Bophuthatswana

417 944 000

506 338 126

21%

Ciskei

216 822 000

246 913 000

14%

Gazankulu

237 072 000

283 956 000

20%

KaNgwane

106 729 926

151 951 529^b

42%

KwaNdebele

80 091 000

98 920 000

24%

KwaZulu

774 777 800

933 640 000

21%

Lebowa

568 337 000

720 966 000

27%

QwaQwa

119 715 000

148 885 000

24%

Transkei

551 656 000 ^b

832 132 000^b

51%

Venda

249 439 900

249 439 000

35%

Total

3 258 118 226

4 173 141 900

28%

a

Unless otherwise indicated, amounts given are figures for total estimated expenditure

b

Am

Per capita expenditure

Per capita expenditure on African education improved from 5% of white expenditure in 1969/70 to 25% in 1989/90. This meant that the expenditure gap between white and African education narrowed from 18 to one in 1969/70 to four to one in 1989/90. Per capita expenditure on coloured education improved from 20% to 53% of white per capita expenditure over the same period, while that on Indian education improved from 27% to 71% of white per capita expenditure. These trends are shown, in detail, in the following table:⁵⁹ [⁵⁹ *Fast Facts No 3, 1991*]

State per capita expenditure on school pupils by race: 1969/70-1989/90 ^a

African ^b

Coloured

Indian

White

Year

Proportion

Proportion

Proportion

Expendi-
ture

of white expenditure

Expendi-
ture

of white expenditure

Expendi-
ture

of white expenditure

Expendi-
ture

R

R

R

R

1969/70

25,31

5%

94,41

20%

124,40

27%

461,00

1979/80

91,29

8%

234,00

20%

389,66

33%

1 169,00

1983/84

234,45

14%

569,11

34%

1 088,00

66%

1 654,00

1988/89

764,73

25%

1 359,78

44%

2 227,01

72%

3 082,00

1989/90

930,00

25%

1 983,00

53%

2 659,00

71%

3 739,00

a

Including capital expenditure

b

Including the ten homelands

The latest available figures for per capita expenditure are:⁶⁰ [⁶⁰ *Hansard* (A) 16 q col 1496, 16 May 1991]

Per capita expenditure in schools: 1990/91

Including capital expenditure

Excluding capital expenditure

R

R

African (white-
designated areas)

Primary school

777,73

715,40

Secondary school

1 560,47

1 466,24

Coloured

N/A

N/A

Indian

N/A

N/A

White

4 103,00

3 960,00

N/A - Not available

Per capita expenditure on African pupils decreased in real terms between 1989/90 and 1990/91. According to the minister of education and training, Dr Stoffel van der Merwe, the increase in primary school expenditure over this period was 6,9%. Secondary school expenditure increased by almost 11%.⁶¹ [⁶¹ *Daily Dispatch* 17 May 1991] White per capita expenditure increased by 10% betwe

Estimates of parity

The 1991/92 education budget constituted almost 23% of the national budget and 6,3% of gross domestic product (GDP). This is widely believed to be inadequate to bring about parity in education spending or to relieve backlogs. In June 1990 the Department of Economics at the University of Pretoria suggested that if parity in expenditure between African and white education were to be achieved, about 42% of the budget and 11% of GDP would be required to be spent on education. This would require an expenditure of R25,6bn on African education, an increase of 198% over current expenditure of R8,6bn.⁶² [⁶² De Wet G L, Steyn F G, Schoeman N J, 'Financing of Education in South Africa', *Focus on Key Economic Issues*, no 46, University of Pretoria, June 1990] The rector of the University of Durban-Westville, Professor Jay Reddy, estimated in May 1991 that expenditure on education would have to increase from about 6% to 10% of GDP if parity were to be achieved.⁶³ [⁶³ *Natal Post* 29 May 1991]

According to the chairman of the Human Sciences Research Council, Professor Pieter de Lange, inequality in education spending was partly caused by an overemphasis on tertiary education. Speaking in August 1991, he said that of R22,7bn spent on education in 1990, 35% was spent on primary education, 24% on secondary education, 25% on tertiary education, 15% on adult education and 1% on pre-primary education.⁶⁴ [⁶⁴ *Business Day* 15 August 1991]

Bursaries and loans

The Department of Education and training (DET) awarded R1,1m to pupils in 1990 in the form of merit bursaries.⁶⁵ [65 DET, Annual report, 1990, RP56/1991] The Cape Education Department (House of Assembly) gave study grants totalling R5,8m to white students at universities, technikons and teacher training colleges in 1990. This amount may be broken down into R3,1m to 743 students at universities and technikons, R2,4m to 876 students at teacher training colleges and R288 617 to teachers doing part-time study.⁶⁶ [66 Department of Education and Culture (House of Assembly), Annual report, 1990, RP112/1990] In addition, the House of Assembly budgeted R109 000 for university study and university loans in 1990. In 1990 the Department of Education and Culture in KaNgwane sponsored a total of 169 students with bursaries worth R4 000 each, 157 of whom studied at universities and 12 at technikons.⁶⁷ [67 Department of Education and Culture (KaNgwane), Annual report, 1990] The Department of Education and Culture in the House of Delegates granted a total of R1,2m in bursaries to students taking teacher training in 1990.⁶⁸ [68 House of Delegates, Annual report, 1990, RP62/1991]

The Independent Development Trust (IDT) allocated R25m to universities and technikons to finance needy students in 1991. According to a spokesman for the IDT, the trust has sought legislation which would enable these loans to be repaid through the receiver of revenue. Students who received loans would have repayments deducted by their employers. The IDT intended establishing an intermediate trust to reclaim the money. Legislation was being drafted for the 1992 session of Parliament to facilitate the IDT scheme.⁶⁹ [69 Interview with Mrs G Gillespie, Independent Development Trust (IDT), Cape Town, 28 June 1991] The IDT loan scheme reflected an overall move away from bursary grants. According to a deputy vice chancellor of the University of Witwatersrand, Professor June Sinclair, bursary grants were no longer affordable as a result of universities' limited resources.⁷⁰ [70 *The Weekly Mail* 9 August 1991]

The European Community, out of a budget of R200m to be spent on development work in South Africa, was to grant R30m for bursaries to tertiary institutions in 1991.⁷¹ [71 *The Natal Mercury* 10 June 1991]

The W K Kellogg Foundation in the United States of America granted R1,5m in February 1991 to the University of Fort Hare, to be used over seven years in the provision of bursaries to students studying agriculture, business administration, commerce, health education and science.⁷² [72 *Fort Harian* May/August 1991]

Overall, the South African private sector spent R554m on education in 1990/91, of which R321m (58%) was for bursary grants and donations to tertiary institutions.⁷³ [73 *Business Day* 9 April 1991] A small bursary loan scheme was established on the Witwatersrand by Helpfin Insurance Brokers in May 1991. At a premium of R20 per month, this scheme granted bursaries of up to R2 500 each to members.⁷⁴ [74 *Sowetan* 24 May 1991] In August 1991 it was announced that the Sales House chain store was to spend

R3m a year to provide 1 200 bursaries, each valued at R7 500, for three years of tertiary study. This was the largest amount in education funding ever offered by the retail sector in South Africa.⁷⁵ [⁷⁵ Ibid 8 August 1991]

Bursaries awarded by the South African Institute of Race Relations increased from R5,7m in 1989 to R6,9m in 1990, representing an increase of 21%. In 1991 the value of awards was R8,6m, an increase of 25% over the amount awarded in 1990. The total number of bursaries awarded in 1990 was 917 and in 1991, it was 922.⁷⁶ [⁷⁶ 1989/90 *Survey* p801; information supplied by the bursary director of the South African Institute of Race Relations, Mr Dennis Venter, 23 July 1991]

School Education

Policy orientation

In October 1990 the superintendent general of the Department of Education and Culture (House of Assembly), Mr Johan Terblanche, published a summary report of the findings of a committee on career education. The committee recommended that education should be compulsory for the first ten years, and that the curriculum 'should be relevant to the pupil's life world and sufficient provision should be made for the development of basic skills'.⁷⁷ [⁷⁷ Department of Education and Culture (House of Assembly), The evaluation and promotion of career education: summary report', 1 October 1990] It also suggested that a subject be introduced at junior secondary level (standards 6 to 8) to make provision for concepts of entrepreneurship, productivity and technology to be taught. In the committee's estimation this subject should be compulsory.

The committee said that at senior secondary level (standards 9 and 10) subject choices should be differentiated into a senior secondary academic preparation course, limited to 25% to 35% of pupils, and a senior secondary vocational preparation course. In order to limit the flow of pupils into the academic course, the committee recommended an evaluation mechanism (possibly an external examination) at the end of the compulsory phase (sub A to standard 8). The committee also suggested that some flexibility exist in each course so that provision could be made for those pupils in the academic preparation course who did not qualify for tertiary education to take up vocational courses at technical institutions.⁷⁸ [⁷⁸ Ibid]

The department's recommendations were endorsed by the education renewal strategy (ERS) document which suggested that the senior secondary curriculum be rationalised and be 'characterised by opportunities for learners to construct subject packages leading either to generally oriented education or vocational education'. The ERS document suggested, however, that opportunities be made available for pupils to change from one subject package to another.⁷⁹ [⁷⁹ Department of National Education (DNE), *Education Renewal Strategy: Discussion Document*, June 1991] In August 1991, the minister of education and

culture (House of Assembly), Mr Piet Clase, announced that future policy would channel about a third of students into career-orientated institutions. The remainder would have access to formal school academic education, with access to tertiary institutions. He said that it was from the latter group that middle- and high-level technologists and top-level management personnel would be drawn.⁸⁰ [⁸⁰ *Business Day* 27 August 1991]

The Department of Education and Training (DET) has developed a programme revising its broad curriculum for junior primary education, in order to adapt it later for more vocational education. This programme had been in existence since 1985, and was intended to 'familiarise the pupil with modern technology from as early an age as possible'.⁸¹ [⁸¹ Department of Education and Training (DET) Annual report, 1990, RP56/1991] It was also aimed at obtaining a balance between pupils' theoretical and practical learning experiences. The initial part of the programme ran from sub A to standard 3, in which time pupils acquired basic technological knowledge and skills through a subject known as Skills and Techniques. This phase was followed by a transitional year (standard 4) in which pupils transferred this basic knowledge to their first experiences in vocational education.

In 1990 the programme involved 1 455 primary schools and was to include an exploratory phase from standards 5 to 7, when pupils could change course from vocational education to a generally orientated or academic education stream.⁸² [⁸² *Ibid*]

In 1990 the Department of Education and Culture (House of Delegates) also embarked on a strategy to temper the academic bias in school education. The department opened its first fully fledged technical secondary school in January 1990 at Phoenix (Durban), with a capacity of 1 000 pupils. The department also introduced a computer studies course at various schools, in which about 2 600 pupils at senior secondary level enrolled in 1990. A subject called Technika Electrical was introduced at selected secondary schools run by the department.⁸³ [⁸³ House of Delegates, Annual report, 1990, RP62-1991]

Pre-primary education

The Independent Development Trust (IDT) was to provide R70m out of its R2bn fund for the development of preschool education. The IDT intended to assist about 1,2m children out of 3,5m children of poor families, 73% of whom lived in rural areas.⁸⁴ [⁸⁴ *The Caret* 31 July 1991] A conference of the National Education Co-ordinating Committee (NECC) in October 1990 set up a national interim working committee of 12 people, which was to work closely with the IDT. The conference recommended that the IDT spend its funds on training pre-primary educators, providing buildings and equipment, providing financial subsidies, and funding research on community development and education policy.⁸⁵ [⁸⁵ *The Weekly Mail* 2 August 1991]

According to the ERS document, there was no national policy for pre-primary education, as the various departments of education each determined their own approach. Given that pre-primary education assisted in improving performance at ordinary school level, and given the high dropout rates from African schools, the ERS document recommended that the South African Council for Education ‘develop a national strategy for pre-primary education’.⁸⁶ [⁸⁶ *Education Renewal Strategy*]

The total number of pre-primary schools registered in South Africa (excluding the ‘independent homelands’) in 1990 was 1895. About 61% (1 148) of these were white schools. African pupils constituted 31% (about 48 691) of pupils enrolled, compared with whites, who comprised 54% (84 022) of the total. Pre-primary enrolment for 1990 was as follows:⁸⁷ [⁸⁷ DNE, ‘Preliminary Education Statistics for 1990’, August 1990; South Africa Foundation, *South Africa Information Digest*, 1991, p5]

Pre-primary enrolment in government and private schools: 1990^a

Pupil enrolment

Government

Private

Total

No of Schools

African

White-designated area

18 482

2 424

20 906

159

Non-independent homelands

27 721

64

27 785

294

Coloured

6 780

675

7 455

251

Indian

12 668

2 567

15 235

43

White

82 877

1 145

84 022

1 148

Total

148 877

6 875

155 403

1 895

a

Excludes primary schools which may have pre-primary classes

The Department of Education and Training (DET) introduced bridging classes in sub A at 450 venues in 1990, which it hoped to extend to farm schools by 1992. The Department of Education and Culture in the House of Delegates also had bridging classes in sub A, in which 4 440 five-year-olds participated i

The minister of education and culture in the House of Assembly, Mr Piet Clase, announced various increases in state pre-primary school fees in the Transvaal in April 1991. The increase for parents with an income of less than R 12 000 a year was 91% for one child, 114% for two children and 84% for three. For parents with an annual income of more than R12 000, the increases announced were 133% for one child, 161% for two children and 123% for three.⁸⁹ [⁸⁹ *The Star* 11 April 1991] According to the Department of Education and Culture (white own affairs), pre-primary fees were previously unrealistic and the increases were necessary to maintain standards. Thus, whereas parents previously paid R5,70 a week to send three children to school, they paid R43,50 after the increase.⁹⁰ [⁹⁰ *Business Day* 28 March 1991] School management councils in the Transvaal objected to the increases on the grounds that many parents could not afford them. They also complained about the lack of consultation before the announcement was made.⁹¹ [⁹¹ *The Star* 20 March 1991]

The Natal Education Department's announcement in April 1991 of the retrenchment of 165 pre-primary teachers would affect the expertise of staff developed in pre-primary schools in Natal, according to the chairwoman of the Natal Pre-primary Teachers' Association, Mrs Caroline Robinson.⁹² [⁹² *Sunday Tribune* 14 April 1991]

Multiracial school education

Government schools

At the beginning of 1991, 205 white schools were opened to all races on the basis of model B, introduced by the minister of education and culture (white own affairs), Mr Piet Clase (see also *Overall Policy*

above).⁹³ [⁹³ *The Citizen* 8 January 1991] A total of 6 059 black pupils were enrolled in these schools, constituting 0,6% of the total pupil population of white schools in 1990. A large proportion of the schools were in the western Cape, where over 3 000 African, coloured and Indian pupils had registered by early February 1991.⁹⁴ [⁹⁴ *Daily Dispatch* 2 February 1991] There were 5 732 pupils of other race groups at Indian schools, where the pupil population was 242 323 in 1990. No statistics were available for coloured schools.⁹⁵ [⁹⁵ South Africa Foundation, *South Africa Information Digest*, 1991; DNE 'Preliminary Education Statistics for 1990']

A white school in the area of Homestead Park (Johannesburg) was transferred to the Department of Education and Culture (House of Delegates), which reopened the school in January 1991 as a nonracial school. The school's management committee and parents had sought permission in 1990 from the Transvaal Education Department to have the school opened to all races. The school, which had space for 750 pupils, enrolled 883 African, Indian and white pupils in January 1991.⁹⁶ [⁹⁶ *Sunday Times* 10 February 1991]

In June 1991 principals of schools in the Transvaal which had opted for model B were requested to give monthly reports of the racial composition of their schools. Various principals expressed dismay at this measure, although the executive director of the Transvaal Education Department, Dr Piet Bredenkamp, said that the information was not required to determine the funding of these schools, but was needed by the Department of Education and Culture for its own records.⁹⁷ [⁹⁷ *Ibid* 9 June 1991]

According to a survey published in 1991 by the Human Sciences Research Council, a majority of whites (66%) were in favour of a single education department, although the survey showed that since 1989 there had been an increase of 16 percentage points (from 39% to 55%) in the number of whites who believed there would be a decline in academic standards if schools were integrated.⁹⁸ [⁹⁸ *The Citizen* 14 August 1991] Between 1989 and 1991 the proportion of whites who agreed that children of different groups should be educated in the same schools increased from 20% to 27%, while the proportion of whites who believed children should be educated in racially segregated schools increased from 49% to 59%.⁹⁹ [⁹⁹ *The Star* 14 August 1991]

Private schools

The total number of private schools under the Department of Education and Culture (House of Assembly) in 1990 was 1 041, providing an education for 65 696 pupils.¹⁰⁰ [¹⁰⁰ Department of Education and Culture, Annual report, 1990, RP112/1990] Of the total number of pupils, 24% (or 15 767) were

black.¹⁰¹ [¹⁰¹ South Africa Foundation, *South Africa Information Digest*, 1991]

The national director of the Independent Schools Council, Mr Mark Henning, said in August 1991 that because of the great demand for education among blacks and the limited number of places made available in recently opened state schools, private schools were unlikely to face strong competition from government schools in the near future.¹⁰² [¹⁰² Interview with national director of the Independent Schools Association, Mr Mark Henning, Johannesburg, 7 August 1991]

Stationery and textbooks

The provision of free textbooks in schools administered by the Department of Education and Training (DET) started in 1987.¹⁰³ [¹⁰³ 1987/88 *Survey* p157] Since then, a total of 31,4m books have been supplied, of which 21m were supplied to secondary schools. The total amount spent on the supply of these books increased by 113%, from R43m in 1987 to R92m in 1991. In May 1991 the minister of education and training, Dr Stoffel van der Merwe, estimated that 24 textbooks were available to each of 637 418 pupils in DET secondary schools in 1991, which was greater than the minimum number of books required in terms of the curriculum (16).

The total number of stationery sets supplied to DET schools increased from 2,3m in 1988 (costing R11,2m) to 2,6m in 1991 (costing R18,5m). In 1990 there was an oversupply of 82 000 sets.¹⁰⁴ [¹⁰⁴ Statement by the minister of education and training, Dr C J van der Merwe, 13 May 1991]

Compulsory education

The education renewal strategy (FRS) document suggested that the first seven years of schooling should, as a general rule, be compulsory.¹⁰⁵ [¹⁰⁵ DNE, Education Renewal Strategy Discussion Document, p63] Research by the South African Institute of Race Relations in July 1991 showed that there were 3,5m to 5m children of schoolgoing age not in school, while there were approximately 3m children who should be in pre-primary school and who were not. Each year, about 300 000 A children enter school. Making primary and junior secondary education compulsory would require an additional 126 617 teachers and 111 044 classrooms, the total cost of which would be more than R2bn.¹⁰⁶ [¹⁰⁶ *Update Fifteen*, 1991, p4] According to the minister of education and training, Dr Stoffel van der Merwe, an additional 18 059 teachers would be required in schools under the Department of Education and Training (DET) and in the non-independent homelands if universal compulsory education were to be introduced.¹⁰⁷ [¹⁰⁷ *Hansard (A)* 25 q col 2090, 21 June 1991]

In October 1991 the executive director of the Cape Education Department, Dr Schalk Walters, said that an incentive for introducing compulsory primary education was the fact that primary education 'provides the minimum literacy level' necessary in the work situation.¹⁰⁸ [¹⁰⁸ Walters S, The contribution of formal education to manpower training', address given at the national symposium, Pretoria, October 1991]

Overall school statistics

Schools

The minister of education and training, Dr Stoffel van der Merwe, said in May 1991 that 14 510 classrooms for Africans had been built since 1985, representing 2 073 classrooms built each year. An average of 465 classrooms a year had been built at farm schools in the same period, constituting a total of 3 255 classrooms. Between April 1979 and March 1991 the number of classrooms built annually had increased by 131%, from 25 884 to 59 792. Dr Van der Merwe said that since 1984 more than 6 017 classrooms had been destroyed or damaged in unrest, the repairs and replacement of which would cost about R78m.¹⁰⁹ [¹⁰⁹ Statement by the minister of education and training, Dr C J van der Merwe, 13 May 1991] In 1990 there was a backlog in Department of Education and Training (DET) schools of 2 448 primary school classrooms and 3910 secondary school classrooms.¹¹⁰ [¹¹⁰ *Edmamus*, vol 37 no 5, July 1991]

The minister of education and of environment affairs, Mr Louis Pienaar, said in February 1991 that 325 schools a year would have to be built to accommodate the annual growth rate in pupil numbers of 0,6% in white schools, 5% in DET schools and almost 7% in schools in the non-independent homelands.¹¹¹ [¹¹¹ *Business Day* 1 February 1991] In 1990 it was estimated that the annual average growth rate in coloured pupil numbers was 1,5%, and in Indian pupil numbers, 0,3%.¹¹² [¹¹² Research Institute for Education Planning (RIEP), *Education and Manpower Development*, no 10, 1989]

Dr Van der Merwe said that of the additional R150m in the 1990/91 budget allocated to education, R74m was allocated to the DET and R76m to the non-independent homelands. These funds were to be used to build 717 classrooms for African pupils countrywide, involving an average expenditure of about R21 000 per classroom.¹¹³ [¹¹³ *The Star* 15 February 1991] Of the R1bn fund for social and economic upliftment set up by the government in August 1991, R138m was allocated to the DET for the building of 1 900 new classrooms.¹¹⁴ [¹¹⁴ *Sowetan* 28 August 1991]

Farm and rural schools

In 1990 there were 5 682 state-aided primary schools in rural areas, an increase of 1,9% over the 5 576 schools in 1987. However, pupil enrolments declined by 5,8%, from 486 991 in 1987 to 458 840 in

1990. Farm owners in certain border areas received subsidies of 75% to 80% of the capital cost of providing farm schools. In 1990 part of the Education and Training Act of 1979 was amended to allow for the establishment of management bodies at these schools, which would enable parents to participate in decision making at such schools.¹¹⁵ [¹¹⁵ DET, Annual report, RP56/1991; *Update Thirteen*, 1991, p6] Most farm schools provided education up to standard 5 and on average 25% of pupils repeated their first year.¹¹⁶ [¹¹⁶ South Africa Foundation, *South Africa Information Digest*, 1991]

Special education

The minister of education and culture (white own affairs), Mr Piet Clase, announced in April 1991 that schools for special education under his department could adopt one of the models allowing the admission of children of other race groups to these schools (see *Overall Policy* above).¹¹⁷ [¹¹⁷ Statement by the minister of education and culture (House of Assembly), Mr Piet Clase, 24 April 1991]

According to the DET, between the years 1980 and 1989 the number of special schools under its authority increased from 14 to 47, with enrolments increasing by 317% (from 1 236 to 5 150). In 1980 the 'independent' and non-independent homelands had a total of 21 schools for the disabled, which had increased to 57 schools in 1989. Enrolment in the homelands increased by 361%, from 2 100 pupils in 1980 to 9 690 in 1989.¹¹⁸ [¹¹⁸ *Educamus*, vol 37 no 4, 1991]

In 1990 there were 12 006 African pupils in special schools in South Africa (excluding the 'independent' homelands) in a total of 66 institutions. This compared with a total white enrolment of 14 969 in 89 special schools, 5 580 Indian pupils in 18 special schools and 6 558 coloured pupils in 60 special schools.¹¹⁹ [¹¹⁹ DNE, 'Preliminary Statistics for 1990', August 1990]

According to the DET, in 1990 almost 3% of the African schoolgoing population under its authority should have attended classes for the mildly intellectually handicapped. Some of these were attending mainstream classes, where they slowed down the teaching process. In 1990 the DET established 70 classes for mildly handicapped pupils at primary schools.¹²⁰ [¹²⁰ DET, Annual report, 1990]

A two-year diploma in special education, established by the DET, was held by 47 teachers in 1980. By the end of 1989 the number had increased to 451, and in 1990 a further 229 teachers obtained this qualification. This meant that at the end of 1990 about 53% out of a total of 1 292 special education teachers under the DET were thus qualified.¹²¹ [¹²¹ *Ibid*]

Double sessions and the platoon system

The following number of African schools, teachers and pupils under the DET and in the non-

independent homelands were involved in double sessions (one teacher taking two classes a day) and the platoon system (one teacher for two classes in the same session) during 1989 and 1990:¹²² [¹²² Ibid 1989, RP50/90; DET, Annual report, 1990]

Double session and the platoon system in African schools: 1989 and 1990^a

1989

1990

DET^b

Non-independent homelands

DET^b

Non-independent homelands

Double session

(sub A-sub B)

Number of schools

49

292

57

369

Number of pupils

19 771

67 722

24 337

78 065

Platoon system

(sub A-std 10)

Number of schools

248

116

N/A

N/A

Number of teachers

5 848

2 070

N/A

N/A

Number of pupils

239 367

89 237

N/A

N/A

a

1990 figures unavailable for platoon as the concept was being redefined by the DET

b

Department of Education and Training

N/A - No

The number of DET schools involved in double sessions increased from ten in 1987 to 17 in 1988, 49 in 1989 and 57 in 1990. The number of DET schools involved in the platoon system increased from 97 in 1988 to 248 in 1989 (ie by 156%).¹²³ [¹²³ DET, Annual report, 1990, RP56/1991; 1989/90 *Survey* p819]

Schools in the non-independent homelands involved in double sessions increased from 292 in 1989 to 369 in 1990, ie by 26%.¹²⁴ [¹²⁴ DET, Annual report, 1990]

The number of pupils involved in double sessions or the platoon system increased from 237 888 in 1987 to 416 097 in 1989, ie by 75%.

Pupils

Pupil enrolment

African pupil enrolment increased from 71% of the total number of pupils in 1980 to 75% in 1985 and 79% in 1990. White pupil enrolment declined over the same period from 14,2% in 1980, to 9,6% in 1990. A similar trend was evident in Indian and coloured pupil enrolment. Indian pupil enrolment decreased from 3,2% in 1980 to 0,2% in 1990. Coloured pupil enrolment declined from 11,1% in 1980 to 8,7% in 1990. Between 1989 and 1990, while white pupil enrolment decreased by 0,4%, that of Africans increased by 4,8%. The following table gives pupil enrolment according to race between 1980 and 1990:¹²⁵ [¹²⁵ RIEP, *Education and Manpower Development*, nos 8 and 10, 1987 and 1989; RIEP, *Education and Manpower Production*, no 4, 1983]

Pupil enrolment by race: 1980, 1985, 1989, 1990

African ^a

Coloured

Year

Primary

Secondary

Total

Primary

Secondary

Total

1980

N/A

N/A

4 835 841

N/A

N/A

752 178

1985

4 820 422

1 192 932

6 013 354

599 692

193 348

793 040

1989

5 477 300

1 820 807

7 298 107

606 333

230 246

839 579

1990

5 650 366

2 003 904

7 654 270

613 215

228 172

841 387

Indian

White

Year

Primary

Secondary

Total

Primary

Secondary

Total
1980
N/A
N/A
218 498
N/A
N/A
959 422
1985
149 193
82 867
232 060
571 392
398 601
969 993
1989
140 450
92 619
233 069
535 787

392 578

928 365

1990

141 746

91 355

233 101

534 990

389 244

924 234

a

Including the ten homelands

N/A - Not available

The Research Institute for Education Planning estimated that the African pupil population could increase to about 9,3m pupils by 1995, and 11,8m by the year 2000. By that time the African pupil population could constitute 84% of the total pupil population

Pupil/teacher ratios

The minister of education and culture in the House of Assembly, Mr Piet Clase, said in March 1990 that the Department of Education and Culture (House of Assembly) would increase its pupil/teacher ratio to facilitate the government policy of equal opportunity in education. He did not specify what the ratio would be, although he was responding to reports that the white pupil/teacher ratio would in future be 30 to one.¹²⁷ [127 Statement by minister of education and culture (House of Assembly), Mr Piet Clase, 12 March 1991]

Mr Roger Burrows MP (Democratic Party) said in February 1991 that if the pupil/teacher ratio in white schools was increased to 30 to one, this could result in the retrenchment of almost 20 000 of a total of 55

000 teachers.¹²⁸ [¹²⁸ *Cape Times* 28 February 1991]

The minister of education and training, Dr Stoffel van der Merwe, said in Parliament in June 1991 that for the 30 to one ratio to be met, an additional 16 205 teachers would be required by the Department of Education and Training (DET).¹²⁹ [¹²⁹ *Hansard* (A) 25 q col 2090, 21 June 1991]

Pupil/teacher ratios by race in South Africa (including the ten homelands) in 1990 were as follows:¹³⁰ [¹³⁰ Personal communication from RIEP, 11 July 1990]

Pupil/teacher ratios in South Africa (including the ten homelands): 1990

Primary

Secondary

Total

African

29:1

27:1

28:1

Coloured

26:1

19:1

23:1

Indian

24:1

16:1

20:1

White

N/A

N/A

17:1

N/A - Not available

The following pupil/teacher ratios in the six non-independent homelands were given in Parliament in March 1991 by Dr Van der Merwe:¹³¹ [¹³¹ *Hansard* (A) 9 q cols 785-786, 27 March 1991]

Pupil/teacher ratios in the non-independent homelands: 1990

Primary

Secondary

Gazankulu

42:1

35:2

KaNdwane

40:1

37:1

KwaNdebele

37:1

31:1

KwaZulu

53:1

42:1

Lebowa

41:1

36:1

QwaQwa

32:1

33:1

Dr Van der Merwe also provided a comparison of pupil/teacher ratios of farm and other schools under the DET. These were 38 to one for primary farm schools, 41 to one for other primary schools, 32 to one for secondary farm schools, and 34 to one for other secondary schools. The overall pupil/teacher ratio for all DET schools was 34 to one.¹³² [¹³² Ibid]

Pupil/teacher ratios in the ‘independent’ homelands in 1989 were a

Pupil/teacher ratios in the ‘independent’ homelands: 1989

Primary

Secondary

Bophuthatswana

34:1

32:1

Ciskei

41:1

33:1

Transkei

N/A

N/A

Venda

34:1

25:1

N/A - Not availab

Pupil/classroom ratios

Pupil/classroom ratios in schools in South Africa (including the ten homelands) in 1990 were as follows:¹³⁴ [¹³⁴ Personal communication from RIEP, 11 July 1991]

Pupil/classroom ratios in South Africa (including the ten homelands): 1990

Primary

Secondary

Total

African

51:1

41:1

48:1

Coloured

26:1

23:1

25:1

Indian

29:1

27:1

28:1

White

N/A

N/A

N/A

N/A – Not available

Although there was a slight improvement between 1988 and 1990, overall pupil/classroom ratios at African schools in 1990 were high, especially at primary level, with ratios of up to 51 to one. (The ratio for African schools in 1988 was 55 to one at primary level and 43 to one at secondary level)

Dropouts

Statistics provided by the Research Institute for Education Planning in July 1991 showed that the dropout rate among African pupils in 1990 was highest at primary level, with the proportion of outflow at 25% in sub A, compared with 8% in standard 6 and 12% (excluding pupils who passed) in standard 10. The total number of dropouts in 1990 (814 562) was 10% of the total of 7 924 991 pupils enrolled from sub A to standard 10.¹³⁶ [¹³⁶ Ibid] In 1989 the total number of dropouts was 754 800 (10%) of a total of 7 298 107 pupils enrolled.¹³⁷ [¹³⁷ RIEP, *Education and Manpower Development*, no 10, 1989]

The director general of education and training, Dr Bernhard Louw, said in May 1991 that the causes of

the high dropout rate at African schools were poverty, unrest and poorly qualified teaching staff. Despite the continuing high dropout rate at early levels of schooling, the retention rate in Department of Education and Training (DET) schools improved from 6% in 1980 to 14% in 1985 and 33% in 1990. The retention rate from sub A to standard 5 improved from 35% in 1980, to 46% in 1985, and to 59% in 1990.¹³⁸ [138 Personal communication from the director general of education and training (DET), Dr J BZ Louw, 27 May 1991]

The following numbers of African pupils dropped out of schools in 1990:¹³⁹ [139 Personal communication from RIEP, 11 July 1991]

African school leavers in South Africa (including the ten homelands) : 1990

Outflow per standard as proportion of

Outflow as proportion

Pupil outflow

total outflow

Enrolment

of enrolment

Sub A

207 100

25,4%

1 218 606

15,4%

Sub B

45 200

5,5%

912 509

11,5%

Std 1

49 900

6,1%

855 495

10,8%

Std 2

33 100

4,1%

750 461

9,5%

Std 3

56 500

6,9%

726 409

9,2%

Std 4

46 000

5,6%

624 530

7,9%

Std 5

34 500

4,2%

562 356

7,1%

Std 6

65 700

8,1%

563 568

7,1%

Std 7

47 900

5,9%

467 129

5,9%

Std 8

43 100

5,3%

383 286

4,8%

Std 9

42 600

5,2%

319 197

4,0%

Std 10^a

49 100

6,0%

270 724

3,4%

Std 10^b

93 862

11,5%

270 721

3,4%

Total

814 562

100,0%

7 924 991

100,0%

a

No pas

Standard 10 examination results

The following table gives the African standard 10 results in 1990 by region:

African Standard 10 examination results: 1990

Candidates

Passes

Matriculation exemption

Area

Number

Proportion

Number

Proportion

White-designated area

Cape

9 309

3133

34%

660

7%

Diamond Fields

3 136

1 084

35%

204

7%

Highveld

12 925

3 967

31%

805

6%

Johannesburg

9 719

2 530

26%

475

5%

Natal

3 979

1 624

41%

527

13%

Northern Transvaal

8 142

3 6050

44%

897

11%

Orange Free State

3 681

1 021

28%

167

5%

Orange-Vaal

5 479

2 076

38%

450

8%

Sub-total

56 370

19 040

34%

African standard 10 examination results: 1990 (continued)

Candidates

Passes

Matriculation exemption

Area

Number

Proportion

Number

Proportion

Non-independent homelands

Gazankulu

13 797

5 012

36%

1 033

7%

KaNgwane

8 463

3 257

38%

668

8%

KwaNdebele

7 479

2 193

29%

353

5%

KwaZulu

40 728

17 397

43%

3 933

10%

Lebowa

57 516

16 091

28%

2 927

5%

QwaQwa

5 307

1 642

31%

274

5%

Sub-total

133 290

45 592

34%

9 188

7%

'Independent' homelands

Bophuthatswana

21 108

10 871

52%

2 775

13%

Ciskei

9 178

3 931

43%

778

9%

Transkei

20 383

8 947

44%

2 866

14%

Venda

13 294

5 336

40%

1 207
 9%
 sub-total
 63 963
 29 085
 45%
 7 626
 12%
 Total
 253 623
 93 717
 37%
 20 999
 8%

The total number of candidates who sat for standard 10 examinations set by the DET (ie in South Africa and all homelands, except the Transkei) increased by 22% between 1989 and 1990.¹⁴⁰ [¹⁴⁰ *Educamus*, vol 37 no 5, 1991] There were some notable regional differences in the matriculation results achieved by African pupils. While the average pass rate achieved by schools in the white-designated area and the non-independent homelands was 34%, that achieved by Bophuthatswana, the Ciskei, the Transkei and Venda was 45%. Bophuthatswana achieved the highest pass rate (52%). According to the minister of education and training, Dr Stoffel van der Merwe, in the 1990 supplementary examinations the number of candidates who passed increased by 9 915, bringing the overall proportion of passes up to about 41%.¹⁴¹ [¹⁴¹ Statement by the minister of education and training, Dr C J van der Merwe, 13 May 1991] The standard 10 results for all races in 1990 were as follows:¹⁴² [¹⁴² *Fast Facts No 1*, 1991]

Standard 10 examination results: 1990

Candidates

Passes

Matriculation exemption

Number

Number

Proportion

Number

Proportion

African

253 623

93 717

37%

20 999

8%

Coloured

22 315

17 721

79%

4 487

20%

Indian

14 542

13 816

95%

6 615

45%

White

68 979

66 131

96%

28 615

41%

Total

359 459

Teachers

Orientation

In 1990 the Department of Education and Training (DET) produced new curricula for its teacher training programme in biology and physical science, upgrading both the theoretical and practical components. It also introduced a new syllabus to broaden teachers' knowledge of mathematics and to enable them to teach this subject up to standard 10.¹⁴³ [¹⁴³ DET, Annual report, 1990]

The Department of Education and Culture (House of Assembly) introduced an experimental

mathematics teaching programme at 24 junior primary schools in the western Cape during 1990. It intended extending this approach in 1991 to another 110 schools in the Orange Free State, the Transvaal and the western Cape. The approach was based on research which had shown that young children preferred to employ their own methods of calculation rather than standard methods. The new approach involved teaching pupils to 'calculate constructively, develop a positive attitude to study, insist on insight and develop an initiative for problem solving'.¹⁴⁴ [¹⁴⁴ Media release by the Department of Education and Culture (House of Assembly), 1991]

The Research Institute for Education Planning (RIEP), with sponsorship from Gencor, established a mathematics teachers' in-service training project, which between 1980 and 1990 involved 5 680 teachers and benefited an estimated 960 000 African pupils. RIEP also established a science teachers' training project, with funding from BP (Southern Africa). Between 1980 and 1990 this project involved 2 300 teachers and benefited 500 000 pupils.¹⁴⁵ [¹⁴⁵ RIEP, *Education and Manpower Development*, no 10, 1989]

Numbers and qualifications

In 1990 the DET had 41 051 primary and 16 670 secondary school teachers in its employ. In order to maintain a primary school pupil/teacher ratio of 40 to one and a secondary school ratio of 35 to one at a current pupil growth rate of 4,7%, the department required 4 500 new teachers per year over the following five years.¹⁴⁶ [¹⁴⁶ *Educamus*, vol 37 no 5, July 1991]

Some 42% of secondary school teachers under the DET had met the official minimum requirement of standard 10 and three years of teacher training in 1988, while in 1989 about 48% of teachers had this qualification, and in 1990 the proportion was 53%. The proportion of teachers with similar qualifications in secondary schools in the non-independent homelands improved from 36% in 1988 to 45% in 1989, and 50% in 1990. At primary school level, the proportion of unqualified teachers (ie teachers without even the minimum qualification of standard 6 and a diploma) was about 15%, compared with 22% of primary school teachers in the non-independent homelands. Some 3% of secondary school teachers in DET schools were unqualified, compared with 10% at secondary schools in the non-independent homelands.¹⁴⁷ [¹⁴⁷ DET, Annual reports, 1988, 1989 and 1990]

Teacher qualifications by race for 1989 were as follows (figures for white teachers were unobtainable and white teachers were assumed to be fully qualified):¹⁴⁸ [¹⁴⁸ South Africa Foundation, *South Africa Information Digest*, 1991]

Teacher qualifications: 1989

Professionally unqualified

Professionally qualified

Std 10

Std 10 +1/2 years' teacher training

Sdt 10 +3 years' teacher training

Degree

African

28 045

47 062

58 959

39 745

9 451

Coloured

2 003

7 197

6 913

15 217

4 676

Indian

83

41

133

6 450

5 0

Teacher training

The government's education renewal strategy (ERS) document published in June 1991 made the following recommendations regarding future teacher training:

- that the senior certificate continue as the minimum admission requirement for new entrants for all types of teaching diplomas. However, teachers with at least eight years of continuous teaching experience who wished to further studies which stipulated the senior certificate as a minimum entrance requirement should be granted senior certificate status, in order to make it possible for them to embark on such studies; and
- that the South African Council for Education (SACE) advise on the feasibility of the practical teaching component, including an intemship, during which the student teacher would be paid a lower salary than would apply once he or she qualified.¹⁴⁹ [¹⁴⁹ DNE, *Education Renewal Strategy*]

The ERS document also recommended that SACE advise on the duration and type of teaching programmes. The ERS report suggested an initial training period of three years for non-graduate teachers as general policy and a simplified qualification structure for teacher training, consisting of:

- three-year diplomas for pre-primary, primary and secondary schools;
- a four-year integrated degree in education; and
- a one-year higher diploma in education which would follow the initial diploma, an appropriate three-year degree or a technical national diploma, which could entail specialisation in a certain subject or field.¹⁵⁰ [¹⁵⁰ *Ibid*]

African enrolment at teacher training colleges increased by 51 % over the period 1987 to 1990, compared with a decline of 30% in white enrolment over the same period. Enrolment of coloured students declined by 3% and Indian enrolment increased by 17% over the same period. (It should be noted, however, that between 1989 and 1990, enrolment of Indian students decreased by almost 41%. This decline was attributed to a reduction in the intake of teachers at Indian schools where staffing was

said to be sufficient.)¹⁵¹ [¹⁵¹ Interview with Mrs R Singh, senior clerk. Department of Education and Culture (House of Delegates), 30 September 1991]

The total number of students at teacher training colleges in South Africa and the non-independent homelands between 1987 and 1990 was as follows:¹⁵² [¹⁵² *Update Nine*, 1989, p6; Department of National Education, *Preliminary Education Statistics*, August 1989 and August 1990]

Teacher training college enrolment: 1987-1990

1987

1988

1989

1990

African

21 297

29 700

32 322

32 247

Coloured

7 901

8 527

8 331

7 636

Indian

625

1 111

1 235

734

White

13 606

12 281

10 714

9 467

Total

43 429

51 619

52 602

50 084

According to the minister of education and culture (House of Assembly), Mr Piet Clase, in 1990 there were 3 704 vacant places in white teacher training colleges.¹⁵³ [¹⁵³ *Hansard (A) 4 qco\ ISO*, 27 February 1991] This had increased to 4 393 vacant places in 1991.¹⁵⁴ [¹⁵⁴ *The Star* 29 April 1991] In 1990 Mr Clase said that the possibility of making places available to black students would be investigated, and in April 1991 he announced that decision making regarding the admission of students to colleges of education under the House of Assembly would be devolved to the councils of these colleges.¹⁵⁵ [¹⁵⁵ *Business Day* 22 February 1990; media statement by the minister of education and culture (House of Assembly), Mr Piet Clase, 24 April 1991]

In June 1991 Mr Clase announced the closure of five teacher training colleges under his department and

their transfer to other institutions, such as the University of South Africa and technikons. According to Mr Clase, claims that this would affect the supply of teachers were untrue, as it had been shown that there were sufficient colleges to supply teacher requirements up to the year 2000. The transfer of these colleges to other institutions, he said, was 'aimed at meeting national manpower needs'.¹⁵⁶ [¹⁵⁶ *Business Day* 12 June 1991] Mr Clase's statement was supported by the state president, Mr F W de Klerk, who said that there were more teachers in training than the state could employ. Mr De Klerk added that the colleges which were earmarked for closure would be used for much needed technical training for teachers of all races.¹⁵⁷ [¹⁵⁷ *Financial Mail* 5 July 1991]

Enrolment at teacher training colleges in the 'independent' homelands in 1980, 1985 and 1989 was as follows:¹⁵⁸ [¹⁵⁸ Development Bank of Southern Africa, *SATBVC Statistical Abstracts, 1989*, October 1990]

Enrolment at teacher training colleges in the 'independent' homelands: 1980-1989

Enrolment

Annual rate of increase (decrease)

1980

1985

1989

1980-85

1985-89

1980-89

Bophuthatswana

3 002

2 853

3 751

(1,0%)

6,2%

2,8%

Ciskei

2 024

1 227

2 175

(7,9%)

15,5%

0,8%

Transkei

3 722

3 069

5 262 ^a

3,5%

14,3% ^a

4,6% ^a

Venda

875

1 604

2 586

16,7%

12,2%

21,7%

a

Figure fo

In September 1991 an agreement was signed between Mr Clase and the minister of education in KwaZulu, Mr Lionel Mtshali, allowing the previously white Edgewood College (Durban) to admit 200 African teaching students from January 1992.¹⁵⁹ [¹⁵⁹ *The Citizen* 25 September 1991]

Adult education

The total number of people taking adult education courses under the Department of Education and Training (DET) decreased from 104 452 in 1988 to 67 528 in 1990 (ie by 35%). In the non-independent homelands enrolment in adult education courses declined from 58 288 in 1988 to 45 196 in 1990 (ie by 22%). The number of adult education institutions run by the DET also decreased from 419 centres in 1988 to 258 centres in 1990. In the non-independent homelands the number of institutions providing adult education decreased from 825 in 1988 to 757 in 1990.¹⁶⁰ [¹⁶⁰ DET, Annual reports for 1988 and 1991 (RP61/1989 and RP56/1991)]

In 1990 the largest proportion of people (totalling 38 758) taking adult education under the auspices of the DET was enrolled for secondary school courses, compared with a primary school enrolment of 17 877. In the non-independent homelands primary school enrolment totalled 14 685, compared with a total enrolment of 14 127 at secondary school level.¹⁶¹ [¹⁶¹ DET, Annual report, 1990]

The education renewal strategy (ERS) discussion document said that it perceived enormous potential for meeting the labour requirements of the economy through adult education, or what it referred to as the non-formal system, which it defined as 'planned, structured education provided at or by any institution to obtain qualification other than a degree, certificate or diploma'.¹⁶² [¹⁶² *Education Renewal Strategy*] It suggested, however, that non-formal education was essentially a form of vocational training which should be given national recognition by 'either linking it to the certification system of formal education, that is the South African Certification council ... or by establishing a separate body to perform this function'.¹⁶³ [¹⁶³ *Ibid*]

A researcher at the Centre for Policy Analysis at the Development Bank of Southern Africa, Mr Derrick Coetzee, suggested in May 1991 that adult literacy programmes be linked to wider development projects such as health development support programmes, business and entrepreneurial support programmes, and basic skills and in-service training programmes. This approach had a good chance of improving literacy, he argued, as it was 'directly linked and customised to individual and development needs'.¹⁶⁴ [¹⁶⁴ Coetzee D, Illiteracy in South Africa: some preventive strategies from a development perspective', *Development Southern Africa*, vol 8 no 2, May 1991]

Literacy

The officially accepted definition of functional literacy is the knowledge of reading and writing skills necessary to live and work in a particular community.¹⁶⁵ [¹⁶⁵ *RSA Policy Review*, vol 4 no 2, March 1991] In terms of this definition, in 1991 there were about 8,3m African adults in South Africa who were illiterate. The low literacy rate was attributed to the lack of compulsory education for Africans and the high dropout rate at early levels of schooling. Integrated Market Research findings showed that in 1990, 23% of black adults (constituting about 3,5m people) had no schooling while another 32% (about 4,8m) had some primary education only. (In 1985, the proportions had been 22% and 32%. respectively.)¹⁶⁶ [¹⁶⁶ Coetzee, Illiteracy in South Africa'] In KwaZulu alone. 70% of Africans had an education below standard 4, according to the managing director of the KwaZulu Training Trust, Mr Brian Stewart. Mr Stewart said in March 1991 that 78% of Africans, 55% of coloured people, 23% of Indians and 2% of whites in South Africa were illiterate.¹⁶⁷ [¹⁶⁷ *African Business* March 1991]

The Department of National Education said in March 1991 that there was little chance that the government would develop a nationally coordinated literacy scheme, despite widespread criticism that considerable duplication of services existed between various government and private sector literacy schemes. The department added that a nationally co-ordinated system would be too costly.¹⁶⁸ [¹⁶⁸ *RSA Policy Review*, vol 4 no 2, March 1991] The South African Committee for Higher Education (SACHED) said in the same month that it planned to develop an alternative curriculum for basic literacy and numeracy involving certification and accreditation. SACHED would not run the programme itself, but would work closely with civic associations, trade unions and other interested bodies involved in education. SACHED hoped that the programme would influence national policy.¹⁶⁹ [¹⁶⁹ *The Weekly Mail* 28 March 1991]

In the same month the Congress of South African Trade Unions (COSATU) formulated proposals for a national worker literacy programme, which it intended to put forward in negotiations with employers. The proposals stipulated that:

- there should be links between negotiated programmes and the state's adult education system;
- all programmes should be planned and negotiated with COSATU;
- paid leave should be given to workers to attend courses;
- target dates for workers to achieve mother-tongue literacy, basic English and numeracy should be agreed upon;
- employers should provide facilities for classes; and
- negotiations should take place regarding the training and payment of teachers, and the development of course material.¹⁷⁰ [¹⁷⁰ Ibid]

According to data provided by the Cape Provincial Library Service, there were almost 108 private sector bodies involved in adult literacy programmes in 1990 in South Africa (including the ten homelands).¹⁷¹ [¹⁷¹ Coetzee, *Illiteracy in South Africa*] The general manager of education at the Human Sciences Research Council, Dr Schalk Engelbrecht, said in July 1991 that about 150 000 illiterate people could be taught each year by existing literacy programmes.¹⁷² [¹⁷² *Business Day* 29 July 1991]

Technical and Vocational Education and Industrial Training at Secondary and Post Secondary Level

Policy

The Department of Education and Training (DET) said in its annual report for 1990 that technical colleges under its authority were being prepared for-greater autonomy in the structuring of courses and in financial management. These technical colleges would then determine the training needs of the areas in which they were located. At present the technical colleges are run directly by the DET, which liaises with parents through management committees.¹⁷³ [¹⁷³ DET, *Annual report*, 1990]

An investigation co-ordinated by the Human Sciences Research Council said in July 1991 that the private sector had cut back on training as a result of the government's abolition of tax concessions for training. The investigating committee said that cash grants should be given to accredited industry training boards and a portion of such grants should be received by employers involved in training their workers.¹⁷⁴ [¹⁷⁴ *Business Day* 29 July 1991]

In October 1991 the principal of the South African Defence Force Technical College, Mr Alan Jackson, rejected the Education Renewal Strategy document's recommendation that a new post-school institution, known as the 'edukon', be set up as a bridging programme between school and various tertiary institutions. He suggested instead that technical colleges be allowed to provide such bridging courses to higher tertiary institutions such as technikons and universities. The establishment of a new type of institution, he argued, would further complicate the process of student mobility between various tertiary institutions. Mr Jackson also recommended that technical colleges, with the co-operation of the Private Sector Education Council, set up programmes to assist dropouts from African schools (ie the 'lost generation'). These programmes might, he suggested, provide courses in communication, literacy, numeracy and various job-related social and technical skills. If such a programme were accepted it should be funded by the state. He also said that technical colleges should offer training programmes for middle-level and high-level manpower. These programmes should be designed in co-operation with the private sector.¹⁷⁵ [175 Jackson A, 'The technical college - its present and future role', address given at the national symposium, Pretoria, October 1991]

Technical colleges and industrial training

Between 1986 and 1990 white student enrolment at technical colleges declined by 10% and that of Indian students by 2%. However, enrolment of African students increased by 135% and enrolment of coloured students by almost 67% over the same period.

Enrolment by race at technical colleges in South Africa (excluding the 'independent' homelands) between 1986 and 1990 was as follows:¹⁷⁶ [176 DNE, 'Education in the RSA, 1986-1989', 1989; *DNE, Preliminniy Education Statistics*, 1989 and 1990]

Technical colleges: enrolment by race in South Africa (excluding the 'independent' homelands): 1986-1990

Year

African

Coloured

Indian

White

Total

1986

6 821

3 217

6 068

55 070

71 176

1987

7 742

3 525

6 711

53 064

71 042

1988

8 406

4 220

9 418

54 382

76 426

1989

10 532

4 122

5 554

47 696

67 904

1990

16 033

5 366

5 924

49 446

76 769

Enrolment by all races at technical colleges in 1991 was as follows:

Enrolment at technical colleges, standard 10 and post-standard 10 level: 1991

Training up to Standard 10

Training up to three years post-standard 10

Training more than three years post-standard 10

African: White-designated area

9 101

1 489

0

non-independent homelands

3 666

234

0

Coloured

4 459

1 220

32

Indian

14 767

560

0

White

35 767

14 559

581

Total

67 760

18 062

613

Whereas black students comprised 47% of students enrolled for otraining at technical colleges up to standard 10 in 1991, they comprised only 19% of students enrolled for training up to three years after matriculation, and only 5% (consisting of 32 coloured students) of technical college students enrolled for

more than three years of training. Black students constituted 39% of a total of 1 550 post-diploma students enrolled at technical colleges in 1991, and 39% of a total of 98 625 pre-diploma students enrolled at technical colleges in the same year.¹⁷⁸ [¹⁷⁸ Ibid]

According to the Department of National Education, between 1986 and 1988 certificates and diplomas awarded by technical colleges to coloured students increased from 2 000 to almost 6 000 and those awarded to Indian students increased from about 2 000 to 3 000. However, the number of certificates and diplomas awarded to white students over the same period declined from about 14 000 to 13 000. Certificates awarded to Africans decreased from 3 000 to 2 000 between 1986 and 1988.¹⁷⁹ [¹⁷⁹ DNE, *Education Realities in 1990*, June 1991]

The minister of education and culture (House of Assembly), Mr Piet Clase, gave the following figures for admissions to technical colleges under his department in 1991: Africans, 415; coloured people, 239; Indians, 88; and whites, 48 704.¹⁸⁰ [¹⁸⁰ *Hansard* 8 q col 758, 25 March 1991]

The following table shows technical college enrolment according to category and race

Technical college enrolment by subject category and race: 1988

African

Coloured

Indian

White

Architecture

4

8

1

8

Art

1

14

288

1 009

Commerce

2 693

470

291

5 290

Communication

12

155

6

649

Computer science

28

30

54

867

Education

0

0

0

89

Engineering

220

388

199

4 105

Health Science

21

42

8

22

Home economics

4

116

290

488

Industrial art

5 091

855

407

4 546

Language

7

47

239

1 533

Law

0

0

0

254

Library science

0

0

0

2

Life science

25

270

144

1 520

Mathematics

31

350

153

2 077

Philosophy/theology

0

0

0

10

Physical education

2

8

94

210

Psychology

0

0

0

24

Public administration

12

58

30

24

Social science

73

2

0

380

Total

8 224

Tertiary Education

Policy orientation

The educational renewal strategy (ERS) discussion document said that because of the limited resources in South Africa for education funding, study programmes at universities and technikons should be better geared to fulfilling the country's labour needs. It suggested, therefore, that universities and technikons be required to give a detailed account of how new programmes they might wish to introduce would meet national labour needs. The ERS also recommended that there should be a freer flow of students between the different types of post-secondary institutions. The ERS report recommended that it be made possible for students studying at technical colleges to obtain credit for further study at technikons or universities. Technical colleges, it suggested, could assist in rationalisation and cost cutting, for by running academic

support programmes apart from their ordinary vocational programmes they could relieve universities and technikons of that responsibility.¹⁸² [¹⁸² *Education Renewal Strategy*]

Technikon and university education

The following table shows the number of degrees, diplomas and certificates awarded by universities and technikons between 1985 and 1988:

Degrees and diplomas awarded: 1985-1988

Year

Degrees (universities)

Diplomas and certificates (universities)

Diplomas and certificates (technikons)

1985

27 859

6 830

5 461

1986

29 019

77 524

7 256

1987

31 022

8 474

7 807

1988

33 291

8 896

8 489

Degrees awarded by universities in the four years between 1985 and 1988 increased by 19% (ie by an average of 6% a year), compared with diplomas and certificates awarded by technikons, which showed an increase of 55% (or an average increase of 18% a year) during that period.¹⁸³ [¹⁸³ NMC, Annual report, 1989, RP45/1990]

According to the Department of National Education, in 1990 the ratio of student enrolment at universities to student enrolment at technikons was seven to two, whereas the labour requirements of the economy suggested that it should be one to one.¹⁸⁴ [¹⁸⁴ *Education Realities in South Africa 1990*] In the period 1980 to 1985, student enrolment at universities increased at a faster rate than at technikons (an increase of 39% at universities compared with an increase of 26% at technikons). In the five-year period ending in 1990 the trend was reversed, with an increase in technikon enrolment of 92% compared with an increase of 25% at universities.

The following table shows enrolment at universities and technikons in South Africa (excluding the 'independent' homelands) from 1980 to 1990

University and technikon enrolment by race: 1980-1990

Universities

Year

African

Coloured

Indian

White

Total

1980

18 289

7 762

11 551

114 744

152 346

1981 a

19 185

8 250

11 590

115 043

154 068

1982

23 376

8 816

12 274

114 368

158 834

1983

28 480

9 511

13 395

121 727

173 113

1984

34 745

11 010

14 871

125 613

186 239

1985

42 992

12 917

17 305

138 724

211 938

1986

52 936

12 850

18 390

149 449

233 625

1987

64 388

15 676

19 118

151 061

250 243

1988

74 697

18 000

19 639

155 272

267 608

1989

91 462

18 968

19 179

156 737

286 346

1990 a

100 632

18 869

18 124

153 846

291 471

University and technikon enrolment by race: 1980-1990 (continued)

Technikons

Year

African

Coloured

Indian

White

Total

1980 a

545

1 983

4 198

40 180

46 906

1981 a

762

2 120

4 217

39 790

46 889

1982

1 141

2 188

3 055

40 977

47 361

1983

1 394

2 394

2 961

45 645

52 394

1984

1 657

2 595

3 298

48 228

55 778

1985

1 604

2 765

3 680

51 069

59 118

1986

3 146

811

3 467

36 062

43 486

1987

3 941

6 386

4 570

41 545

56 442

1988

6 911

4 447

4 742

44 132

60 232

1989

9 654

4 444

5 558

47 662

68 318

1990^b

16 823

6 942

5 865

53 818

83 448

a

Including the Ciskei

Technikons

Student Enrolment

Statistics for enrolment at technikons in 1990 were as follows:¹⁸⁶ [186 Replies from various technikons; South Africa Foundation, *South Africa Information Digest*, 1991]

Student enrolment at technikons: 1990

Technikon

African

Coloured

Indian

White

Total

Cape

82

658

47

6 083

6 870

Ciskei

N/A

N/A

N/A

N/A

455

Mangosuthu

N/A

N/A

N/A

N/A

1 335

ML Sultan

1 144

223

4 584

321

6 272

Natal

403

192

293

5 914

6 802

Northern Transvaal

2 774

N/A

N/A

25

2 799

Orange Free State

49

29

N/A

2 927

3 005

Peninsula

1 149

3 623

134

85

4 991

Port Elizabeth

627

621

131

4 135

5 514

Pretoria

149

67

33

9 566

9 815

Republic of South Africa

8 649

2 048

1 421

16 032

28 150

Setlogelo

N/A

N/A

N/A

N/A

421

Vaal Triangle

306

16

119

5 729

6 170

N/A—Not available

The following table show technikon enrolment by subject category and race in 1989:¹⁸⁷ [187 Central Statistical Service, *South African Labour Statistics*, 1991]

Technikon enrolment by subject category and race: 1989

African

Coloured

Indian

White

Agriculture

133

29

8

843

Architecture

121

114

93

895

Art

44

76

151

2 102

Commerce

1 373

1 017

792

8 577

Communication

148

60

106

911

Computer science

346

366

379

2 729

Education

122

194

22

87

Engineering

1 041

405

491

4 216

Health services

618

224

173

1 218

Home economics

64

65

135

990

Industrial art

22

29

52

644

Language

801

289

249

1 872

Law

1 062

459

434

3 690

Library science

22

6

29

41

Life science

640

267

275

1 925

Mathematics

373

221

228

1 764

Military science

0

0

0

2

Philosophy/theology

7

0

1

6

Physical education

11

5

5

77

Psychology

86

37

45

245

Public administration

1 210

363

318

2 673

Social science

745

437

365

Examination results

Technikon pass rates for 1990, as supplied by the institutions concerned are given below:

Examination results for technikons: 1990

Technikon

African

Coloured

Indian

White

Total

Mangosuthu

N/A

N/A

N/A

N/A

78%

ML Sultan

53%

74%

73%

87%

N/A

Natal

75%

80%

90%

88%

N/A

Peninsula

N/A

N/A

N/A

N/A

60%

Port Elizabeth

N/A

N/A

N/A

N/A

66%

Pretoria

51%

61%

64%

77%

N/A

Vaal Triangle

64%

81%

67%

73%

N/A

N/A—Not availab

Universities

Orientation

The following table shows student enrolment at universities by faculty between 1982 and 1989:¹⁸⁸ [¹⁸⁸ *Labour Statistics*, 1986, 1987, 1990 and 1991; CSS, *South African Statistics*, 1988]

University student enrolment by faculty: 1982-1989

Faculty

1982

1983

1984

1985

1986

1987

1988

1989

Arts

Number

67 626

73 081

76 280

N/A

85 797

767 926

1221 678

88 531

Proportion

44%

44%

42%

N/A

39%

47%

49%

50%

Commerce

Number

27 857

30 434

31 759

N/A

38 798

27 379

34 961

30 736

Proportion

18%

18%

17%

N/A

18%

17%

14%

17%

Education

Number

15 161

20 150

24 656

N/A

38 741

17 886

31 115

19 510

Proportion

10%

12%

14%

N/A

18%

11%

13%

11%

Medicine

Number

16 098

17 262

18 055

N/A

20 147

12 837

19 711

12 655

Proportion

11%

10%

10%

N/A

9%

8%

8%

7%

Science and engineering

Number

25 821

25 195

31 629

N/A

34 220

30 230

39 985

26 054

Proportion

17%

15%

17%

N/A

16%

18%

16%

15%

Total

152 563

166 122

182 379

N/A

217 703

165 258

247 450

177 486

N/A—Not available

The largest increase in student enrolment between 1982 and 1989 was in the arts faculty, which grew by 31% over that period. This was followed by an increase in education student enrolment of 29%, and an increase in commerce student enrolment of 10%. The smallest increase in student enrolment was in science and engineering, which showed a 1% increase. Medical student enrolment showed a 21% decrease over

Policy and funding

The subsidy paid by the government to universities during the period under review was 80% of their total costs. The balance of funds had to be raised by the universities themselves. The minister of national education and of environment affairs, Mr Louis Pienaar, said in July 1991 that the government could afford to pay only about 70% of its share to universities because of a shortage of state funds for subsidies.¹⁸⁹ [189 *RSA Policy Review*, vol 4 no 6, 1991] Mr Pienaar said that one of the effects of the subsidy cuts was that competent academic staff 'leave the educational field because they can earn more

elsewhere'.¹⁹⁰ [Ibid]

Mr Pienaar added that the cut in subsidies had caused annual increases in university tuition fees which black students had found increasingly difficult to afford. For instance, the University of Cape Town reported that its subsidy had been cut by 28% in 1990, and although the subsidy had risen in rand terms over the previous five years, the subsidy as a proportion of the university's operating budget had fallen from 75% to 64% between 1985 and 1990. In order to make up for the shortfall, the university had to increase its fees revenue from R17m in 1985 to R51m in 1990.¹⁹¹ [191 *UCT News Magazine*, vol 18 no I, May 1991]

Mr Pienaar said in July 1991 that in order to assist poorer students to pay for their studies, the government was investigating a loan scheme for such students.¹⁹² [192 *RSA Policy Review*, vol 4 no 6, 1991]

Subsidy cuts also hindered university tuition and research services. As a result of a subsidy cut of 30% (in real terms) in 1991, the council of the University of the North said it had 'no other choice but to scale down substantially on instruction and research programmes'. The council also stated that it had to cut back on student support services, and was finding difficulty in making accommodation available to staff and students.¹⁹³ [193 *Sowetan* 12 April 1991]

In view of 'the cost of unsuccessful study to the country and the personpower needs in particular fields', the education renewal strategy (ERS) document recommended that universities be 'statutorily empowered to limit student intake in designated study programmes in accordance with personpower needs'. It further recommended that an investigation be undertaken into the setting of intake limits and that it advise on whether the introduction of such restrictions should be connected to the funding of these institutions.¹⁹⁴ [194 DNE, *Education Renewal Strategy*]

The removal of the quota system (see *Overall Policy* above) was welcomed by the various universities. A University of Witwatersrand (Wits) spokesman said that although the university had never admitted students on the basis of race, the repeal of the quota system was welcomed as this would remove concern that such discrimination was applied at Wits. The vice chancellor of the University of Pretoria, Professor Danie Joubert, welcomed the removal of the quota with 'extreme gratitude'. Commenting on the removal of the quota system, Mr Pienaar said, 'In practice quotas were never applied, but the abolition proves again government commitment to acknowledging university autonomy and to remove from the statute book all measures which discriminate on the basis of race.'¹⁹⁵ [195 *The Citizen* 24 April 1991]

Student enrolment

The following table gives a racial breakdown and comparison of university student enrolment in 1980,

1985 and 1990:196 [196 *Survey* 1981 and 1985; replies from various universities; South Africa Foundation, *South Africa Information Digest*, 1991]

University student enrolment by race: 1980, 1985 and 1990 ^a

African

Coloured

University

1980

1985

1990

1980

1985

1990

Bophuthatswana

N/A

1 347

2 730

N/A

N/A

N/A

Cape Town

71

339

1 378

846

1 155

1 905

Durban-Westville

7

145

2 637

36

150

154

Fort Hare

2 698

3 211

N/A

22

22

N/A

MEDUNSA

N/A

1 040

1 649

N/A

21

8

Natal

376

994

1 818

179

239

275

The North

2 722

4 968

10 588

2

4

7

OFS

10

37

59

2

21

208

Port Elizabeth

28

47

142

39

263

463

Potchefstroom

6

51

264

3

27

11

Pretoria

N/A

6

293

2

2

92

Rand Afrikaans

3

42

161

2

63

387

Rhodes

44

378

548

53

117

136

Stellenbosch

7

15

49

81

200

686

Transkei

N/A

2 697

4 922

N/A

N/A

N/A

UNISA

2 822

17 556

40 899

10 687

3 872

4 370

Venda

N/A

1 725

N/A

N/A

N/A

N/A

Vista

N/A

54

24 697

N/A

21

300

Western Cape

18

243

3 425

3 963

6 527

8 322

Witwatersrand

360

985

2 599

169

229

321

Zululand

1 509

3 319

5 272

2

N/A

2

a

University of Bophuthatswana, Transkei and Venda gave no racial breakdowns; however, it may be assumed that the majority of students were Afri

University student enrolment by race: 1980, 1985 and 1990 ^a (continued)

Indian

White

University

1980

1985

1990

1980

1985

1990

Bophuthatswana

N/A

N/A

N/A

N/A

N/A

N/A

Cape Town

230

282

467

9 359

10 069

9 795

Durban-Westville

4 756

5 925

4 474

76

204

377

Fort Hare

N/A

2

N/A

26

48

N/A

MEDUNSA

N/A

11

117

N/A

181

235

Natal

656

1 580

2 547

7 560

8 434

8 163

The North

N/A

3

6

28

25

25

OFS

N/A

N/A

N/A

8 320

8 400

8 975

Port Elizabeth

6

28

70

2 965

3 541

4 195

Potchefstroom

2

3

12

6 687

8 725

8 271

Pretoria

N/A

8

33

16 658

19 119

22 905

Rand Afrikaans

4

3

16

4 795

6 865

8 491

Rhodes

82

140

189

2 736

2 907

3 090

Stellenbosch

4

200

20

12 071

12 922

13 367

Transkei

N/A

N/A

N/A

N/A

N/A

N/A

UNISA

5 144

8 210

8 695

N/A

46 096

50 338

Venda

N/A

N/A

N/A

N/A

N/A

N/A

Vista

N/A

19

28

N/A

19

N/A

Western Cape

152

75

474

N/A

75

184

Witwatersrand

643

974

1 664

12 071

14 118

14 564

Zululand

N/A

5

15

1

9

60

a

University of Bophuthatswana, Transkei and Venda gave no racial breakdowns; however, it may be assumed that the majority of students were Afri

Degrees awarded

According to the vice rector of the University of Pretoria, Professor Philippus Smit. of 23 015 bachelor degrees conferred in South Africa in 1989,15 746 (68%) were academic degrees compared with 7 269 (32%) which were degrees for specific professions. He said that compared with France, Japan and West Germany where degrees in science and engineering constituted 48%, 22% and 31% respectively of all degrees awarded, in South Africa these made up only 13% of all degrees. Between 1960 and 1989, he said, more than 40% of all degrees conferred were in the arts faculty and of these, more than 50% were

awarded to African students.¹⁹⁷ [197 Smit P, "The University as a Unique Partner in Training", address given at the national symposium, Pretoria, October 1991]

The following table gives a proportional breakdown of degrees awarded, by faculty, at universities in South Africa between 1975 and 1989:¹⁹⁸ [198 Commonwealth Secretariat, *Human Resource Development for a Post-Apartheid South Africa*, London, December 1990; CSS, Labour Statistics, 1991]

Degrees awarded by faculty in South Africa: 1975, 1980, 1985 and 1989

Faculty

1975

1980

1985

1989

Art

Number

7 214

9 248

12 661

13 812

Proportion

40%

41%

38%

34%

Commerce

Number

3 138

3 789

6 382

7 336

Proportion

17%

16%

19%

18%

Education

Number

3 189

4 327

7 281

10 780

Proportion

18%

19%

22%

26%

Medicine

Number

1 324

2 136

2 644

3 754

Proportion

7%

9%

8%

9%

Science and Engineering

Number

3 289

3 469

4 485

5 245

Proportion

18%

15%

13%

13%

Total

18 154

23 149

33 452

40 927

Between 1975 and 1989, the number of arts degrees conferred increased by 91% (but declined from 40% of the total number of degrees awarded to 34%) compared with a tripling in the number of education degrees awarded. Over the same period the number of medical degrees awarded more than doubled and the number of science and engineering degrees awarded increased by 59%.

The following table shows university degrees and diplomas awarded according to subject category and race for the years 1975,1980,1

University degrees and diplomas awarded: 1975, 1980, 1985 and 1987

African

Coloured

Indian

White

Agriculture

1975

2

0

0

343

1980

0

0

0

496

1985

40

6

0

658

1987

34

3

0

636

Architecture

1975

0

3

2

293

1980

4

2

73

95

1985

7

4

3

357

1987

8

4

4

506

University degrees and diplomas awarded: 1975, 1980, 1985 and 1987 (continued)

African

Coloured

Indian

White

Art

1975

0

0

6

90

(visual/

1980

1

13

3

489

performing)

1985

25

18

33

565

1987

25

15

56

571

Art

1975

434

162

163

5 342

(philosophy

1980

178

173

227

6 870

etc)

1985

1 249

595

716

7 410

1987

2 273

387

1 189

10 889

Commerce

1975

43

21

136

2 593

1980

46

34

92

3 121

1985

456

147

255

4 820

1987

227

66

221

4 592

Computer science

1975

N/A

N/A

N/A

N/A

1980

1

2

1

142

1985

1

2

1

136

1987

13

7

30

694

Education

1975

253

89

156

2 691

1980

59

83

120

4 065

1985

2 375

480

557

3 869

1987

4 188

291

747

4 443

Engineering

1975

0

5

8

895

1980

1

6

4

1 046

1985

25

15

26

1 476

1987

26

23

47

1 448

Law

1975

100

12

20

885

1980

26

14

53

1 381

1985

271

36

97

1 646

1987

280

19

93

1 784

Mathematics and

1975

88

35

97

1 863

natural science

1980

11

32

37

1 924

1985

177

93

145

2 016

1987

184

79

176

2 106

Medicine

1975

44

34

76

1 324

1980

123

28

75

2 136

1985

433

86

796

2 644

1987

507

81

236

2 725

Total

1975

964

361

664

16 319

1980

450

387

685

21 765

1985

5 059

1 482

2 029

25 597

1

The table above shows that the fields which produced the lowest proportion of black graduates compared to white graduates in 1987 were agriculture (5%), architecture (3%), computer science (6%) and engineering (6%). Nevertheless, the proportion of black graduates in agriculture increased ten-fold between 1975 and 1987 and the proportion of black graduates in engineering increased six-fold over the same period. The only field which produced a majority of black graduates compared to white graduates in 1987 was education (54%). The proportion of black education graduates increased nine-fold between 1975 and 1987. Blacks constituted only 10% of all medical graduates in 1975 but 23% in 1987. The fields which showed the smallest changes in terms of the proportion of black graduates were commerce (7% in 1975 and 10% in 1987), law (13% in 1975 and 18% in 1987) and mathematics and natural science (11% in 1975 and 17% in 1987).

Key Projections

- The Centre for Community Organisation, Research and Development (CORD) at the University of Natal in Durban said that a total of 3,8m unemployed people in the year 2000 would have educational qualifications between standards 8 and 10.

- The National Manpower Commission said that the demand for high-level manpower would grow by almost 4% a year until the year 2000.
- The cost of parity in education is estimated by Senbank to be 42% of the budget and 11% of gross domestic product.
- Universal compulsory education would require 126 617 additional teachers and 111 044 new classrooms, according to research by the South African Institute of Race Relations.
- The minister of national education and of environment affairs, Mr Louis Pienaar, said that about 325 schools a year were required to accommodate annual increases in pupil population until the year 2000.
- According to the Research Institute for Education Planning, African pupil numbers could increase from 7,7m in 1990 to 9,3m in 1995, and 11,8m in the year 2000 (when Africans would constitute more than 80% of a school population of nearly 14m).
- In the year 2000 there will be a shortage of 103 000 managers and 442 000 people with professional and technical qualifications, according to CORD.

EMPLOYMENT

Key Points

- The African economically active population increased from 5,2m in 1970 to 7,4m in 1990 (ie by 44%), while the white economically active population increased from 1,5m to 2m (ie by 32%) over the same period.
- Blacks occupied 4 987 positions in high-level manpower occupations (excluding nursing and education) in 1965 (ie 3%) and 71499 in 1989 (ie 14%).
- Ninety-three percent of semi-skilled and unskilled labour in 1965 was provided by blacks, thus filling 2m jobs. In 1989,96% (3m) was provided by blacks.
- There were 1 372 black managers in 1965, constituting 2% of all managers. This figure increased to 18 066 (9%) in 1989.
- Job opportunities in the agricultural sector decreased from 28% of job opportunities in the formal economy in 1946 to 10% in 1990; those in government increased from 7% in 1946 to 17% in 1990; and those in the manufacturing sector increased from 12% in 1946 to 19% in 1990.

- Only 9% of people entering the labour market between 1985 and 1990 were employed in the formal sector.
- The employment absorption capacity of the economy between the years 1965 and 1970 was 74%, while it was only 22% between 1980 and 1985.
- In 1990 women represented 36% of the workforce but only 13% of management.
- Only 4,5% of the top civil servants in 1991 were black and 0,6% were African.
- The average cost of living for a black family living in a South African township increased from R1 033,26 in 1990 to R1 217,31 in 1991, ie by 18%.
- The personal disposable income of whites decreased from 69% of total personal disposable income in 1960 to 53% in 1987.
- The African share of personal disposable income increased from 23% of total personal disposable income in 1960 to 35% in 1987.
- Jobs in the manufacturing sector increased by 0,3% in the period 1980 to 1989.
- The ratio of white to African real earnings in the manufacturing sector was 5,5 to one in 1972 and 3,4 to one in 1989.
- The real average expenditure per month on domestic workers' wages at 1985 prices was R146,27 in 1976 and R85,28 in 1989, ie it decreased by 42% over this period.

Economically Active Population

The Central Statistical Service (CSS) provided the following figures for the economically active population (EAP) per race group in South Africa (excluding the 'independent' homelands) for June 1970,1975,1980,1985 and 1990.¹ [¹ Central Statistical Service (CSS), *Population and Economically Active Population - Mid-Year Estimates: 1970-1990*, Statistical News Release, P0302, 29 November 1990]

Economically active population : ^a 1970-1990

1970

1975

1980

1985

1990

(000)

(000)

(000)

(000)

(000)

African

5 155

5 388

5 632

6 605

7 433

Coloured

761

852

955

1 142

1 241

Indian

191

218

251

324

350

White

1 548

1 711

1 894

1 982

2 049

Total

7 655

8 169

8 732

10 053

11 073

a

The CCS definition includes employers, working for own account workers and the unemployed

Between 1970 and 1990 the African EAP increased by 44%, the coloured EAP by 63%, the Indian EAP by 83% but the white EAP by only 32%. In the periods 1970–1975 and 1975–1980 the African EAP increased by only 5%, while in the periods 1980–1985 and 1985–1990 it rose by 17% and 13% respectively. In contrast, the white EAP increased by 11% in the periods 1970-1975 and 1975-1980 but grew more slowly in the periods 1980-1985 (5%) and 1985-1

Structure of the workforce

The share of blacks in high-level manpower occupations (accountancy, administration, architecture, arts and entertainment, education, engineering, law, management and medicine) increased from 26% (ie 4 987 positions) in 1965 to 36% (ie 71 499 positions) in 1989. However, if education and nursing were excluded, the share of blacks in high-level manpower occupations amounted to only 7% in 1965 and 14% in 1989. The proportion of blacks in middle-level manpower positions (apprentices, artisans, clerical workers, mine workers, sales workers, service workers, supervisors, technical assistants and transport workers) increased from 25% in 1965 to 49% in 1989. In 1965 blacks provided 93% of semi-skilled or unskilled labour, while by 1989 the proportion had increased to 96%. The proportion of whites in semi-skilled or unskilled positions in 1965 was 7%. By 1989 this had decreased to 4%.² [2 National Manpower Commission, *Annual Report 1990*, pp63-64]

Some 1 372 blacks made up only 2% of managers in 1965, while this figure had risen to 7 669 (5%) in 1979 and 18 066 (9%) in 1989. Twenty-three percent of supervisors were black in 1965, compared to 43% in 1979 and 40% in 1989.³ [3 National Manpower Commission, *Annual Report 1990*]

The CSS provided the following breakdown of employment in the private and public sectors from 1980 to 1990:⁴ [4 Central Statistical Service, *South African Labour Statistics 1990; Labour Statistics: Employment and Salaries and Wages*, Statistical News Releases as follows: Building Societies, Banking Institutions and Insurance Companies - December 1990, P0262, 20 March 1991; Mining and Quarrying, Manufacturing/Construction and Electricity - December 1990, P0242.1, 20 March 1991; Wholesale, Retail and Motor Trade and Hotels: December 1990, P0244, 14 May 1991; *South African Labour Statistics 1990; Employment and Salaries and Wages: Public Sector - December 1987*, Statistical News Release, P0251, 14 April 1988; March 1991, 10 July 1991]

Private sector employment: 1980–1990 a

Construction

Finance ^b

Manufacturing

Trade and catering ^c

1980

364 100

122 013

1 421 400

756 319

1982

414 100

132 419

1 508 300

764 722

1982

446 866

140 811

1 542 618

774 269

1983

428 100

149 549

1 465 800

758 091

1984

424 300

157 592

1 477 900

764 603

1985

410 100

160 857

1 428 988

755 712

1986

402 500

159 730

1 415 500

747 908

1987

407 600

161 351

1 427 800

754 944

1988

413 800

171 533

1 448 500

786 221

1989

417 200

178 974

1 458 800

812 055

1990

417 500

186 280

1 462 100

808 200

a

Excluding agriculture, domestic service and mining. The figure are for 30 June of each year

b

Including banks, building societies and insurance companies

Including accommodation, catering, motor trade, retail and wholesale trade

Public sector employment: 1980-1990

Central government ^a

Provincial administrations

Local authorities

South African Transport services ^b

Post and telecommunica-tions

1980

324 708

N/A

224 600

266 403

80 249

1981

335 022

N/A

226 700

271 488

81 892

1992

349 860

N/A

232 800

278 289

88 809

1983

3772 883

N/A

236 200

246 865

96 301

1984

390 710

N/A

235 300

240 237

100 988

1985

379 938

N/A

236 300

231 268

101 723

1986

397 227

N/A

242 100 c

218 047

103 970

1987

519 054

N/A

240 925 c

197 431

102 947

1988

511 092

226 260

247 818

184 522

101 647

1989

521 263

227 306

252 239

178 369

101 966

1990

537 259

221 198

234 462

167 291

95 777

a

Between 1980 and 1987 these figures included provincial administrations as well as general and own affairs in central government

b

In 1990 the South African Transport Services became Transnet

c

The figure for 1986 and 1987 are not comparable to figures given for other years, because of large-scale transfers of personnel between the central government and the provincial administrations in t

Public sector employment: 1980-1990 (continued)

Civil services of non-independent homelands

Parastatal and institutions

Universities and technikons

Agricultural marketing boards

Public corporations

1980

82 130

25 616

N/A

2 819

N/A

1981

99 304

25 843

N/A

2 722

N/A

1982

93 765

27 584

N/A

2 859

N/A

1983

105 770

28 940

N/A

3 191

N/A

1984

115 486

30 262

N/A

3 403

N/A

1985

121 316

26 623

N/A

3 412

N/A

1986

128 718

28 175

45 993

3 408

N/A

1987

154 556

20 832

47 573

3 144

180 516

1988

179 318

21 075

48 833

2 721

177 818

1989

195 914

21 040

50 730

2 955

134 954

1990

197 173

21 824

54 588

3 008

132 479

a

Only figure for university staff are available for 1980-1985

b

Figure for 1986 and 1987 for civil service of non-independent homelands are not comparable to figures given for the other years.

N/A—Not available

The following table indicates the available job opportunities in the various economic sectors as a proportion of total job opportunities in the formal sector in South Africa (including the ten homelands):⁵
[⁵ National Manpower Commission, *Annual Report 1990*, Central Statistical Service, *South African Labour Statistics 1991*]

Job opportunities by sector in the formal economy: 1946-1990 ^a

1946

1950

1960

1970

1980

1985

1990

Agriculture

28,2%

26,9%

22,2%

17,5%

12,3%

10,7%

9,6%

Construction ^b

1,6%

2,5%

2,7%

5,2%

5,4%

5,9%

5,9%

Domestic services

17,7%

16,9%

14,9%

14,3%

11,5%

11,1%

10,8%

Electricity and gas

0,6%

0,6%

0,7%

0,7%

1,0%

1,2%

1,1%

Finance

1,3%

1,5%

2,6%

3,1%

3,9%

5,0%

5,6%

Government

7,4%

7,1%

9,5%

10,2%

13,1%

14,4%

16,6%

Manufacturing ^b

11,5%

13,5%

13,8%

17,6%

19,6%

19,1%

19,0%

Mining

13,7%

12,4%

12,9%

10,7%

10,3%

10,1%

9,0%

Private social services

2,1%

2,0%

2,9%

3,0%

3,5%

3,6%

4,0%

Trade and catering

9,4%

9,6%

11,0%

12,0%

12,7%

12,3%

12,8%

Transport

6,5%

6,6%

6,8%

5,9%

6,7%

6,6%

5,5%

a

Rounded; figures may, therefore, not add up to 100%.

b

Figures

Job opportunities in the agricultural sector and domestic services declined by 66% and 39% respectively between 1946 and 1990. The largest increases in job opportunities between 1946 and 1990 occurred in the finance sector (331%) and construction (269%). Job opportunities in the government and

manufacturing sectors increased by 124% and 65% over the same period. In 1990 the government and manufacturing sectors provided the most job opportunities in the formal economy, whereas agriculture and domestic services had provided the most job opportunities in 1946.

Foreign workers

In its 1990 report the National Manpower Commission (NMC) stated that 13 828 new immigrants entered the country during the period June 1989 to June 1990. Immigration in the period June 1989 to June 1990 increased by 37% compared with June 1988 to June 1989. Emigration decreased by 17% over the same period. There was, therefore, a net gain of 9 008 immigrants between June 1989 and June 1990, compared to a net gain of 4 286 between June 1988 and June 1989 (see also chapter on *Population*).⁶ [⁶ National Manpower Commission, *Annual Report 1990*, p43] In 1990 the majority of immigrants came from the United Kingdom, followed by Portugal, Zimbabwe and Taiwan.⁷ [⁷ *Finance Week* 11 April 1991]

A spokesman for the Department of Home Affairs provided the following figures on deportations in 1990: 569 aliens were returned to Botswana, 3 832 to Lesotho, 42 330 to Mozambique, 1 225 to Swaziland and 5 363 to Zimbabwe. A total of 53 319 illegal immigrants were repatriated in 1990.⁸ [⁸ *The Star* 5 April 1991]

As at 30 June 1986, the latest date for which information was available, there were 378 125 foreign workers from neighbouring states (excluding the 'independent' homelands) employed in South Africa. Some 37% came from Lesotho.⁹ [⁹ 1989/90 *Survey* p624]

The following list of occupations to which immigrants would be admitted because of critical manpower shortages was compiled by the NMC in 1990:¹⁰ [¹⁰ National Manpower Commission, *Annual Report 1990*, p44]

- engineers: chemical, civil, electrical, electronics, industrial, mechanical, metallurgical, mining and transport;
- engineering technicians: electrical, electronics, industrial, instrumentation and mechanical;
- mechanical and textile engineering technologists and natural science technologists;
- computer science occupations: computer programmer, computer systems analyst, computer systems coordinator, computer systems designer and software systems engineer;

- artisans: electrician (engineering, construction, and telecommunications), electronics technician, instrument maker, instrument technician and tool maker; and
- general: accountant (registered), general medical practitioner, metallurgist and photolithographer

The Aliens Control Act, which was passed in 1991, consolidated legislation relating to the control of aliens. It emphasised the need for proper control measures to protect the local labour market and the duty of the state to maintain peace and order in the country by acting appropriately against aliens who 'misused the country's hospitality'. The minister of home affairs, Mr Eugene Louw, declared in May 1991 that more punitive measures would have to be taken to constrain employers 'from exploiting the weak economic situation across our borders at the expense of the local labour market for purposes of cheap labour'.¹¹ [¹¹ *Hansard* (A) 19 cols 10935-10936, 28 May 1991] He believed it was important to maintain a balance between the protection of the local labour market and the admission of immigrants who could be assets to South Africa, especially in creating job opportunities. Each skilled person or fully trained artisan could create jobs for ten unskilled people, he said.¹² [¹² *Ibid* col 10937, 28 May 1991]

The Aliens Control Act also made provision for the South African government and the administrations of the four 'independent' homelands to enter into agreements 'regarding the entry and departure of persons at unmanned ports of entry'. Because of the large number of entry points between South Africa and the four 'independent' homelands, the act placed greater emphasis on the internal control of aliens.¹³ [¹³ *Ibid* cols 10936-10937, 28 May 1991]

The head of international affairs of the African National Congress (ANC), Mr Thabo Mbeki, suggested in Harare (Zimbabwe) in April 1991 that because a new South Africa would suffer from unemployment, migrant labour from the neighbouring countries might be adversely affected. He emphasised, however, that reducing migrant labour from neighbouring states would not be appropriate as South Africa needed to play a constructive role in the southern African region.¹⁴ [¹⁴ *Business Day* 25 April 1991, *Eastern Province Herald* 25 April 1991]

Migrant workers and hostels

Although influx control was abolished in 1986 the incidence of migrancy continued to remain high in many industries, including mining and construction. From 1986 to 1990 the average number of migrants employed on gold and coal mines affiliated to the Chamber of Mines of South Africa fluctuated by less than 15% on each side of the 500 000 mark.¹⁵ [¹⁵ Chamber of Mines of South Africa, *100th Annual Report*, Johannesburg, 1989] Research conducted by the South African Institute of Race Relations, which was published in 1991, suggested that employment of foreign migrants on the mines would continue to

decline. However, the rate at which foreign workers would be phased out would be partly determined by the success of the mining houses in training and retraining skilled South African labour (most skilled labourers on the mines were foreigners) and by the successful recruitment of skilled labour from the vicinity of the mines. The Institute said that spiralling unemployment in both urban and rural areas in South Africa was encouraging the recruitment of more labour from within South Africa.¹⁶ [¹⁶ Jooma A, *Migrancy After Influx Control*, Johannesburg, South African Institute of Race Relations, 1991, pp99-100]

According to the Institute, the constraints on the elimination of migrancy were the absence of jobs in the homelands and rural areas, as well as the dependence of major sectors of the economy on apparently cheap migrant labour. There were also huge backlogs in basic infra-structure and services, and land and urban housing, which militated against migrant workers and their families settling permanently in the urban areas (see also chapter on *Housing and Urbanisation*).¹⁷ [¹⁷ *Ibid*]

Of 57 000 married miners surveyed by the Anglo American Corporation of South Africa in 1988, some 58% would not or could not become urbanised within three years.¹⁸ [¹⁸ *Ibid* p59] The Institute's research found that the reluctance on the part of many migrants to become urbanised was an additional constraint. It said that apart from the housing shortage, other reasons for this reluctance were migrant workers' desire not to abandon extensive networks of people in the rural areas who depended on their earnings. Older migrants who had invested in cattle, housing and land in the homelands were also reluctant to move their families to the urban areas, according to the Institute. Furthermore, many migrants thought that the urban townships were not suitable environments for their families.¹⁹ [¹⁹ *Ibid* p59, 103]

The Institute said that the mining houses envisaged that hostels would remain a feature of mining as the majority of miners would continue to be unmarried migrants. Reluctance to become urbanised was an additional reason for the continued existence of hostels. Trade unions affiliated to the Congress of South African Trade Unions (COSATU) were likely to emphasise workers' consent in negotiations with employers involving family housing and could demand that employees be given the opportunity of using company housing assistance in rural areas.²⁰ [²⁰ COSATU housing seminar, Labour Economic Research Committee, 8 June 1989]

Early in 1991 an informal agreement was reached by the government, the ANC and the Inkatha Freedom Party to phase out the hostel system.

The South African Hostel Dwellers' Association was launched in May 1991 with the purpose of opposing the demolition of hostels, which had been demanded by the South African Council of Churches and COSATU in September 1990 (see also chapter on *Housing and Urbanisation*).²¹ [²¹ *Saturday Star* 18 May 1991, *Echo* 73 May 1991]

Mining

According to the 1990 annual report of the Department of Mineral and Energy Affairs, the average number of persons employed on all mines in South Africa during 1990 was 715 170, compared with 740 804 in 1989. The 1990 figure represented a decrease of 13% on the 1980 employment figure, which was 824 432.²² [22 1981 *Survey* p149] The reduction in employment on the mines was attributed to the rationalisation of labour on the gold mines resulting from the persistently low gold price. The distribution of mineworkers was as follows:²³ [23 Department of Mineral and Energy Affairs, *Annual Report 1990*, p20]

Distribution of mineworkers in South Africa (excluding the ‘independent’ homelands) 1990

Coal mines

102 304

Gold mines

484 738

Other mines

127 128

Total

715 17

The number of migrant workers employed on the Chamber of Mines’ coal and gold mines continued to decline in 1990, as shown below:

Migrant workers on Chamber of Mines’ member coal mines: 1980, 1985 and 1990

Proportional

proportional

increase

increase

(decrease)

(decrease)

Place of origin

1980

1985

on 1980

1990 *c*

on 1985

Bophuthatswana

385

348

(15%)

178

(49%)

Botswana

1

9

800%

2

(78%)

Ciskei ^a

N/A

2 418

N/A

1 202

(50%)

Lesotho

12 390

9 803

(21%)

5 720

(42%)

Malawi

277

207

(25%)

41

(80%)

Mozambique

1 453

1 572

8%

1 236

(21%)

'South Africa' b

37 981

35 635

(6%)

26 245

(26%)

Swaziland

591

648

10%

447

(31%)

Transkei

11 326

9 115

(20%)

5 404

(41%)

Venda

63

50

(21%)

43

(14%)

Zimbabwe

16

5

(69%)

2

(60%)

Other areas

4

—

—

—

—

Total

64 487

59 810

(7%)

40 520

(32%)

Migrant workers on Chamber of Mines' member gold mines: 1980, 1985 and 1990

Proportional

proportional

increase

increase

(decrease)

(decrease)

Place of origin

1980

1985

on 1980

1990 ^c

on 1985

Bophuthatswana

12 995

14 497

12%

10 862

(25%)

Botswana

17 763

18 079

2%

14 918

(17%)

Ciskei ^a

N/A

13 167

N/A

9 225

(30%)

Lesotho

96 309

97 639

1%

98 200

1%

Malawi

13 569

16 849

24%

29

(100%)

Mozambique

39 539

50 126

27%

43 172

(14%)

'South Africa' b

103 029

93 332

(9%)

103 538

11%

Swaziland

8 090

12 365

53%

16 387

33%

Transkei

114 574

132 869

16%

98 924

(26%)

Venda

2 490

2 357

(5%)

1 713

(27%)

Zimbabwe

5 770

—

(100%)

—

—

Other areas

1 409

5

—

—

—

Total

415 537

451 285

9%

396 968

(12%)

a

Figures for 1980 included in 'South Africa'

b

Excluding 'independent' homelands, except for 1980 figures which include the Ciskei

c

1990 figures exclude monthly paid staff, ie salar

Approximately 59% of the total number of migrant employees on the coal and gold mines in 1990 were from South Africa. The highest proportion (24%) of foreign workers on both gold and coal mines in 1990 came from Lesotho.²⁴ [²⁴ Chamber of Mines of South Africa, *Annual Report* 1990]

Almost 90% of the mineworkers on South African mines in 1990 were semi-skilled or unskilled men from rural areas of southern Africa. The chamber estimated that the earnings of these employees (60% of which ended up in economically depressed areas) supported about 4m people as well as the regional economies of their home areas. In 1980 the chamber's average monthly pay to unskilled and semi-skilled workers was R170.²⁵ [²⁵ 1981 *Survey*, p150] By 1990 this amount had increased by 395% to R841, while fringe benefits were valued at about R302 a month per employee.²⁶ [²⁶ Chamber of Mines of South Africa, *Annual Report* 1990]

The amounts paid out to mineworkers by The Employment Bureau of Africa (TEBA) between January and December 1990 were as follows:²⁷ [²⁷ *Ibid*]

Amounts paid out by TEBA's regional offices: 1989 and 1990

1989

1990

Proportional

Rm

Rm

increase (decrease)

Bophuthatswana

13,2

19,8

50%

Botswana

19,6

18,5

(6%)

Cape province

5,0

6,2

24%

Ciskei

2,9

3,6

24%

Gazankulu

1,0

1,3

30%

KaNgwane

0,4

0,6

50%

KwaZulu and Natal

15,5

15,6

1%

Lebowa

2,0

2,4

20%

Lesotho

408,4

472,4

16%

Malwi ^a

17,0

1,4

(92%)

Mozambique

114,3

139,4

22%

Orange Free State

1,2

3,6

200%

QwaQwa

2,7

2,7

0%

Swaziland

16,1

17,8

11%

Transkei

81,3

101,5

25%

Transvaal

6,5

8,0

23%

Venda

0,6

0,6

0%

Total

707,7

815,4

15%

a

No recruitment of mineworkers took place in Malawi after February 1988, following a decision by the government of Malawi to continue facilitating the recruitment of its citizens for migrant wo

Job advancement

The following table provides a racial breakdown of high- and middle-level manpower in the non-agricultural sectors in 1985:²⁸ [Manpower surveys. Department of Manpower, 1987]

Racial composition of the non-agricultural sector of the economy in 1985

High-level

High-level

Middle-level

Semi/unskilled

occupations ^a

occupations ^b

occupations

occupations

African

Total

18 370

136 596

341 715

2 456 338

Female

2 828

96 746

67 213

331 160

Coloured

Total

11 372

43 630

171 118

393 288

Female

2 433

31 095

58 580

147 660

Indian

Total

12 754

13 019

81 674

90 832

Female

1 4727

6 609

19 499

34 521

White

Total

419 218

111 996

889 690

168 609

Female

62 718

78 652

375 905

63 644

All races

Total

461 714

305 241

1 484 197

3 109 067

Female

69 451

213 102

521 197

576 985

a

Accountants, auditors, agriculturist, architects and surveyors, engineers, lawyers, medical doctors, paramedics, priest, scientists, technicians and technologists.

b

Nurses and educationalists

Africans occupied only 4% of all high-level positions (excluding nursing and teaching) in 1985; coloured people, 2,5%; Indians, 2,8%; and whites, 90,7%. African women occupied only 0,6% of all high-level positions (excluding educationalists and nurses) in 1985; coloured women, 0,5%; Indian women, 0,3%; and white women, 13,6%. The discrepancy in the racial breakdown was less acute in middle-level positions. Africans occupied 23% of middle-level positions, while African women comprised 4,5% of these positions. Coloured people comprised 11,5% of middle-level manpower (coloured women, 3,9%); Indians, 5,5% (Indian women, 1,3%); and whites, 59,9% (white women, 25,3%). Africans provided 79% of the semi-skilled and unskilled labour in the non-agricultural sectors in 1985; coloured people, 12,6%; Indians, 2,9%; and whites, 5,4%.

In a discussion document published in June 1991 the Democratic Party (DP) proposed a special ministry for women which would make legislative proposals that would eliminate discrimination. Alternatively, the DP study group, headed by Mrs Dene Smuts MP (DP), recommended that women's desks be set up in every government department. These would be responsible for analysing every cabinet proposal and its impact on women. The discussion document called for an all-party commission on women during the transitional period, and a clause in the constitution that would enable the government to institute affirmative action as a temporary measure to rectify exis

Private sector

A survey conducted among South Africa's top 100 companies by the Business School of the University of the Witwatersrand (Wits) in 1991 found that women made up only 13% of management and less than 1% of board members, although they represented nearly 36% of the workforce. A lecturer at the Wits Business School, Mr M Bendixen, said in May 1991 that in 1990 there should have been three times as many women in managerial positions than there actually were.³⁰ [³⁰ *Business Day* 17 May 1991]

The minister of manpower, Mr Eli Louw, said in March 1991 that employers could not be expected to employ or promote people without the requisite qualifications and expertise. Such actions would be an extreme form of paternalism and undermine productivity. However, Mr Louw recognised the necessity of affirmative action programmes, especially accelerated task-orientated training and better utilisation of training facilities in the long term.³¹ [³¹ *Finance Week* 14 March 1991]

A study by the School of Business Leadership of the University of South Africa in 1990 revealed that only 2,2% of managers and less than 1% of senior managers in South Africa's top 100 companies were African. Coloured people and Indians comprised 2,6% and 3,3% of management respectively.³² [³² *Update Sixteen*, 1991, p5]

In May 1991 the first African woman advocate in the western Cape, Ms Nona Goso, was admitted to the Bar.³³ [³³ *The Star* 23 May 1991] The first African woman conveyancer, Ms Selemeng Mokose, qualified

in June 1991. She was only the second African conveyancer in South Africa, the first, Mr Victor Ntlhoro, also being admitted in 1991.³⁴ [³⁴ Ibid 25 June 1991]

The chairman of the public accountants and auditors' board, Mr Gavin Brown, said in May 1991 that more had to be done to attract black entrants into public accountancy. The first black person had been appointed in 1991 to the executive committee of the board.³⁵ [³⁵ *The Citizen* 8 May 1991]

The Association of Black Accountants of South Africa (ABASA) announced in July 1991 that the number of African chartered accountants in South Africa had increased from 29 in 1990 to 42 in 1991.³⁶ [³⁶ *Sowetan* 26 July 1991]

A visiting professor at the Wits Business School, Dr David Hunt, stressed in the same month that the main issue in South Africa was not black advancement but management development. South Africa needed about 200 000 new managers by 2010, he said. Dr Hunt pointed out that the only pools of labour available for development were blacks and women, since the pool of white males was already fully utilised.³⁷ [³⁷ Hunt D, 'Mentoring', *Business Alert*, no 127, July 1991, pp2-3]

It was reported that the shortage of managerial manpower would be further exacerbated by the removal of sanctions and violence, and the return of foreign investment, which would necessitate an additional 150 000 executives by the year 2000. The managing director of Woodburn Mann, Mr Trevor Woodburn, said in July 1991 that even if the white population filled all the posts it could, it would account for only 45 000 to 50 000 of these additional jobs. The remaining 66% of the executive corps would have to come from other population groups, he argued.³⁸ [³⁸ *Business Day* 3 May 1991]

In August 1991 the executive director of the National African Federated Chamber of Commerce and Industry, Mr Mofasi Lekota, emphasised that affirmative action should not mean dropping standards or excluding whites from jobs.³⁹ [³⁹ *Sowetan* 1 August 1991] According to the general secretary of the Foundation for African Business and Consumer Services, Mr Joas Mogale, linking affirmative action to tokenism only created a feeling of inadequacy and failed to prepare Africans for all aspects of management, a task which he thought should form an integral part of affirmative action.⁴⁰ [⁴⁰ Telephonic interview with the general secretary of FABCOS, Mr Joas Mogale, 1 August 1991] The community manager at The South African Breweries, Mr Windsor Shuenyane, said in the same month that many Africans had expectations of advancement based on a culture of entitlement, which served only to alienate them further when their expectations were not met immediately. Affirmative action had to be based on merit if it was to contribute to African advancement and hence African empowerment, he believed.⁴¹ [⁴¹ Telephonic interview with the community manager of the South African Breweries, Mr Windsor Shuenyane, 14 August 1991]

Public sector

In reply to a question in Parliament, the minister of justice, Mr Kobie Coetsee, said that as at December 1990 there were no black regional magistrates in South Africa (excluding the ten homelands). However, out of a total of 829 magistrates, two (0,2%) were African, five (0,6%) were coloured, and 11 (1,3%) were Indian.⁴² [⁴² *Hansard* (A) 9 q cols 781-782, 27 March 1991] According to Mr Coetsee, there were 41 African (3,8%), 64 coloured (6%), and 26 Indian (2,4%) prosecutors out of a total of 1 069 regional prosecutors in December 1990.⁴³ [⁴³ *Ibid* cols 782-783, 27 March 1991]

In November 1990 the first African director on the board of the South African Reserve Bank, Professor Oehm Nxumalo, was appointed by the state president:⁴⁴ [⁴⁴ *The Citizen* 3 November 1990]

Mrs Zelda Moletsane was sworn in as one of South Africa's first African women magistrates in May 1991.⁴⁵ [⁴⁵ *Ibid* 9 May 1991]

Mr Ismail Mahomed was appointed a judge of the Transvaal Provincial Division of the Supreme Court in August 1991, thus becoming South Africa's first black judge.⁴⁶ [⁴⁶ *Sowetan, The Star* 12 August 1991]

In May 1991 Mr Robin Carlisle MP (DP) highlighted the crisis in black management. Of the 3 239 top civil servants, 146 (4,5%) were black and only 18 (0,6%) were African. Mr Carlisle said that the Department of Manpower had no blacks employed among its top 100 staff members. He pointed out there was only one African on the National Training Board and none on the National Manpower Commission. He added that there was only one African on the Unemployment Insurance Fund Board and none on its management committee. Mr Carlisle proposed a three-point plan to the minister of manpower:⁴⁷ [⁴⁷ *Hansard* (A) 15 cols 8224-8225, 10 May 1991]

- that his department adopt a strategy for management development;
- that his department adopt a strategy for black advancement and that it lead by example; and
- that his department offer encouragement and advice to the private sector in respect of developing black managers.

The Department of Foreign Affairs appointed its first black ambassador, Mr Conrad Sidego, to Denmark in July 1991.⁴⁸ [⁴⁸ *The Star* 19 July 1991] It was estimated that of more than 1 000 diplomats in the

Department of Foreign Affairs, only 40 were black.⁴⁹ [⁴⁹ *Business Day* 12 June 1991]

Unemployment

Statistics

The Central Statistical Service (CSS) discontinued the publication of official unemployment statistics for Africans in August 1990, as they failed to reflect the increase in unemployment. According to the CSS, unemployment and underemployment figures at June 1989 and June 1990 for coloured people and Indians living in South Africa (excluding the 'independent' homelands) were as follows (proportion of economically active population (EAP) indicated in brackets):⁵⁰ [⁵⁰ Central Statistical Service (CSS), *Current Population Survey: Development Regions and Provinces: Coloureds - June 1990*, Statistical News Release, P0342, 18 September 1990; *Current Population Survey: Development Regions and Provinces: Indians - June 1990*, Statistical News Release, P0343, 25 September 1990; 1989/90 *Survey*, p633]

Number of people unemployed and underemployed: June 1989 and June 1990

EAP

Unemployed

Underemployed

(000)

(000)

(000)

Coloured

1989

1 205

95 (8%)

4 (0,3%)

1990

1 248

99 (8%)

3 (0,2%)

Indian

1989

320

20 (6%)

1 (0,3%)

1990

326

16 (5%)

1 (0,3)

People under the age of 25 years constituted 59% of the coloured unemployed in June 1990, but by February 1991 this proportion had declined to 53%. Unemployment figures for the coloured population decreased by 1% between June 1990 and February 1991. Indians under the age of 25 years constituted 69% of Indian unemployed in June 1990 and 63% in February 1991.⁵¹ [51 Central Statistical Service (CSS), *Current Population Survey: Development regions and Provinces: Coloureds - February 1991*, Statistical News Release, P0342, 30 May 1991; *Current Population Survey: Development Regions and Provinces: Indians - February 1991*, Statistical News Release, P0343, 4 June 1991]

Registered unemployment decreased between 1986 and 1991. According to the National Manpower Commission (NMC), this could be attributed to the capacity of the informal sector to absorb people, as well as to statistical shortcomings.⁵² [52 National Manpower Commission, *Annual Report 1990*] The numbers

of registered unemployed people each year from 1986 to 1990 in South Africa (excluding the 'independent' homelands) were as follows:⁵³ [⁵³ Ibid]

Registered unemployed (seasonally adjusted): 1986-1990

1986

1987

1988

1989

1990 ^a

African

52 115

61 249

67 116

70 031

76 235

Coloured

34 050

29 767

22 927

19 563

22 448

Indian

13 698

10 881

9 601

7 889

8 000

White

30 208

27 900

22 851

19 975

19 840

Total

130 071

129 797

122 495

117 458

126 523

a

Average over fir

According to the unemployment insurance commissioner, Mr Jack Scheepers, claims for Unemployment Insurance Fund benefits for the period January to August 1991 (R803m) increased by 45% compared to

the same period in 1990 (R553m). Mr Scheepers said that the fund had received about 64 000 new applications each month between January and August 1991, compared to 53 000 new applications each month for the same period in 1990. In the first eight months of 1991 payments exceeded R100m a month.⁵⁴ [⁵⁴ *Business Day* 18 September 1991]

Figures provided by the Development Bank of Southern Africa (DBSA) in August 1991 showed that 30% of the EAP in the formal sector in the ‘independent’ homelands was unemployed in 1989. This figure decreased slightly in 1990 to 29,7%. The following table gives a breakdown of the unemployed in the ‘independent’ homelands:⁵⁵ [⁵⁵ Telephonic interview with Mr David Viljoen, 13 July 1990; telephonic interview with Mr Andries Mouton, 15 August 1991]

Register unemployed in the formal sector in the ‘independent’ homelands: 1989 and 1990

	1989	1990
Proportion		
Proportion		
Unemployed		
of EAP		
unemployed		
of EAP		
Bophuthatswana	131	32%
	133	32%
Ciskei		

47

29%

48

29%

Transkei

98

28%

98

27%

Venda

26

33%

27

32%

The NMC said in its annual report in 1990 that South Africa (including the ten homelands) had an estimated EAP of 12,5m people, of whom 8m were employed in the formal sector in 1990. Of the remaining 4,5m, 1m were involved in the informal sector of the 'independent' homelands, 2m to 2,5m were involved in the informal sector in 'South Africa', and 1m to 1,5m had no form of employment.⁵⁶ [56
National Manpower Commission, *Annual Report 1990*]

The DBSA said in June 1991 that the formal sector's capacity to employ the emerging labour force had declined significantly between 1985 and 1990. The DBSA said that of the 366 000 people entering the labour market annually, the formal sector employed only 33 000 or 9%. This implied that the formal sector could accommodate less than 100 of the 1000 people entering the labour market each day. The employment absorption capacity of the economy in the period 1965–1970 was 74% of people entering

the labour market and in the period 1980–1985, 22%. The DBSA argued that an annual growth rate of 7% was necessary to absorb the yearly increase in the workforce of about 2,8%.⁵⁷ [⁵⁷ *Business Day* 28 June 1991]

The head of the Economic Research Unit at the University of Natal, Professor Gavin Maasdorp, claimed in May 1991 that employment opportunities in South Africa were at their worst since the depression of the 1930s.⁵⁸ [⁵⁸ *The Weekly Mail* 24 May 1991] However, the chief economist of Nedcor, Mr Edward Osborn, maintained in June 1991 that unemployment in South Africa (excluding the ‘independent’ homelands) could be as low as 18% of the economically active population or 1,5m people, if agricultural employees (1,3m), domestic workers in towns (780 000) and domestic workers on farms (80 000) were added to non-agricultural employees (

At a seminar on wage restraint held in Johannesburg in May 1991, the special adviser to the minister of finance, Dr Japie Jacobs, estimated that about 4,6m people (more than 40% of the EAP of 11,2m in South Africa, excluding the ‘independent’ homelands) were not employed in the formal sector South Africa’s EAP was increasing at a rate of 2,6% annually. The general secretary of the South African Clothing and Textile Workers’ Union, Mr John Copelyn, claimed in the same month that the formal sector was shedding jobs at a rate of 1 300 a day.⁶⁰ [⁶⁰ *Business Day* 24 May 1991, *Daily Dispatch* 25 May 1991]

The chief economist of Sanlam, Mr Johan Louw, said in May 1991 that the problem of growing unemployment was related to low domestic fixed investment (the real force behind economic growth and job creation) which South Africa had experienced since 1982 with only a slight recovery in 1987 and 1988. Only one out of every ten entrants could be employed in the formal sector in 1991, he added.⁶¹ [⁶¹ Sanlam, *Economic Survey*, May 1991] The Bureau for Economic Research (BER) at the University of Stellenbosch estimated that unemployment in 1990 was 29% of the EAP. It said that by 1996, 4,8m people out of an EAP of 13,3m would be unemployed.

An indication of the scale of the unemployment crisis in South Africa during the period under review was the large number of retrenchments of senior executives. The managing director of Search Outplacement (an employment agency), Mr Monty Woods, said in May 1991 that the number of highly skilled people looking for jobs, together with a drop in the number of available positions, was making it extremely difficult for retrenched employees to find work.⁶² [⁶² *Business Day* 21 May 1991] Employment agencies estimated in April 1991 that the number of new placements had dropped by about 50% since the middle of 1990.⁶³ [⁶³ *The Weekly Mail* 26 April 1991]

Job creation

In May 1991 the minister of manpower, Mr Eli Louw, re-affirmed the government's commitment to job creation at all levels. In April 1991 it was announced that a further R1bn over and above the budgeted amounts would be made available within the next year for special projects. Mr Louw said in Parliament in May 1991 that a substantial part of the funds would be allocated to job creation.⁶⁴ [⁶⁴ *Hansard* (A) 15 col 8140, 10 May 1991] In August 1991 the minister for economic co-ordination and public enterprises, Dr Dawie de Villiers, approved 667 projects, which would provide an estimated 60 000 jobs over a period of 15 months. The special job-creation programme of the Department of Manpower was to receive R20m from the R1bn allocated for socio-economic development in August 1991.⁶⁵ [⁶⁵ *Finance Week* 29 August 1991]

Between April 1985 and 1990 the government provided R719m for the special job-creation programme and R440m for the training of unemployed people. During the 1990/91 financial year R150m was made available for the special job-creation programme, R75m of which was for the training of unemployed people.⁶⁶ [⁶⁶ National Manpower Commission, *Annual Report* 1990] Funds for job-creation programmes were allocated to various departments and administrations as follows:⁶⁷ [⁶⁷ Department of Manpower, *Annual Report* 1990, p103]

Allocation of job-creation programme funds to department or administrations: 1990/91

Departments/administrations

Rm

Administrations:

House of Assembly

1,5

House of Delegates

5,0

House of Representatives

7,5

Development Aid

8,3

Foreign Affairs

8,8

Manpower

12,9

Provincial administrations:

Cape province

7,1

Natal

6,3

Orange Free State

6,3

Transvaal

6,3

Reserve fund

0,3

Allocations deferred by the Department of Finance

5,0

Total ^a

75,0

a

Rounded; figures may, therefore, not add up

In 1990/91 the Department of Manpower allocated nearly R13m to private undertakings or persons for job-creation projects for unemployed people in order to improve standards of living and to alleviate unemployment in underdeveloped communities. Some 78 projects were financed through the private sector during this period and a total of 783 638 mandays were worked by 114 202 workers.⁶⁸ [⁶⁸ Ibid] From the inception of the special job-creation programme in 1985 to September 1990 about R461m had been invested in the training of 1,3m unemployed persons. Approximately 30% were placed in employment and most of the remainder began working for themselves.⁶⁹ [⁶⁹ National Manpower Commission, *Annual Report 1990*, p32]

During 1990 the Department of Manpower emphasised the creation of fixed assets in underdeveloped communities as integral to the job-creation programme. The programme was responsible for, among others, the provision of the following: classrooms, clinics, community centres, crèches, low-cost housing, old-age homes and training facilities, as well as the building of dams, the combating of soil erosion, the laying on of electricity and water in underdeveloped communities and nature conservation. During 1990 a total of 49 022 people were employed on job-creation projects. Based on a 30% placement figure, the average cost of training and placing one unemployed person was R1 686 for the period 1 November 1989 to 31 October 1990.⁷⁰ [⁷⁰ Ibid]

The report of the NMC emphasised the importance of the small business sector in job creation. It was estimated that it cost about R3 559 to create one new job opportunity in the small business sector, compared with a cost of R36 251 in the economy as a whole (excluding agriculture).⁷¹ [⁷¹ Ibid] Employment opportunities created by development corporations and other statutory bodies in the non-independent homelands in 1989/90 were

Employment opportunities created by development corporations/statutory bodies in the non-independent homelands:1889/90

Gazankulu

1 467

KaNgwane

773

KwaNdebele

2 236

KwaZulu

1 737

Lebowa

2 333

QwaQwa

2 583

Total

11 129

Of the job opportunities created, 2 932 (26%) were in commerce and services, 962 (9%) were in the housing sector, 2 315 (21%) were in large-scale industry and 2 839 (26%) in small industry.

A study commissioned by Eskom and undertaken by the Bureau of Economic and Political Analysis of the University of Pretoria, the results of which were published in April 1991, found that a massive electrification campaign could create 1m new jobs indirectly by the year 2000. The study added that 2,5m new jobs in the electricity supply sector could be created by the year 2015.⁷³ [⁷³ *Business Day* 25 April 1991] The head of the Department of Informatics at the University of Pretoria, Professor Dewald Roode, predicted in the same month that the information technology industry would create opportunities for at least 60 000 people by the year 2000. He said that if the growth rate in the 1990s was higher than that of the 1980s, the demand for information technology could be substantially higher and even more jobs could be created.⁷⁴ [⁷⁴ *Enterprise* April 1991]

A study by the Industrial Development Corporation indicated that employment creation in the manufacturing sector grew by an average of only 0,3% in the period 1980-1989, compared with growth of 5,4% in the 1960s and 3% in the 19

Skills and training

Skills shortages

The net occupational migration figures for 1990 indicated that while skilled local workers continued to leave, a net increase occurred in all the occupational categories outlined in the table below. There was a net increase of 340 engineers and related technologists in 1990. In the same year South Africa had a net gain of 120 medical and dental practitioners, as well as a gain of 43 accountants and related workers, which was the first such gain since 1984 (see also chapter on *Population*).

According to the Central Statistical Service, the following number of professional people left South Africa in 1989 and 1990 (with the net gain in each occupational category owing to immigration also provided):⁷⁶ [76 Central Statistical Service, *South African Labour Statistics 1990-, Tourism and Migration: December 1990*, Statistical News Release, P0351, 11 March 1991]

Emigrants by occupation: 1989 and 1990

Occupation

Emigration

Net gain

Emigration

Net gain

Professional, semi-profertional and technical

1 043

367

975

887

Managerial, executive and administration

217

476

222

598

Clerical and sales

498

826

535

1 349

Transport, delivery and communication

18

12

17

26

Service

53

135

58

209

Farm and related

18

40

10

63

Artisans, apprentices and related

288

141

359

797

Production foreman and supervisor, miner and quarry worker, operation, production and related

49

147

80

221

Occupation unspecified and not classified elsewhere

188

177

121

200

Total

2 372

2 721

2 377

4 350

Total not economically active

2 537

3 638

2 345

1 568

Grant total

4 911

6 359

4 722

5 918

A survey in 1991 by Market Research Africa found that 250 000 urban white South African adults saw themselves as potential emigrants in the next five years. According to the managing director of Market Research Africa, Mr Clive Corder, this could result in the loss of skills vital to the development of South Africa, and greater reliance on black skilled labour than ever before.⁷⁷ [⁷⁷ *The Citizen* 23 July 1991]

The national president of the South African Institution of Civil Engineers (SAICE), Mr Louis de Waal, said in December 1990 that the number of civil engineers graduating annually in South Africa had to increase by at least 50% if the country was to 'compete with the world's winning nations'. In South Africa the number of engineers graduating each year was 35 per million people, in comparison with 500 per million in Japan and 370 per million in the United States.⁷⁸ [⁷⁸ *Growth*, December 1990] The chairman of the engineering education and training committee, Mr Cliff McMillan, claimed in April 1991 that engineering education was the clearest creator of wealth. Delegates at the annual congress of the SAICE in Cape Town in April 1991 voted unanimously for a long-term national strategy to attract more

engineering students and to improve the quality of their education and for the restoration of a ministry of technology.⁷⁹ [⁷⁹ *Cape Times* 11 April 1991]

The chief executive of Trust Bank, Mr Chris van Wyk, estimated in the same month that the economy would need 20 000 more accountants by the year 2000. While almost 500 chartered accountants qualified each year, Dr Van Wyk said that almost the same number was lost through emigration.⁸⁰ [⁸⁰ *Growth* December 1990]

According to the 1989 *Manpower Survey*, high vacancy rates were experienced in the professional, semi-professional and technical occupations (5,7%) and in the communications, delivery and transport occupations (4,3%). The National Manpower Commission (NMC) provided the following vacancy rates according to level of skills in M

Vacancies according to skills level: 1989

Number of
Proportion of
vacancy
Occupational group
vacancies
total jobs
rate
High-level manpower
44 065
28%
4,8%
Middle-level manpower
52 550

34%

2,4%

Low-level manpower

60 141

38%

1,9%

Total

156 756

100%

2,5%

The NMC said in its annual report for 1990 that it expected the demand for high-level manpower to increase by 3%-4% a year until the year 2000 if the country had a growth rate of 2,7% a year until then. The white male population, which provided the highest proportion of high-level manpower, would increase only at a rate of 1,2% a year, thus making it imperative to utilise other race groups in order to curb expected shortages. The NMC suggested continued retraining, education reform, career mobility, and the alleviation of the administrative burden on high-level manpower through the support of middle- and low-level manpower, in order to cope with the skills shortages.⁸² [⁸² Ibid]

Demand for middle-level manpower was expected to increase by 2%-3% a year, especially for artisans, foremen, sales workers, service workers and supervisors. Although the NMC predicted an oversupply of middle-level manpower, occupations in which in-service training was required would continue to experience shortages. The NMC said that low-level manpower would experience the lowest increase in demand (1% to 2% a year) and the largest oversupply.⁸³ [⁸³ Ibid]

While many analysts agreed that South Africa's skills shortage had become less acute, *Finance Week* said that this was because the demand for skills had fallen sharply as a result of the economic recession.⁸⁴ [⁸⁴ *Finance Week* 25 April 1991]

While predictions of the number of people that would be affected by the acquired immune deficiency syndrome (AIDS) by the beginning of the 21st century varied, there was general agreement that AIDS would exacerbate the skills shortage in South Africa (see also chapter on *Health and Welfare*). The head of the human immunodeficiency virus (HIV) clinic at the Johannesburg General Hospital, Dr Dennis Sifris, estimated that 60% of South Africa's workforce could be dead or dying of AIDS by the year 2004.⁸⁵ [⁸⁵ *Special Update 14*, 1991, p10]

The senior deputy medical officer of health for Johannesburg, Dr Nicky Padayachee, said in February 1991 that he believed that AIDS was likely to kill off the most economically productive age group (ie those between 15 and 50 years of age). A senior research fellow in the Economic Research Unit at the University of Natal, Mr Akin Whiteside, said in 1990 that the urban elite would be the first to die of AIDS, thus worsening the skills shortage. The consequences of manpower loss through sickness as well as the financial costs would be a drain on busine

According to the chief economist of Nedcor, Mr Edward Osborn, the effect of AIDS on manpower would begin to be felt towards the end of the 1990s. Skilled and semi-skilled workers would increasingly be in short supply, he said, and shortages of unskilled labour could also emerge. These factors would lead to dramatic wage increases, affecting the cost structure of industries. Mr Osborn believed that greater mechanisation and automation would be seen as a solution to these problems. Furthermore, according to the editor of a report on AIDS for International Research and Information Services, Mr Chris Erasmus, the loss of employment among employees with an average of six dependants would only worsen the problem of poverty in South Africa.⁸⁷ [⁸⁷ *Ibid* p11] The current flow of skilled immigrants into South Africa would be significantly reduced as AIDS spread, and would be coupled with the growing loss of skilled manpower through emigration, Mr Osborn said.⁸⁸ [⁸⁸ *Ibid* p10]

Training

The report of an investigation conducted by the Human Sciences Research Council (HSRC) and the National Training Board in July 1991 maintained that it was imperative that the government offer incentives to the private sector to invest in training. The investigating committee further recommended to the minister of manpower, Mr Eli Louw, that educational organisations, the government, labour and the private sector jointly produce a national training strategy to co-ordinate and control the training process. The general manager for group education at the HSRC, Dr Schalk Engelbrecht, said in July 1991 that South Africa's most serious problem was the low level of trainability of the population, as 50% of adults were illiterate and therefore did not have the basic skills needed for job training. He said that training schemes reached about 150 000 people annually (see also chapter on *Education*).⁸⁹ [⁸⁹ *Business Day* 29 July 1991]

In the same month Mr Louw emphasised the importance of training to keep pace with market needs in

order to stimulate growth.⁹⁰ [⁹⁰ Ibid 24 July 1991] However, in July 1990 the government withdrew tax concessions for training and replaced them with direct subsidies.⁹¹ [⁹¹ Ibid 12 July 1991] The manpower vote in 1991/92 allocated about R111m to training.⁹² [⁹² *Hansard* (A) 24 q cols 1985-1986, 18 June 1991]

Training schemes

In July 1991 the chairman of Business and Marketing Intelligence, Mr Jonathan Harrod, calculated that about R25bn a year was spent on formal, informal and in-service training. However, he argued, total spending would have to rise to about R40bn before the year 2000 if there was to be any hope of the education system providing the needed skills in the right numbers.⁹³ [⁹³ *Business Day* 24 July 1991]

In May 1991 an insurance company, Charter Life, announced an initiative to develop African brokerages. The programme focused on the identification and development of new brokers, and the empowering of existing African brokers through assisting brokerage firms to train their staff.⁹⁴ [⁹⁴ Information provided by Mr Martin Sweet, senior manager of legal services at Charter Life, 23 September 1991] The African brokerage firms Afsure, Business Challenge and XB Brokers were reported to be participating in the programme.⁹⁵ [⁹⁵ *Enterprise* August 1991]

In 1990 R75m was made available by the Department of Manpower for the training of unemployed persons, which was R1m less than the amount allocated in 1989. During the period 1 November 1989 to 31 October 1990, training was undertaken by 365 contractors at 571 training venues throughout South Africa (excluding the 'independent' homelands). The number of people trained (169 415) was 15% less than in 1989 (198 915). The number of unemployed people trained annually has been declining since 1986.⁹⁶ [⁹⁶ Department of Manpower, *Annual Report* 1990]

The training conducted in terms of the scheme could be classified broadly into the following categories (proportion of funds allocated shown in brackets):⁹⁷ [⁹⁷ Ibid]

- training for entry into the formal sector (40%). Only 22% of those trained obtained employment;
- training for entry into the informal sector (37%). Some 31% of all trained in this category were able to find jobs;
- training in building-related skills (20%). Seven percent were placed in jobs;
- training of the disabled (2%). Twenty-six percent were placed in employment; and
- training of computer programmers (1%). By the end of 1990, 66% had been placed in employment.

The Department of Manpower provided the following figures for people trained in various programmes in 1985, 1989 and 1990:⁹⁸ [98 National Manpower Commission, *Annual Report* 1990]

Persons trained in various programmes: 1985, 1989 and 1990

Type of training

1985

1989

1990

Artisan training

Apprentice

33 752

26 941

24 448

Training enrolled

523

357

389

In service training

Group training centre

15 750

54 674

31 650

Private training centre and training schemes

285 321

319 749

251 094

Training schemes where levies apply

14 197

22 552

19 686

training schemes of industrial council

9 040

8 518

17 640

Training of unemployed and work seekers

66 649

198 915

169 329

Total

425 232

631 706

Apprentices

According to the Department of Manpower, the number of apprentices indentured decreased from 9 891 to 9 054 in 1990 (ie by 8%). The department's annual report for 1990 said that the indenturing of apprentices would have to be encouraged in order to meet the increasing demand for training manpower in South Africa.⁹⁹ [⁹⁹ Department of Manpower, *Annual Report 1990*] The NMC said that decline in the number of new indentures in 1990 would have an effect on the number of people acquiring artisan for several years. The drop in the number of new indentures in 1990 also resulted in a decrease in the number of contracts registered. During 1990 increase in the number of new indentures registered occurred in the mining, motor and automobile, printing and transport industries. Sharp declines in the number of indentures registered in 1990 occurred in the building and metal industries.¹⁰⁰ [¹⁰⁰ National Manpower Commission, *Annual Report 1990*]

From 1980 to 1990 the number of apprentices registered in the building industry decreased by 68%, and in the metal engineering industry by 49%. The motor industry experienced an increase of 73% in the number of apprentices registered over this period. The number of completed apprenticeship contracts in the building industry increased by 87% from 1980 to 1985 but decreased considerably from 1985 to 1990 (76% decline). Completed apprenticeships in the metal engineering industry also experienced an increase of 75% from 1980 to 1985 but decreased by 55% between 1985 and 1990.

The following tables give a breakdown of the number of apprenticeships which were registered, in operation, completed and rescinded in 1980, 1985 and 1990:¹⁰¹ [¹⁰¹ National Manpower Commission, *Annual Report 1980*, Department of Manpower, *Report of the director general 1985*, Department of Manpower, *Annual Report 1990*]

Number of apprenticeship contracts which were registered and in operation: 1980, 1985 and 1990

Registered

In operation

Sector

1980

1985

1990

1980

1985

1990

Aerospace

334

133

234

669

327

550

Automobile manufacturing ^a

129

122

169

285

426

408

Building

841

1 040

273

1 626

2 726

850

Coal mining

77

117

—

154

205

—

Diamond cutting

18

—

2

106

2

8

Electrical contracting industry

—

—

147

—

—

340

Electrical supply undertaking

101

355

200

322

949

382

Explosives and allied industry

66

108

73

131

246

266

Furniture

149

56

15

391

348

116

Government undertaking

262

405

208

742

943

489

Hairdressing

360

558

464

712

894

876

Jewellers and goldsmiths

37

37

49

121

91

92

Local authority undertaking ^b

81

27

1

65

109

94

Metal engineering

3 822

3 765

1 942

10 002

10 002

8 202

Mining

1 124

1 700

1 987

2 947

2 947

4 523

Motor

1 286

1 417

2 231

4 571

4 571

4 867

Printing

335

413

499

864

1 106

1 182

South African transport

services^c

1 468

1 256

500

5 098

5 011

989

Sugar manufacturing and

refining

37

35

23

105

150

126

Tyre and rubber

manufacturing

—

29

37

—

109

88

Total

10 527

11 573

9 0

Number of apprenticeship contracts which were completed and in Rescinded: 1980, 1985 and 1990

Completed

Rescinded

Sector

1980

1985

1990

1980

1985

1990

Aerospace

227

160

225

N/A

8

24

Automobile manufacturing ^a

38

165

83

N/A

22

8

Building

579

1 084

262

N/A

192

26

Coal mining

33

72

—

N/A

17

—

Diamond cutting

24

2

10

N/A

1

1

Electrical contracting industry

—

—

74

N/A

—

15

Electrical supply undertaking

116

419

129

N/A

26

27

Explosives and allied industry

56

91

123

N/A

14

14

Furniture

123

86

18

N/A

21

18

Government undertaking

203

410

191

N/A

47

18

Hairdressing

296

300

376

N/A

90

109

Jewellers and goldsmiths

35

51

21

N/A

6

8

Local authority undertaking ^b

13

51

34

N/A

5

1

Metal engineering

2 607

4 570

2 052

N/A

696

238

Mining

724

1 636

1 959

N/A

194

236

Motor

1 328

1 354

940

N/A

460

188

Printing

312

397

261

N/A

73

53

South African transport

services ^c

1 025

2 008

304

N/A

137

37

Sugar manufacturing and

refining

51

58

50

N/A

5

3

Tyre and rubber

manufacturing

—

19

20

N/A

4

3

Total

7 790

12 933

7 132

N/A

2 018

1 027

a

Port Elizabeth and northern Transvaal

b

Northern Transvaal

c

The figure for 1980 are for the South African Railways

Income

Income levels

According to the *South African Township Annual* produced by the Industrial Relations Research Survey, the average national cost of living for a black family of five living in a South African township in 1990 and 1991 was as follows:¹⁰² [102 Industrial Relations Research Survey, *The South African Township Annual*, 1991]

Average cost of living for a black family of five in 1990 and 1991

1990

1991

Expenditure

R

R

Appliance hire purchase ^a

120,00

138,00

Cleaning material

27,10

34,85

Clothing

123,64

142,59

Fuel

27,85

43,55

Groceries

342,25

401,31

Medical expenses ^b

45,00

52,00

Personal hygiene

21,99

28,70

Rent and school ^b

145,00

167,00

Transport

60,95

71,23

Discretionary income ^c

119,48

138,08

Total

1 033,26

1 217,31

a

Includes repayment on appliance, furniture, linen and other items

b

Medical expenses, rent, school fees and levies are fixed for the township survey

Discretionary income cover alcohol, entertainment, reading matter, savings and tobacco.

Household subsistence levels (HSLs) for 1980 and 1990 for an African family of six and a coloured family of five, as calculated by the Institute for Planning Research at the University of Port Elizabeth, are shown in the tables below.¹⁰³ [¹⁰³ 1980 *Survey*, p84; University of Port Elizabeth, Institute for Planning Research, *The Household Subsistence Level in the Major Urban Centres of the Republic of South Africa*, September 1990, Fact Paper no 84]

A survey was conducted by the South African Advertising Research Foundation between September 1989 and June 1990 in which a sample of 18 415 urban and rural Africans, coloured people, Indians and whites were interviewed. The survey, which was part of the All Media and Products Survey (AMPS), found that the average monthly household income of Africans, coloured people, Indians, and whites was R662, R1 279, R2 005 and R3 931 respectively. The average household income for these population groups increased by 27,1%, 20,8%, 25% and 19,2% respectively between 1988/89 and 1989/90. The table on page 256 indicates the AMPS breakdown of monthly household income according to race group.¹⁰⁴ [¹⁰⁴ All Media and Products Survey, *AMPS 89/90 and Trends 1985 -1989/90*, October 1990]

According to the Central Statistical Service, in October 1990, 2,3m Africans, coloured people and Indians were involved in the informal sector for their own account, while an additional 511 000 people were working for employers in the informal sector. In 1990 people working for employers in the informal sector received an average monthly income of R351 as wages and salaries. The second table on page 256 provides an income breakdown of Africans, coloured people and Indians involved in informal sector activities for their own account in South Africa (excluding the 'independent'

Household subsistence levels for Africans: October 1980 and September 1990

October 1980

September 1990

Centre

R/month

R/month

Increase

Benoni

181,62

625,13

244%

Bloemfontein

196,20

651,86

232%

Boksburg

182,24

590,03

224%

Brits

186,77

614,84

229%

Cape Town

206,89

603,72

192%

Durban

193,27

593,36

207%

East London

196,00

577,70

195%

Germiston

184,83

628,18

240%

Johannesburg

200.12

624,98

212%

King William's Town

184,51

557,64

202%

Kimberly

191,25

652,07

241%

Krugersdorp

191,54

599,08

413%

Peddie

170,66

554,44

225%

Port Elizabeth

184,16

621,02

237%

Pratoria

195,67

596,28

205%

Queenstown

198,42

551,34

178%

Springs

183,26

627,72

243%

Uitenhage

186,29

589,97

217%

Umtata

178,86

620,94

247%

Vaal Triangle

194,47

599,27

208%

Household subsistence level for coloured people: October 1980 and September 1990

October 1980

September 1990

Centre

R/month

R/month

Increase

Benoni

203,22

661.97

226%

Cape Town

209,79

647,54

209%

Durban

206,36

714,61

246%

East London

185,92

686,70

269%

Johannesburg

211,27

755,75

258%

Kimberly

196,95

722,96

267%

King William's Town

188,34

611,74

225%

Port Elizabeth

190,10

730,07

284%

Pretoria

204,05

800,50

292%

Queenstown

179,65

673,22

2

Monthly household income 1989/90 ^a

Income group

African

Coloured

Indian

White

R/month

proportion

proportion

proportion

proportion

1-399

40,1%

17,5%

4,1%

1,8%

400-699

23,8%

19,2%

10,1%

3,4%

700-1 199

25,4%

23,4%

22,9%

8,1%

1 200-1 999

6,8%

19,4%

26,9%

11,8%

2 000-2 499

1,8%

8,7%

11,1%

10,3%

2 500-3 999

1,2%

9,0%

15,5%

24,4%

4 000-5 999

0,8%

2,5%

6,3%

23,0%

6 000 +

0,2%

0,4%

3,0%

17,3%

a

As figures been rounded columns may not add up to 100%

Income of persons involved in the informal sector for own account: October 19990 ^a

Net monthly income

African

Coloured

Indian

R

1-149

33%

34%

14%

150-349

29%

34%

26%

350-499

10%

8%

10%

500-699

9%

7%

11%

700-999

6%

5%

6%

1 000-1 699

5%

8%

12%

1 700-2 499

2%

1%

8%

2 500 +

5%

4%

11%

a

As figures have been rounded columns may not add up to 100%

The executive director of the South African Institute of Race Relations, Mr John Kane-Berman, said in 1991 that changes in income distribution were one of the aspects of South Africa's silent revolution. During the 1970s, he added, the incomes of the rich were stabilised and the growth increment all went to

the poor.¹⁰⁶ [106 Simkins C, *Liberalism and the Problem of Power*, 1986 Alfred and Winifred Hoernie Memorial Lecture, Johannesburg, South African Institute of Race Relations, 1986, p16]

The Helen Suzman Professor of Political Economy at the University of the Witwatersrand, Professor Charles Simkins, suggested in September 1991 that the proportion of African households living in poverty diminished between 1985 and 1990, while the proportion of white households living in poverty increased. While income distribution along racial lines remained unequal, inequality was rapidly diminishing, he said. Professor Simkins maintained that the main beneficiaries of a higher growth rate would be Africans. He said that the racial share of personal income was changing as a result of a relative increase in the African component of the total population, and because the real per capita income of Africans was increasing while real white income was decreasing. Professor Simkins' calculations and projections of the racial share of personal income are set out

Racial share of personal income: 1985, 1990 and 1995

African

Asian

Coloured

White

1985

29%

4%

8%

59%

1990

33%

4%

9%

54%

1995 a

37%

4%

10%

49%

1995 a

38%

4%

10%

48%

a

Assuming an annual growth rate of 2,5 %

b

Assuming an annual growth rate of 4 %

According to figures provided by the Bureau for Market Research of the University of South Africa, The African share of personal disposable income (ie personal income less direct taxes) in South Africa (including the ten homelands) increased from 23,1% in 1960 to 23,3% in 1970, 29,7% in 1980, and 34,5% in 1987. The personal income (ie total value of income) of Africans increased from 22,4% in 1960 to 31,5% in 1987. The white share of personal disposable income decreased from 69,2% in 1960 to 67,7% in 1970, 59,3% in 1980, and 53,4% in 1987. White personal income decreased from 70,1% in 1960 to 57% in 19

Wages

The industrial relations consultants, Andrew Levy and Associates, said that the average wage settlement for January to October 1991 was 16,1%. Wage settlements in 1990 averaged 17,4%, according to the consultancy. In 1985 wage settlements averaged 13,7%; in 1986, 15,5%; in 1987, 17,2%; and in 1988, 17,9%, after which they declined to 17,4% in 1989.¹⁰⁹ [109 Andrew Levy and Associates, *Annual Report on Labour Relations in South Africa, 1990-1991*]

Andrew Levy and Associates said that on the whole, unions and employers were displaying greater pragmatism in negotiations in 1991. Unions were demanding improvements in non-wage issues such as the education and training of workers, according to the consultancy's *Bargainers' Bulletin*.¹¹⁰ [110 Andrew Levy and Associates, *Bargainers' Bulletin*, October 1991] Lower settlements were recorded in the sectors hardest hit by the recession, including the banking and financial services sector.¹¹¹ [111 *Business Day* 9 July 1991]

The South African Reserve Bank's *Quarterly Bulletin* reported in June 1991 that the rate of increase in nominal salaries and wages per worker in the non-agricultural sectors of the economy was 11,4% in 1985 and 18% in 1989 (the highest increase since 1982). In 1990 the rate of increase dropped slightly to 16,7%. Furthermore, in 1989 and 1990 workers employed by the public sector were awarded higher wage increases than private sector workers for the first time since 1984. The year-on-year rate of increase in the nominal wage per worker in the private sector fell from 16,3% in 1989 to 16,1% in 1990. The rate of increase in the real wage per worker in the non-agricultural sector was 2,2% in 1988, 2,9% in 1989, and 2% in 1990.¹¹² [112 South African Reserve Bank, *Quarterly Bulletin*, June 1991]

The reserve bank added that the acceleration of nominal wage increases and poorer productivity were responsible for the large increases in nominal unit labour costs of 17,2% in 1989 and 16,2% in 1990.¹¹³ [113 *Ibid*]

In June 1991 the Anglo American Corporation of South Africa's Ergo gold mine and the National Union of Mineworkers (NUM) agreed on a wage settlement which was for the first time linked to the profit and performance of the company and of workers. The settlement provided for a 5% across-the-board wage increase (where the NUM had initially demanded 20%) and a new employee bonus scheme based on financial results and operating performance, which could add a half-yearly bonus up to a maximum of 14,5% of each employee's earnings over the same period (see chapter on *Labour Relations*).¹¹⁴ [114 *The Star* 13 June 1991; *Business Day* 14 June 1991]

According to the Labour Research Service (LRS), unskilled workers won average nominal wage increases of 21,9% (6,1% in real terms) in the period July to December 1990. In the same period

workers earned an average weekly wage of R179, which was R81 less than the living wage of R260 a week (as defined by the LRS). The motor car manufacturing industry paid the highest average weekly wage of R285 in the period July to December 1990.¹¹⁵ [¹¹⁵ *Business Day* 27 February 1991, *Daily Dispatch* 28 February 1991] The LRS also found that office cleaners earned an average of R 169 a week which was lower than the weekly amount earned by labourers (R179).¹¹⁶ [¹¹⁶ *Business Day* 28 May 1991; *New Nation* 30 May 1991]

In its annual directors' pay survey the LRS found that in 1990 the average director's weekly pay (R3 540) was nearly 20 times as much as a labourer's average weekly wage of R179. The directors of the top 100 industrial companies on the Johannesburg Stock Exchange awarded themselves average increases of 18,8% in 1990, the LRS said. It added that some 1 079 directors received a total of R 199m, which could have supported 14 547 families earning a 'living wage' of R1 140 a month.¹¹⁷ [¹¹⁷ *The Weekly Mail* 21 June 1991]

Wage gap

According to the Central Statistical Service the ratio of average real earnings of whites and Africans in the finance sector was four to one in 1972 and 2,1 to one in 1989. The ratio of the earnings of white and coloured people was 2,7 to one in 1972 and 1,8 to one in 1989, while the ratio of the earnings of whites and Indians was 1,7 to one in 1972 and 1,4 to one in 1989.¹¹⁸ [¹¹⁸ Central Statistical Service, *South African Labour Statistics*, 1990]

The ratio of average real earnings of whites and Africans in the construction sector in 1972 was 6,2 to one and in 1989, five to one. The ratio of real earnings of whites and coloured people in construction was three to one in 1972 and the same in 1989. The ratio of real earnings of whites and Indians was 2,3 to one in 1972 and 1,9 to one in 1989.¹¹⁹ [¹¹⁹ *Ibid*]

The ratio of average real earnings of whites and Africans in the manufacturing sector in 1972 was 5,5 to one. The ratio was gradually reduced to 4,8 to one in 1975; 4,4 to one in 1980; 3,9 to one in 1985; and 3,4 to one in 1989. The ratio of the earnings of white and coloured people in 1972 was four to one, and by 1989 this had been reduced to 3,3 to one. The ratio of the earnings of whites and Indians was 3,6 to one in 1972 and 2,4 to one in 1989.

According to the Bureau for Economic Research at the University of Stellenbosch, the nominal and real earnings per worker in the manufacturing sector in various years from 1972 to 1989 were as shown in the table below:¹²⁰ [¹²⁰ University of Stellenbosch, Bureau for Economic Research, *Trends* vol 12 no 3, 1989; *Trends* vol 14 no 2, 1991]

Average annual salaries and wages per worker in the manufacturing sector: 1972, 1975, 1980 and 1989 ^a

African ^b

Coloured ^c

Indian ^c

White ^d

Total ^e

R

R

R

R

R

1972 ^f

Nominal

782

1 080

1 188

4 308

1 632

Real

3 689

5 094

5 604

20 321

7 698

1975f

Nominal

1 272

1 620

1 812

6 132

2 436

Real

4 327

5 510

6 163

20 857

8 286

1980

Nominal

2 688

3 156

3 588

11 472

4 776

Real

5 053

6 128

6 967

22 147

9 202

1985

Nominal

5 628

6 372

7 980

22 188

9 696

Real

5 628

6 372

7 980

22 188

9 696

1989

Nominal

11 105

11 682

15 682

38 334

17 371

Real

6 270

6 570

8 820

21 404

9 748

a

Consumer price index (CPI) equal to 100 in 1985

b

Lower-income group CPI used from 1980

c

Middle-income group CPI used from 1980 onwards

d

Higher-income group CPI used from 1980 onwards

e

All item CPI used

f

All item CPI used from 1972 and 1975

The ratio of earnings (including the value of rations) in the agricultural sector of whites and Africans was 19 to one in 1975, and 15,6 to one in 1988. The ratio of earnings of whites and coloured people was 12.8 to one in 1975 and 11,7 to one in 1988. The ratio of earnings of whites and Indians in the agricultural sector was 4,5 to one in 1975 and

Earnings per sector

The average monthly salaries and wages per race group in the private sector in June 1990 and the actual and constant (1985 = 100) percentage change over June 1989 were as follows:¹²² [122 Central Statistical Service, *Labour Statistics: Employment and Salaries and Wages*, Statistical News Releases as follows: Manufacturing and Construction, P0242.1, 16 November 1989, 12 September 1990; Wholesale, Retail and Motor Trade and Hotels, P0244, 15 November 1990; Building Societies, Banking Institutions and Insurance Companies, P0262, 24 September 1990]

Average monthly salaries and wages for the private sector for June 1990

Construction

Finance

Manufacturing

Trade and catering

African

R/month

677

1 466

1 002

701

Change

15,5%

18,9%

11,3%

21,9%

Real Change

1,2%

3,5%

(2,5%)

6,0%

Coloured

R/month

979

1 743

1 063

923

Change

(2,0%)

21,2%

12,3%

20,1%

Real Change

(13,8%)

6,3%

(1,1%)

5,4%

Indian

R/month

1 680

2 181

1 472

1 333

Change

2,6%

18,3%

16,1%

15,0%

Real Change

(10,5%)

3,8%

2,2%

0,7%

White

R/month

3 069

3 061

3 420

2 379

Change

3,7

18,5%

12,3%

14,9%

Real Change

(8,2%)

4,3%

(0,7%)

1,1%

Total

R/month

1 014

2 652

1 568

1 324

Change

8,3%

18,2%

12,4%

16,5%

Real Change

(4,9%)

4,0%

(1,0%)

2,3%

The average monthly salaries, wages and the value of rations in the agricultural sector in 1975, 1980, 1985 and 1988 were as follows:¹²³ [123 Central Statistical Service, *South African Labour Statistics 1990*]

Average monthly salaries, wages and value of rations in the agricultural sector ^a at constant 1985 prices

1975

1980

1985

1988

African ^b

R694,08

R845,86

R859,00

R799,00

Change

—

21,9%

1,6%

(7,0%)

Coloured ^c

R1 026,49

R1 163,11

R1 027,00

R1 072,00

Change

—

13,2%

(11,7%)

4,0%

Indian^c

R2 938,14

R3 864,08

R3 154,00

R3 632,00

Change

—

31,5%

(18,4%)

15,0%

White^d

R13 153,58

R12 457,53

R13 060,00

R12 536,00

Change

—

(5,3%)

4,8%

(4,0%)

Total^e

R891,16

R1 056,00

R1 056,00

R1 009,00

Change

—

0,01%

0,01%

(4,0%)

a

Includes regular and casual employees, and domestic workers

b

Lower-income group CPI used

c

Middle-income group CPI used

d

Higher-income g

The Central Statistical Service (CSS) provided a weighted average of expenditure per month on domestic workers' wages per household in the urban areas. In real terms average expenditure decreased by 42% from 1976 to 1989. The breakdown of wages was as follows:¹²⁴ [¹²⁴ Central Statistical Service, *Survey of Houses, Sectional Title Units and Domestic Workers: October 1989*, Statistical News Release, POIOI, 11 October 1990]

Weighted average of average expenditure per month on domestic workers' wages ^a per household in the urban areas: 1976, 1980 and 1989

Cash wage
Food
Quarters
Other goods and services
Total
R
R
R
R
R
1976
73,06
44,86

19,10

9,25

146,27

1980

61,00

32,11

12,14

4,96

110,40

1985

65,31

24,98

10,95

4,16

105,40

1989

57,34

17,98

6,77

3,19

85,28

a

At constant 1985 prices, using the CPU for the lower-income group

The average monthly salaries and wages per race group in the public sector for June 1990 and the actual and constant (1985 = 100) percentage changes over June 1989 were as follows:¹²⁵ [¹²⁵ Central Statistical Service, *Employment and Salaries and Wages: Public Sector - December 1989*, Statistical News Release, P0251, 3 April 1990; 15 April 1991]

Average monthly salaries and wages for the public sector for June 1990

Central government

Provincial administration

Local authorities

Post and telecommunic-ation

Transnet

African

R/month

1 067

1 137

798

893

1 209

Change

25,8%

33,6%

16,3%

10,5%

21,5%

Real change

9,5%

16,3%

1,2%

(3,6%)

5,6%

Coloured

R/month

1 757

1 242

1 168

1 098

1 209

Change

25,6,%

17,3%

27,3%

12,0%

21,5%

Real change

5,5%

2,9%

11,8%

(1,6%)

6,5%

Indian

R/month

2 495

2 160

1 707

1 923

1 208

Change

9,3%

14,8%

22,9%

10,7%

21,4%

Real change

(4,1%)

0,6%

7,8%

(2,8%)

6,5%

White

R/month

2 974

2 350

3 389

2 237

4 003

Change

18,1%

17,7%

19,8%

11,9%

53,6%

Real change

3,7%

3,6%

5,1%

(1,4%)

35,2%

Total

R/month

2 236

1 572

1 565

1 692

2 452

Change

17,9%

23,2%

22,4%

11,6%

42,3%

Real change

3

Average monthly salaries and wages for the public sector for June 1990 (continued)

Civil service of non-independent homelands

Public corporations

Parastatal institutions

Agricultural marketing boards

Staff of university & technikons

African

R/month

1 359

1 001

6 92

802

1 224

Change

32,5%

13,8%

14,0%

12,4%

19,2%

Real change

15,5%

(0,7%)

(0,8%)

(2,1%)

3,9%

Coloured

R/month

—

1 403

1 156

863

1 655

Change

—

29,3%

22,4%

18,2%

16,6%

Real change

—

13,4%

7,4%

3,8%

2,2%

Indian

R/month

—

2 478

1922

1 674

2 626

Change

—

25,7%

12,3%

45,5%

19,3%

Real change

—

10,2%

(1,5,%)

27,7%

4,6%

White

R/month

—

3 837

3 943

3 831

4 259

Change

—

17,3%

7,7%

11,6%

17,1%

Real change

—

3,2%

(5,1%)

(1,7%)

3,1%

Total

R/month

1 359

2 295

2 295

2 220

3 079

Change

32,5%

16,5%

16,5%

6,9%

15,9,5

Real change

15,5%

(6,0%)

2,4%

(6,0%)

1,7%

a

Coloured, Indian and white civil servants were paid by the South African government and, therefore, were not recorded under the non-ind

Poverty

The Vatcom Report published early in 1991 provided the first official estimates of the extent of poverty in South Africa. According to the report, 16m people in South Africa (including the ten homelands) or 45% of the population lived 'below minimum living levels'. Some 23m of this number were in dire need of nutritional support to combat the effects of malnutrition. Although minimum living levels differed depending on region and family circumstances, the Vatcom Report stated that on average a minimum income level amounted to R600 per family per month.¹²⁶ [¹²⁶ *Update Sixteen*, 1991, p5] A study for the Urban Foundation by the Helen Suzman Professor of Political Economy at the University of the Witwatersrand, Professor Charles Simkins, which was published in September 1991, suggested that the number of households living in poverty declined from 43% in 1985 to 42% in 1990. Professor Simkins said that if the economy grew by 2,5% annually this figure would decline to 40% by 1995, and if it grew by 4% annually, to 38%. He estimated that 33% of urban African households lived below the minimum living level while 83% of Africans in rural areas and the homelands lived below this level.¹²⁷ [¹²⁷ *Sunday Times* 22 September 1991]

Mr Jacobus Jordaan MP (Democratic Party) said in Parliament in May 1991 that more than 50% of the 'poorest among the poor' were in the rural areas, including the non-independent homelands. He added that by the year 2000 approximately 14m people would have to be accommodated in the rural areas but only 2,5m would be able to make a living from agriculture.¹²⁸ [¹²⁸ *Hansard* (A) 16 col 8336, 13 May 1991] Mr Derek Christophers MP (National Party) pointed out that the average per capita income of people living in the non-independent homelands and on South African Development Trust land was about R45 a month.¹²⁹ [¹²⁹ *Ibid* col 8340, 13 May 1991]

According to figures provided by the Development Bank of Southern Africa, the monthly per capita income in South Africa (excluding the 'independent' homelands) was R214 in 1989. In 1989 the monthly per capita income in Bophuthatswana was R87; in the Ciskei, R83; in the Transkei, R128; and in Venda, R59.¹³⁰ [¹³⁰ Development Bank of Southern Africa, *SATBVC Countries: Statistical Abstracts* 1989, 1990]

Speaking in the House of Assembly in May 1991 the minister of finance, Mr Barend du Plessis, ascribed poverty and hardship to insufficient income and to inadequate access to basic services such as drinking

water, minimum sanitation facilities, public transport and shelter. He declared that poverty would be alleviated by the government taking the following steps:¹³¹ [¹³¹ *Hansard* (A) 17 (interpellation debate) col 1534, 21 May 1991]

- restructuring the economy to increase growth, income-earning and employment potential;
- addressing urgent socio-economic development problems, including the ‘human capital dimension’; and
- implementing and extending a safety net to assist vulnerable groups in society which did not benefit from the economic restructuring programme in the shorter term.

Mr Du Plessis emphasised, however, that any relief action should be supplementary to the ‘improvement of the income position of people through economic growth and job creation’.¹³² [¹³² *Hansard* (joint sitting) 7 col 3305, 20 March 1991]

On 12 September 1990, the cabinet appointed a working group (the Calitz committee) to investigate and make recommendations on suitable measures to alleviate poverty and to determine the government’s responsibility in this regard.¹³³ [¹³³ *Hansard* (A) 24 q col 1961-1962, 18 June 1991] Included in its scope was an examination of the effects on the needy of the introduction of value added tax (VAT) on all foodstuffs (except white maize meal and brown bread) (see also chapter on *The Economy*).¹³⁴ [¹³⁴ *Update Sixteen*, 1991, p5] At the same time the minister of housing, welfare and works in the House of Assembly, Mr Sam de Beer, appointed an interdepartmental working group (the Robson committee) to investigate poverty and housing. The Robson committee was to undertake, inter alia, a systematic evaluation of all welfare and housing measures to alleviate poverty administered by white own affairs departments.¹³⁵ [¹³⁵ *Hansard* (A) 24 q col 1961-1962, 18 June 1991]

In August 1991 the executive director of Operation Hunger, Mrs Ina Perlman, blamed the economic recession for widespread poverty. She said that rural unemployment had increased and reduced the regular migrant cashflow to an ‘irregular and inadequate trickle’.¹³⁶ [¹³⁶ *The Star* 28 August 1991] Mrs Perlman declared that each gold miner who was retrenched had an average of nine dependants. Since approximately 27 000 miners had been retrenched in 1990 there were now an additional 240 000 people to feed, she said. Operation Hunger estimated that only 8% of rural Africans were self-sufficient. The remaining 92% depended on remittances from wage earners in the cities. Mrs Perlman pointed out that in 1990 Operation Hunger provided food aid to approximately 1,6m people, and this Figure was expected to rise to 2m in 1991.¹³⁷ [¹³⁷ *Business Day* 10 July 1991]

Mrs Perlman said in July 1991 that during the year the number of whites seeking food aid had increased by 100% in Pretoria and by 60% in Johannesburg. Before 1985 Operation Hunger had received no applications from white people for help, she added.¹³⁸ [¹³⁸ *The Star* 2 July 1991, *The Citizen* 29 July 1991]

Speaking at an international congress organised by the South African Association for Food Science and Technology in August 1991, the minister of national health, Dr Rina Venter, said that about 2,3m people in South Africa needed to be considered for food aid.¹³⁹ [¹³⁹ *The Citizen* 20 August 1991]

In August 1991 Dr Venter, announced the allocation of R220m in the 1991/92 budget for food assistance for the poor, according to the following principles:¹⁴⁰ [¹⁴⁰ *The Citizen* 19 August 1991]

- the government would provide funds to registered food assistance organisations which would in turn distribute food to people in need;
- additional staple and energy foods would be provided to 2 000 clinics run by local authorities; and
- a committee of professional people would be appointed to draft and manage a long-term nutritional development programme.

Mr Geoffrey Engel MP (DP) pointed out in May 1991 that the R220m provided for direct short-term relief aid to the poor comprised only 0,25% of the 1991/92 budget. He said that this sum would provide 7m people considered extremely poor with a mere R31,43 a year or R2,61 per month in the 1991/92 financial year.¹⁴¹ [¹⁴¹ *Hansard* (A) 17 (interpellation debate) col 1538, 21 May 1991]

In December 1991 the Department of National Health and Population Development said that less than half of the amount budgeted for relief had been allocated to organisations and clinics. According to the department, many welfare organisations appeared not to be aware of the programme, while certain political organisations were discouraging support for the feeding scheme. Earlier, in October 1991, Dr Venter said the amount allocated for food assistance would probably be increased to R440m in the 1992/93 financial year.¹⁴² [¹⁴² *The Star* 29 October 1991, *The Citizen* 4 Dec 1991]

Key projections

- By the year 2000 about 14m people will be living in the rural areas, while only 2,5m will be able to make a living from agriculture.
- By 1996, 36% (4,8m) of the economically active population will be unemployed.

- A massive electrification campaign could create 1m new jobs indirectly by the year 2000. Some 2,5m jobs could be created by the year 2015.
- Demand for high-level manpower will increase by between 3% and 4% a year until the turn of the century.
- The white male population, which in the past provided the highest proportion of high-level manpower, will increase at a rate of only 1,2% a year until the year 2000.
- Demand for middle-level manpower will increase by 2% to 3% a year from 1991 to the year 2000.
- South Africa will need 200 000 new managers by the year 2010.
- South Africa will need an additional 150 000 executives by the year 2000.
- Funds of R40bn a year will be needed before the turn of the century to provide the needed skills in the right numbers.
- A total of 250 000 urban white adults contemplate emigrating by 1996.
- Some 60% of South Africa's workforce could be dead or dying of acquired immune deficiency syndrome (AIDS) by 2004.
- Some 15% of the urban African population will have an average monthly income of R7 000 by the year 2000.
- At an annual growth rate of 2,5%, Africans will earn 37% of personal income by 1995, while whites will earn 49%.
- The number of households living in poverty will decline from 42% in 1990 to 40% by 1995 if an annual growth rate of 2,5% is achieved.

LABOUR RELATIONS

Key points

- In September 1990 the Laboria Minute drawn up by the Congress of South African Trade Unions (COSATU), the National Council of Trade Unions (NACTU) and the South African Consultative Committee on Labour Affairs, the employer body, was endorsed by the government.

- In February 1991, in accordance with the minute, the Labour Relations Act (LRA) of 1956 was amended, removing certain amendments introduced in 1988.
- In 1991 COSATU and NACTU agreed to sit on the National Manpower Commission (NMC) on the understanding that it would be restructured into a negotiating forum.
- Membership of unions grew from 2,1m in 1989 (in 212 unions) to 2,4m in 1990 (198 unions), comprising 22% of the economically active population.
- COSATU remained the largest union federation in 1991, claiming a signed-up membership of 1,2m workers.
- COSATU called for negotiations between the government, employers and unions on restructuring the economy.
- Union dissatisfaction over the government's introduction of value added tax culminated in a two-day stayaway in November 1991 involving an estimated 3m workers.
- In July 1991 *The Weekly Mail* published secret government documents showing that the United Workers' Union of South Africa (UWUSA) was a secret project under the joint control of the security police and the KwaZulu administration and had received R1,5m from the government.
- COSATU and UWUSA both signed the National Peace Accord. NACTU took it to its members for a decision.
- The first-ever profit- and performance-based wage settlement was signed in 1991 between the Anglo American Corporation of South Africa's Ergo gold mine and the National Union of Mine-workers.
- During 1991 COSATU held discussions with the government about extending 'South Africa's' LRA to all the homelands.
- The number of strikes decreased from 942 in 1989 to 885 in 1990, but the number of workers involved increased—from 197 504 in 1989 to 341 097 in 1990.

Policy and Legislation

Policy

Amendments to the Labour Relations Act (LRA) of 1956 in 1988 sparked off widespread protests by the

predominantly black unions, which objected to the legislation on the grounds that it was anti-union (see *1989/90 Survey* p357). Protracted discussions with employers over the amendment act and other features of the labour relations system led eventually in May 1990 to the signing of an accord between the Congress of South African Trade Unions (COSATU), the National Council of Trade Unions (NACTU) and the South African Consultative Committee on Labour Affairs (SACCOLA), the employer body. Delays by the government in enacting legislation based on the accord led to a warning by COSATU and NACTU that they would embark on widespread labour action in protest. Such action was averted when the state president, Mr F W de Klerk, agreed to meet the unions and employers in September 1990. The meeting led thereafter to the signing of the Laboria Minute between COSATU, NACTU, SACCOLA, and the minister of manpower, Mr Eli Louw. Its main features were as follows:

- a draft LRA based on the accord would be sent to the parliamentary joint committee in September 1990 for its consideration;
- the finalised draft bill would be tabled in Parliament in February 1991;
- the National Manpower Commission (NMC) would consider the extension of the LRA to agri-business;
- the government committed itself to negotiate on collective bargaining and recognition with worker representatives, including COSATU and NACTU, in the public sector;
- the parties recognised that labour legislation could not work unless there was broad consensus between the major actors in the arena of labour relations;
- recommendations on restructuring the Labour Appeal Court would be published for comment and the NMC would urgently consider them;
- COSATU and NACTU agreed in principle to participate in a restructured NMC; and
- they agreed to call off their planned stayaway.¹ [¹ 'Shake-up in our labour law', *Employment Law*, vol 7 no 3, January 1991]

In September 1991 COSATU accused the government of dragging its feet in implementing the Laboria Minute and threatened to call for mass action in protest against the delay. It pointed to a number of demands which the government had not acceded to as agreed. It said that the government had agreed to grant farmworkers the same rights as other workers, but that the minister of manpower had refused to give any commitment about including these workers under the LRA and the Wage Act of 1957. Regarding domestic workers, it said that although the NMC investigation into their inclusion under labour legislation had been completed in June 1991, little progress had been made in transforming these recommendations into law. COSATU demanded that the minister obtain a commitment from the cabinet

that domestic workers would be included under the Basic Conditions of Employment Act of 1983, the LRA, the Unemployment Insurance Act of 1966, the Wage Act and the Workmen's Compensation Act of 1941 (see *Collective Bargaining* below).

The federation said that one of the points of the Laboria Minute was an agreement to grant full trade union rights to public sector workers. However, the Commission for Administration, which had agreed to produce draft legislation to cover these workers, had failed to meet its deadline. A draft had finally been produced in August 1991.

COSATU also said that the government had agreed that the NMC would be dissolved in April 1991 and a restructured NMC would replace it. However, the minister had extended the term of office of the commission and had refused to commit himself to a date when a restructured NMC would be established. The Laboria Minute made provision for the discussion of economic issues among the parties who signed the minute. The federation said further that it and the department had held discussions on 1 July 1991 on a range of issues, including retrenchments and job-creation programmes, but the department had refused to say when negotiations would start. Workers' rights were a burning issue in COSATU and if these were not recognised soon, workers' option but to resort to mass action, the federation said.² [² *Argus* 3 October 1991]

In October 1991 COSATU withdrew from the NMC, citing the above points as reasons (see below).

Legislation

In line with the agreement in the Laboria Minute (see above), the LRA was amended in February 1991. The major advances over the 1988 amendment act were as follows:

- strikes and lockouts were removed from the unfair labour practice (ULP) definition;
- racial criteria for union registration were abolished
- conciliation procedures were simplified
- the section providing for the presumption of union responsibility for damages arising out of illegal strikes was abolished:
- unions with private and public sector employees could now register; and
- the LRA was extended to South Africa's continental shelf, meaning that offshore oilrig workers would be covered.³ [³ *The Weekly Mail* 15 February 1991]

COSATU commented that the LRA was a triumph for organised labour and particularly for its strategy of combined mass action and negotiations.⁴ [⁴ Ibid] NACTU also welcomed the passing of the act. Its general secretary, Mr Cunningham Ngcukana, said that the bill had been translated into law as a result of more than two years of protracted negotiations.⁵ [⁵ *The Citizen* 15 February 1991]

The chairman of SACCOLA, Mr Anton Roodt, said that the passing of the act was ‘an event of considerable significance, not just for labour relations but for the process of negotiation on issues of national concern to all South Africans’. He said that the amendments were an interim measure, pending the comprehensive consolidation of the act currently being undertaken by the NMC. There were amendments that SACCOLA would seek to have incorporated at the earliest available opportunity in the consolidation process. Mr Roodt said that SACCOLA looked forward to long-term constructive interaction between employers, trade unions and the government.⁶ [⁶ *The Star* 12 February 1991]

According to Mr Louw, bottlenecks in the drafting of the bill had led to the parties concerned proposing interim amendments pending a consolidation of the law. He said that the proposals were the result of two years of negotiations and showed that conflict was best handled through discussion and consensus.⁷ [⁷ Ibid]

During negotiations with unions and employers on issues arising out of the Laboria Minute, the minister of manpower expressed the fear that if a general ULP definition was reinstated into the act, small employers and those in rural areas would not know what was expected of them. To meet this caveat, it was decided that the NMC would draw up a guide to the meaning of the definition. Reporting on progress in this regard, the NMC said that a code could serve a useful purpose provided there was a high level of consensus between employers and trade unions regarding its content. It said that the code should be drawn up by a restructured NMC representing employer and trade union interests, and that it should not be given the force of law, but should be admissible as evidence of acceptable labour practices.⁸ [⁸ ‘Shake-up in our labour law’. *Employment Law*, vol 7 no 3, January 1991]

In February 1991 the NMC’s proposals on a ULP code were reported in the press. These were seen by trade unionists as an improvement on the department’s proposed codification which was published in the *Government Gazette* in December 1990. The NMC believed that a ULP schedule should not be binding but should be taken into account by an Industrial Court where relevant. According to the report, the code:

- went further than the 1988 act’s provisions, by declaring the payment of better wages to non-union members in a bargaining unit a ULP;
- underscored any form of discrimination as unfair, and, in line with overseas developments, provided for equal pay for equal work by men and women;

- set out detailed requirements for dismissal inquiries and retrenchments; and
- provided that an employer should, on request, bargain with a sufficiently representative union.

Other features were that employers should generally not selectively rehire strikers and should use ‘fair and objective criteria’ when compelled to do so, as well as a ban on unilateral changes in employment conditions.⁹ [⁹ *The Weekly Mail* 15 February 1991]

Amendments to the Labour Appeal Court (LAC) as agreed on in the Laboria Minute were not contained in the amended LRA, mainly because of the need to expedite the passage of the legislation. The NMC published proposals on a reformed LAC and called for urgent comment. The proposals were that:

- the LAC should be a court with national jurisdiction and should not be divided on a provincial basis as at present;
- it should have a high status and consist of Supreme Court judges chosen by the chief justice on the recommendations of the NMC; and
- the LAC should include ‘wingpersons’ rather than assessors, drawn from lists of labour relations practitioners put forward by the NMC.¹⁰ [¹⁰ ‘Shake-up in our labour law’. *Employment Law*, vol 7 no 3, January 1991]

There was consensus between unions, employers and the government that the LRA needed to be revised in its entirety. In line with this, a technical committee of the NMC, representing employer and employee interests and members of the NMC, published a working document in April 1990 for comment and debate. On the basis of comments received a draft statute was drawn up by members of the technical committee, and, apart from the provisions on strikes and lockouts, this was accepted by the NMC. Its main provisions were:

- the codification of positive rights of employees and trade unions, such as freedom of association, the right to stoporder facilities, freedom from discrimination, protection against unfair dismissal, and the right to bargain;
- the requirement that contractors for the supply of goods and services to the state should be guaranteed freedom of association and fair wages and working conditions in their businesses;
- the replacement of current registration procedures by a simple certification process;

- stricter threshold requirements and controls for closed shops;
- the redefinition of essential services to include air traffic control, ambulance, firefighting, health, hospital, power, safety, sanitation and water services;
- the division of the labour court into a type of small claims court to decide dismissal disputes and a labour court proper with a jurisdiction similar to that of the present Industrial Court; and
- the establishment of a national LAC consisting of judges of the Supreme Court appointed by the minister of justice after consultation with the NMC and the chief justice.¹¹ [¹¹ Ibid]

A number of draft bills were published for comment during the period under review. They included bills amending the Basic Conditions of Employment Act of 1983 and the Unemployment Insurance Act of 1966 to include farmworkers (see *Collective Bargaining* below), the Public Service Act of 1984 (see *Collective bargaining for public sector workers* below), and the Occupational Diseases in Mines and Works Act of 1973 (see *Trade unions and socio-economic issues* below). A Minerals Act was passed, amending a number of other acts (see *Trade unions and socio-economic issues* below).

National Manpower Commission (NMC)

Discussion occurred during the period under review over the structure of the National Manpower Commission (NMC). One of the points of the Laboria Minute was the in-principle agreement by the Congress of South African Trade Unions (COSATU) and the National Council of Trade Unions (NACTU) to participate in the NMC provided it was restructured.

During 1991 both COSATU and NACTU sat on the commission. COSATU said that it had agreed to participate on condition that it was not bound by NMC decisions and had the right to report back to its members. COSATU and NACTU demanded that the commission should transform itself into a forum which had the power to negotiate new legislation and intervene actively in the labour field. COSATU's Labour Relations Act committee drafted the following guidelines for the reconstitution of the NMC. It should:

- become a tripartite body with proportional representation, where employer organisations and trade unions were in the majority;
- have the power to insist that legislation with sufficient support was tabled in Parliament, and legislation with insufficient support was blocked;
- consider all legislation affecting workers; and

• allow technical experts, including lawyers, to be included in its structures.¹² [¹² *Business Day* 17 April 1991]

In April 1991 COSATU threatened to withdraw from the commission, claiming that the Department of Manpower had ignored the commission's recommendations on extending the Basic Conditions of Employment Act of 1983 to farmworkers, despite negotiations on the issue between agricultural employers and unions. The minister of manpower, Mr Eli Louw, appealed to COSATU to remain on the commission, denying that it had been overruled by members of his department. He said that the commission had made recommendations on extending the act to farmworkers in December 1990. The department had then heard further representations and had made its own proposals on which the commission was entitled to make further recommendations. COSATU agreed to continue on the commission after further discussions, which resulted in draft legislation containing its recommendations (see *Collective Bargaining* below).¹³ [¹³ *Ibid* 8 July 1991]

In July 1991 the NMC submitted to the minister of manpower recommendations for its own restructuring, which, it said, should take place no later than 10 October 1991. Members of the NMC agreed that the commission should remain an advisory body to the minister and that advice would be given as far as possible on a consensus basis. It recommended that the commission consist of employer and employee representatives in equal numbers (ten each), as well as a few individual experts (not more than five). Members agreed that representation should be weighted to take into account membership and the importance of different organisations. However, there was no agreement on how to implement such a system. The report recommended that the Department of Manpower 'participate actively' in NMC proceedings to inform the commission of its views at an early stage. The department should, however, not have any voting rights. It was agreed that the state as an employer should participate through the Commission for Administration. It was also unanimous that it could not usurp the role of Parliament.¹⁴ [¹⁴ *Ibid*]

According to the chairman of the commission, Dr Frans Barker, the recommendations proposed transforming the NMC into a semi-negotiating forum for organised labour and industry. 'They are based on the principle that labour legislation should be acceptable to the majority of players,' he said. He also said that the process of drafting a new, consolidated body of labour law could precede constitutional negotiations as labour and industry did not necessarily want legislation which was acceptable only to the government.¹⁵ [¹⁵ *Ibid*]

In October 1991 COSATU withdrew from the NMC because, it said, of failed attempts to restructure the commission to deal with broad economic issues rather than just labour-related ones as at present. The government had been unwilling to agree to this and therefore COSATU had decided to halt its provisional participation in the commission. It said that the decision was also a result of the government's failure 'expeditiously' to extend labour legislation to farm, domestic and public service workers. COSATU said that it believed that its withdrawal would prompt the government to speed up

this process. Its view was that more than ever there was the need for a national economic negotiating forum 'where macro-economic issues are thrashed out'.¹⁶ [¹⁶ Ibid 2 October 1991]

In response, Mr Louw said that COSATU's withdrawal from the commission was contrary to the understanding regarding dialogue and consensus developed over the previous 12 months. He said that he had already undertaken to inform the commission in October or November 1991 of his views on its proposals for restructuring and honoured all undertakings given in terms of the Laboria Minute. The chairman of the South African Consultative Committee on Labour Affairs (SACCOLA), Mr Anton Roodt, said that the development was a 'great disappointment'. He said that there was a general acceptance in SACCOLA of the need for business to discuss macro-economic issues with key actors, including trade unions. However, the organisation had not reached finality on what son of forum would be most appropriate for this purpose Policy issues of national concern were at stake and the question had to be carefully considered. Dr Barker said that COSATU's withdrawal would affect the commission's legitimacy, but it had completed most of its urgent work regarding the extension of labour legislation to farm and domestic workers. The commission had agreed not to undertake further work until it had been restructured, he said. He said that its members had not reached as much consensus on its restructuring as had been hoped.¹⁷ [¹⁷ Ibid]

In November 1991 COSATU and NACTU attended a meeting of the NMC at which Mr Louw announced the restructuring of the NMC. Mr Louw said that the government supported changes to the NMC which would make it broadly representative of major employer and union organisations. The commission would negotiate policy to reach consensus and then make recommendations to the government. However, the NMC would 'remain advisory and it should be understood that such negotiation cannot bind me or the government ... Parliament should retain the final say in respect of legislation', he said. Interviewed after the meeting, he said that he did not know whether COSATU and NACTU would rejoin the commission.¹⁸ [¹⁸ Ibid 11 November 1991]

Trade Unions

Statistics

The number of registered trade unions and federations of trade unions for the years 1986 to 1990 are given below:¹⁹ [¹⁹ South African Labour Statistics 1991]

Registered trade unions: 1986-1990

1986

1987

1988

1989

1990

Racial exclusion

White

46

41

40

32

29

Asian and coloured

17

29

26

17

16

African

23

29

28

23

20

Mixed unions

Asian, coloured, white

11

11

6

7

—

African, Asian, coloured

20

15

19

32

—

African and white

3

5

6

4

—

All races

56

55

62

66

86

Unspecified

19

20

22

31

47

Total

195

205

209

212

198

Membership (m)

1,7

1,9

2,0

2,1

2,4

Federations

11

10

10

10

10

Members of trade unions comprised 22% of the economically active populati

Groupings

Congress of South African Trade Unions (COSATU)

At the time of its congress in July 1991, the Congress of South African Trade Unions (COSATU) reported a membership of 1 258 853 workers, up from 462 359 in 1985. Its largest affiliate was the National Union of Metalworkers of South Africa with 273 241 members, followed by the National Union of Mineworkers with 269 622 members. Its third largest affiliate was the South African Clothing and Textile Workers' Union (SACTWU) with 185 740 members. In terms of distribution among its nine regions, the majority of members (265 770) fell within the Wit-watersrand region, followed by 203 062 in southern Natal and 171 806 in the western Cape region.²¹ [21 Congress of South African Trade Unions (COSATU) congress secretariat report July 1991]

In his report to the congress, the general secretary of COSATU, Mr Jay Naidoo, said that the Witwatersrand region, although the largest, remained 'inconsistent and weakly organised'. The southern Natal region was also criticised for its lack of participation in COSATU campaigns, as was the western Cape. The weakest region was the Orange Free State/northern Cape, which had too few resources. The

report also stated that since the lifting of the banning orders on political organisations, such as the African National Congress, the Pan-Africanist Congress and the South African Communist Party, many COSATU activists had become involved in rebuilding their structures, which had led to insufficient time being spent by key officials and leaders on consolidating the federation's organisational base.²² [22 Ibid]

While figures on COSATU's financial situation were not available, the congress report said that operating expenses constituted about half of total expenditure. In 1990 affiliation fees covered only 28% of its operating budget, and of its total income for 1991, 83% consisted of grants. Mr Naidoo commented that this was an unhealthy situation which should not continue. 'With almost 1,3m members we should be able to solve this over-dependence on foreign funding,' he said. Mr Naidoo pointed out that achieving self-sufficiency would be difficult: even if all affiliates paid affiliation fees of ten cents per month per member, the annual income would be approximately R1,5m—the cost of the congress alone was R1m. He said that the federation needed to embark on a programme which would increase income and cut costs to enable the federation to achieve self-sufficiency in operating costs over the next three to five years. Mr Naidoo also reported on the uncovering of fraud within the organisation, reporting that amounts in excess of R166 000 had been stolen. Criminal charges had been laid against the employee concerned.²³ [23 Ibid]

At the congress delegates debated whether or not to launch a farmworkers' union. The Food and Allied Workers' Union; the Printing, Paper, Wood and Allied Workers' Union; and SACTWU all have farmworkers among their members. The issue went to the vote, with the congress ultimately endorsing the formation of such a union, and its central executive committee was mandated to develop an organising programme.²⁴ [24 *The Weekly Mail* 2 August 1991]

During the period under review three public sector unions joined COSATU. They were the Health Workers' Union, the Northern Transvaal Public Servants' Union, and the KwaNdebele Public Servants' union. It was hoped that the three unions would formally merge with COSATU's public service affiliate, the National Education, Health and Allied Workers' Union, at its national congress in 1992.²⁵ [25 Ibid 25 October 1991]

It was reported in August 1991 that increasing numbers of white railway workers were joining COSATU's railways union, the South African Railways and Harbour Workers' Union (SARHWU), because they believed that the union was more successful in gaining wage increases for its members than were the traditional white unions. Information on the number who had joined SARHWU was not available.²⁶ [26 *New Nation* 16 August 1991]

In July 1991 it was reported that the South African Broadcasting Corporation (SABC) had entered into an agreement with COSATU to screen and broadcast Afrikaans- and African-language programmes mainly aimed at the federation's members. The SABC also screened a historical documentary on COSATU. In 1989 COSATU had accused the corporation of acting 'as a propaganda organ of the

National Party', because of reports screened following raids on the federation's Johannesburg headquarters and a strike by railway workers (see *1989/90 Survey* p375).²⁷ [²⁷ *Sunday Star* 28 July 1991]

In July 1991 COSATU turned down an invitation by the government to meet the International Monetary Fund (IMF) on the grounds that the federation was an independent organisation which should be approached directly by the IMF. However, the Department of Finance said that it was IMF policy to meet governments only. A spokesman for COSATU, Mr Neil Coleman, said that there was concern in COSATU about the IMF dictating economic policy to African countries. He said that the federation would be guided by the Organisation of African Trade Union Unity, which had set up an alternative programme to that of the IMF. The director of the Institute for African Alternatives (based in South Africa), Mr BenTurok, said that IMF policy in Ghana and Zambia had forced governments to 'put the squeeze on strong trade unions'. In addition, the fund typically demanded public service job cuts as a way of reducing state expenditure.²⁸ [²⁸ *The Weekly Mail* 26 July 1991]

In August 1991 COSATU met the IMF after the fund had approached the federation directly for a meeting. At the meeting COSATU criticised the fund for the secrecy surrounding its reports on the South African economy, and asked the IMF to explain the nature and extent of its consultations with the government. In particular, it was asked to clarify its role on the development and implementation of the value added tax system. The federation said that it would oppose any negotiations or structural adjustment packages or loans unless COSATU and other representative organisations were party to the negotiations.²⁹ [²⁹ *Business Day* 2 August 1991]

National Council of Trade Unions (NACTU)

At its third biennial congress in September 1990 the National Council of Trade Unions (NACTU) claimed to have 258 000 paid-up members organised in 23 affiliates. Its strongest affiliate was the South African Chemical Workers' Union with 40 000 members, followed closely by the Building, Construction and Allied Workers' Union with about 35 000 members. The federation claimed 588 000 signed-up members. According to its general secretary, Mr Cunningham Ngcukana, the increase in NACTU's membership from the 150 000 reported in January 1990 was due to some affiliates having improved their method of organising.

Tensions between the Africanists within the council—who constituted the leadership of the federation—and the black-consciousness wing emerged at its congress. NACTU expelled the black consciousness-leaning Black Allied Mining and Construction Workers' Union on the grounds that it had not paid subscription fees for a year. However, the general secretary of the union, Mr M Mokhine, said that the expulsion was 'political' and was based on the union's attendance at the conference for a democratic future in 1989 (see *1989/90 Survey* p331) in defiance of a NACTU decision not to attend. He also said that the decision to expel the union was 'not constitutional, procedural and democratic' and demanded the union's reinstatement.³⁰ [³⁰ *South African Labour Bulletin (SALB)*, vol 15 no 4, November 1990, p57]

NACTU also expelled another black consciousness-leaning union, the Black Domestic Workers' Association, because, it said, it was 'not sure whether it is a union'. However, according to Mr Mokhine, the real reason was to pave the way for the formation of another union which shared the political views of NACTU's leaders.³¹ [³¹ Ibid] Of the council's 23 affiliates, 12 were said to be Africanist and eight black-consciousness oriented.

At the congress NACTU took a decision that mergers should take place to create 14 unions out of the present 23 and set a deadline of six months for this to take place.³² [³² Ibid]

Federation of Independent Trade Unions (FITU)

In March 1991 a new trade union federation, the Federation of Independent Trade Unions (FITU), was launched, with 23 affiliates (of which 15 were African or coloured). The multiracial federation was widely seen to be a revival of the Trade Union Council of South Africa which collapsed in 1986. The election of a white person, Mr Willie Coetzee, as the federation's general secretary in October 1991 in place of Mr Freddie Schwarz, a coloured man, led to threats by some African and coloured affiliates that they would break away. Three of the six-person leadership were white.³³ [³³ *The Weekly Mail* 25 October 1991]

South African Confederation of Labour (SACOL)

There was no response to requests to the South African Confederation of Labour for information on its activities.

Trade unions and the economy

During the period under review the Congress of South African Trade Unions (COSATU) reiterated its support for a democratic socialist system in the long term. In the short term, it envisaged change taking place within the context of a mixed economy. At their various congresses during the period under review, COSATU affiliates confirmed their support for a socialist system.

In his report to COSATU's fourth congress in July 1991, the federation's general secretary, Mr Jay Naidoo, said that since the last congress the organisation had seen the effective collapse of socialist regimes in eastern Europe and the abandonment of socialist goals by the new democratically elected rulers of these countries. The Soviet Union was moving to a market economy, he said. These developments, he added, had highlighted the following three points for all supporters of socialism:

- socialism was meaningless unless accompanied by democracy and human rights for all citizens;
- socialism had to be able to deliver basic commodities more effectively than capitalism if it were to succeed; and
- socialism had to provide concrete solutions to concrete problems and could not be based on dogma or abstract slogans.³⁴ [³⁴ COSATU congress secretarial report July 1991]

The congress reaffirmed its support for a democratic socialist system as the only one which could solve the country's social and economic problems. It resolved to popularise socialism among the people and highlight its failures. It said that it supported a socialist system which allowed for maximum democracy, including multiparty democracy, and guaranteed both collective and individual rights and freedom. The congress supported the independence of mass organisations, especially unions and civics, from both government and political parties. According to the congress, socialist production had to be efficient, and this should be developed in such a way so as not to lead to the exploitation of workers, and should lead to full employment and a good standard of living for all. It resolved to promote within COSATU discussion on what socialism was; the achievements and setbacks within socialist countries; how socialist production could be efficient; and how to build socialism, locally and internationally. It said that it supported a call for a conference of the 'left', aimed at its unification and the development of a working-class programme.³⁵ [³⁵ Ibid]

The congress further resolved that:

- in the short term COSATU and its affiliates should actively develop a programme to restructure the economy in ways that would benefit the working class. This would be an interim programme that would lead to democratic socialism, and would be introduced in a mixed economy with different kinds of ownership; and
- to achieve this programme COSATU would have to embark on a process of negotiation with employers and the state. The negotiating team should include worker representatives from its affiliates and regions.³⁶ [³⁶ Ibid]

At its seventh congress in April 1991 the National Union of Mine-workers (NUM) called for a national economic development plan providing for public ownership of key sectors in industry, including the mines. Such a plan should be drawn up by a new democratic government in consultation with the trade union movement. However, the union warned against 'unplanned or landslide' nationalisation. It resolved that there should be greater decision making and participation by workers in the running of enterprises and the economy.³⁷ [³⁷ *Business Day* 6 May 1991]

Delegates committed themselves to a socialist South Africa while noting the problems in eastern Europe. The congress resolved to start laying the basis for democratic socialism by 'deepening on organisational capacities of people operating in factories, mines, township and communities'. A multiparty system was seen as a central part of democratic socialism.³⁸ [³⁸ Ibid]

At its national congress in June 1991 the South African Commercial, Catering and Allied Workers' Union, COSATU's fourth largest affiliate, called for 'nationalisation without compensation' of health facilities, transport, public utilities and financial institutions. It also called for the 'socialisation of all means of production, distribution and exchange'.³⁹ [³⁹ *The Star* 25 June 1991]

While there was consensus among COSATU affiliates that unions should play a major role in decisions on the restructuring of the economy, there were divergent opinions on how this should be effected. Two main approaches emerged: one that negotiations should take place first with a post-apartheid government, with negotiations with employers on the outcome following thereafter; the other that collective bargaining with employers should form the basis of the restructuring, rather than unions' relying on a government to back up their demands.

At a workshop in 1990, the National Union of Metalworkers of South Africa (NUMSA) discussed the idea of a reconstruction accord between trade unions and the African National Congress (ANC), which would be an agreement on an economic strategy for national development. Unionists at the workshop argued that unions needed to develop their own perspective on how to achieve economic growth, development and redistribution in a democratic South Africa. This would be the basis of an economic policy which the unions could take to the ANC and other political organisations as their proposal for the content of the reconstruction accord. The accord would then be taken to business with a view to negotiating an agreement with it. Unionists made the following points:

- the South African economy could not escape the effects of global restructuring;
- talks given by businessmen showed that business did not have a programme for substantial restructuring;
- business, because it backed the status quo, would resist union proposals for restructuring, and thus unions would have to devise a plan to 'break the power of the conglomerates';
- a union-led economic development strategy would be successful only if unions had sufficient organisational and political power;
- it might be a good strategy to enter into a reconstruction accord with a political party which was sympathetic to the working class, although unions would have to be very careful with such a strategy; and

- unions should avoid entering into a social contract with employers.⁴⁰ [⁴⁰ *SALB*, vol 15 no6, 1991]

NUMSA stressed that unions would have to be careful with such a strategy: business would push for a social contract, which should be avoided as the aims of both parties were very different. Business would want to use restructuring to maintain profitability, while unions would aim to increase employment; achieve a living wage; produce goods and services needed by the people; and set the stage, through increased workers' power, for a transition to socialism. The union also warned that one of the dangers of a union-led programme for economic growth in a post-apartheid capitalist society would be that it would help advance capitalism and draw capital and labour together in a co-operative relationship, so decreasing the prospect of a break with capitalism and a move towards socialism.⁴¹ [⁴¹ *Ibid*]

In contrast to the NUMSA position, the general secretary of the South African Clothing and Textile Workers' Union, Mr John Copelyn, warned against too close a relationship between unions and political parties (see below), and argued that instead of developing an accord with political organisations, unions should influence restructuring through a system of national collective bargaining. This would allow for agreements between unions and employers on such issues as industrial restructuring, growth strategy, and on educational, health and social welfare issues. He said of this plan: 'Firstly, it holds greater promise of a democratic transformation of society through organisations which are dependent for their power on the constant involvement of membership. Secondly, it will help to build an organisation capable of exercising a strong check on the institutions of the state and the exercise of state power.'⁴² [⁴² *Ibid*]

During the period under review COSATU called increasingly for tripartite discussions between the government, business and the union movement on the restructuring of the economy.

At its economic workshop in May 1991 COSATU formulated a broad platform of economic demands for negotiation with employers and the government. It aimed to hold the first round of talks with them in June 1991 as a prelude to its congress in July. The demands included:

- a moratorium on retrenchments and negotiations on a job-creation programme;
- an end to privatisation and commercialisation and the sale of strategic stockpiles;
- employer support for an interim government, a constituent assembly and an end to violence;
- employer and government agreement on a nationally integrated system for basic adult education and training;
- a reduction in wage gaps;

- an end to discrimination in pensions;
- one provident fund per industry; and
- asking the South African Consultative Committee on Labour Affairs (SACCOLA) to fund a feasibility study on the conversion of hostels to single and family accommodation.⁴³ [⁴³ *The Weekly Mail* 30 May 1991]

COSATU decided that the National Council of Trade Unions (NACTU) would be asked to join the proposed employer/union/government negotiations as part of a union front. Black employer bodies such as the National African Federated Chamber of Commerce and Industry and the Foundation for African Business and Consumer Services would also be invited.⁴⁴ [⁴⁴ *Ibid*]

In July 1991 COSATU, business and the government met in their first round of talks towards negotiating a programme for economic development.⁴⁵ [⁴⁵ *The Star* 5 July 1991] It was agreed that a joint document would be drafted setting out the aims of the talks and that negotiations would start in August 1991. COSATU indicated that its resolutions arising out of its economic conference would form the basis of its demands.⁴⁶ [⁴⁶ *The Weekly Mail* 5 July 1991] In September 1991 COSATU complained that both the state and employers had failed to make further progress regarding the talks.

COSATU's dissatisfaction with the government's failure to negotiate over economic restructuring came to a head over the government's introduction of value added tax (VAT). COSATU and NACTU accused the government of acting unilaterally and of failing to take union views into account (see below).

At a conference in October 1991 on the concept of a social contract and South Africa's economic future, the minister of finance's special economic adviser, Mr Japie Jacobs, said, 'I cannot think of any country where trade unions can determine policy.' Trade unions had overplayed their hand in demanding a say in economic decision making, he added.⁴⁷ [⁴⁷ *Business Day* 8 October 1991]

However, in the same month, speaking in Bangkok (Thailand), the minister of finance, Mr Barend du Plessis, suggested that a form of social accord between government, business and labour would facilitate South Africa's move towards economic and political democracy. He said that a type of social accord had been invaluable in many developing countries. Taking into account the complexity of economic restructuring programmes, developing countries needed the widespread support of the international community, in particular institutions such as the International Monetary Fund (IMF) and the World Bank, in the design and implementation of such programmes, he added.⁴⁸ [⁴⁸ *Ibid* 17 October 1991]

In November 1991 the minister of manpower, Mr Eli Louw, said that he had sent invitations to

COSATU and organised business to discuss an economic forum. The ANC/South African Communist Party/COSATU alliance had stated a few days earlier that a national macro-economic negotiating forum should be established to ‘negotiate an overview policy on major economic issues and ensure a moratorium on unilateral economic restructuring’.⁴⁹ [⁴⁹ Ibid 11 November 1991]

Retrenchments and job creation

In its discussions on restructuring the economy COSATU gave priority to the issue of retrenchments and job creation.

One of the main demands voiced at COSATU’s campaigns conference in March 1991 was for a job-creation fund financed by the state and business in which the labour movement would have a strong voice. COSATU ascribed job losses to ‘company restructuring in the pursuit of maintaining profits’, and blamed the government and business for failing to build the economy. It demanded job-creation projects, such as township and rural electrification, housing development and factory expansion. Other demands were for training and retraining, satisfactory unemployment insurance payments and pensions, price control on basic goods and a 40-hour week without loss of pay. The federation said that industrial restructuring in consultation with labour and the government, particularly regarding weak sectors, was a priority. It saw as vital, access to company plans, as well as unions being forewarned of company retrenchments with a view to their suggesting alternatives. The conference also raised the issue of Industrial Development Corporation (IDC) incentives for continuous shift production, believing that industry should be expanded rather than more production squeezed from workers. The IDC agreed to meet COSATU on the issue. The federation undertook to meet SACCOLA and the government for talks on job creation and other demands in May 1991.⁵⁰ [⁵⁰ *The Weekly Mail* 15 March 1991]

At its fourth congress in July 1991, COSATU’s main emphasis was on job creation. It demanded, among other things:

- job creation and an end to job losses;
- an end to privatisation, commercialisation and investment of government money without negotiation with the labour movement; and
- that workers should be retrained and not retrenched. There should be a nationally integrated education and training framework.

These resolutions reflected demands which emerged from COSATU’s first-ever economic workshop held in May 1991 (see above and *Collective Bargaining* below).

At its third congress held in December 1990 NACTU condemned the government's policy of importing skilled labour from eastern Europe, thus denying South Africans development training and employment. It resolved that the federation should mount a campaign to stop the importation of labour. It also condemned the migrant labour system as inhuman and resolved that the federation should embark on a programme to force employers and the government to train and develop the skills of African workers.⁵¹

[⁵¹ *Axanian Labour Journal*, vol 3 no 3/4, December 1990, p10]

Wage policy

In March 1991 nine COSATU affiliates attended COSATU's first-ever wage-policy workshop, organised by its living wage committee.

The workshop arose out of debate within COSATU over the issue of a national minimum wage (NMW) at COSATU's campaigns conference in September 1990. That conference decided that COSATU affiliates needed to study the whole area of wages in more detail before a decision on the NMW could be reached. The workshop identified the following problem areas:

- wage differences between workers with different skills;
- wage differences (for the same job) between companies;
- wage differences between workers in the same companies in different regions;
- wage differences between industries;
- race and gender discrimination; and
- the inability of employers to pay proper wages.

Among the conclusions reached by the workshop were the following:

- unions should develop a clear wage policy. This would guide negotiators and ensure that the whole union was 'pulling in the same direction';
- the success of a wage policy depended on an improvement in levels of unionisation. Only 17% of South Africa's workers were unionised, it found;
- more attention should be given to the issue of unemployment. A reserve army of unemployed had the effect of undermining union efforts to gain higher wages for unskilled and semi-skilled workers; and

- unemployment was largely a function of poor economic growth, an issue which could not be dealt with by unions alone. In order to address the problem, unions would have to intervene in the political arena, so as to influence national economic policy, increase the social wage and create statutory protection for low-paid and unemployed workers.

The workshop believed that these conclusions had a number of implications for union strategies. It said that centralised bargaining was essential for effective wage bargaining. While in some industries centralised bargaining was well developed, in others bargaining was fragmented between different levels, and this would have to be addressed. It stressed the need for workers to have access to proper skills training so that they could earn higher wages. Pointing to the fact that the union movement would not be able to organise all workers in the near future, a report of the workshop stated that legal measures would be needed to protect the weak. Alongside a living wage (gained through collective bargaining) and an NMW (introduced through legislation—see below), the report argued for an improved social wage as being ‘perhaps the quickest, most cost effective way of raising living standards’.⁵² [52 Cooper C, ‘COSATU’s first-ever wage policy workshop’, SALB, vol 16 no I, July/August 1991, p55ff]

During the period under review COSATU reaffirmed its support for its living wage campaign. In his response to COSATU’s national congress, Mr Naidoo, commenting on the campaign, said that COSATU’s ability to deliver economic improvements to its members depended on its effectiveness in collective bargaining but that the federation was still very weak at this. While COSATU had tried to popularise the campaign for centralised bargaining, not enough had been done to support affiliates wishing to move in that direction.⁵³ [53 COSATU congress secretariat report July 1991]

During the period under review sharp differences emerged between COSATU affiliates on the question of an NMW. A demand for an NMW was contained in the Freedom Charter of 1955, and was made at COSATU’s inaugural conference in 1985 and at the 1989 conference for a democratic future. COSATU’s first campaigns conference in May 1990 agreed that there should be an NMW and its living wage committee was asked to establish what it should be, to develop a programme of action to achieve such a wage, and to submit its recommendations to the second campaigns conference. However, at this conference, held in September 1990, the question of an NMW came under renewed scrutiny.

The living wage committee, in supporting an NMW, which it set at R700 a month, argued that it could provide the ‘basis for a wage solidarity campaign to raise wages of the lowest-paid workers in all sectors of the economy and in the process can build working class unity’. It said that some workers were especially vulnerable to exploitation and needed protection, that it was impossible to eliminate poverty and reduce inequality in living standards without setting lower limits to wages, and that low wages had a bad effect on the growth and productivity of the economy.

Two of COSATU’s largest affiliates took differing positions on the committee’s proposals: the NUM supported them, but they were rejected by the South African Clothing and Textile Workers’ Union

(SACTWU), which circulated its own pamphlet at the conference. One of its main criticisms of an NMW was that it undermined collective bargaining. It also argued that it would have a detrimental effect on higher-paid workers as employers would use the argument that workers were already getting more than the minimum to stop paying them more. It also said that it would in all probability lead to the bankruptcy of companies in low-paying areas, leading to increased unemployment. According to a campaigns conference report, the Chemical Workers' Industrial Union supported SACTWU's view. On the other hand, the Food and Allied Workers' Union; the Printing, Paper, Wood and Allied Workers' Union; and the South African Domestic Workers' Union all agreed that there should be an NMW but felt that the figure of R700 a month was too low. NUMSA stated that it would not make economic sense to introduce an NMW in the current economic climate as this would lead to job losses and inflation. An NMW should form part of a campaign for a better economy. At the same time collective bargaining should be strengthened and there should be a campaign for all workers to be included under the Labour Relations Act and for national bargaining for all industries.⁵⁴ [⁵⁴ Cooper C, 'Debate on the National Minimum Wage', SALB, vol 15 no 8, June 1991]

The conference agreed that the demand for an NMW needed to be made in the context of the federation's demands for the restructuring of the economy and in relation to the problem of unemployment. The living wage committee was asked to re-examine the issue, identify other aspects of a programme against low wages, and refer the issue back to affiliates.⁵⁵ [⁵⁵ Ibid]

The national budget

Both COSATU and NACTU were critical of the 1991/92 national budget. Holding that the only beneficiaries of the budget were 'big business and apartheid bureaucrats', COSATU said that the government had offered no new direction that could solve the economic crisis which it had brought about. Massive development schemes should be implemented immediately in the critical areas of electrification and housing, it added. It also said that the budget had failed to achieve racial parity in social spending and made no move to abolish duplication of spending on apartheid bureaucracies. COSATU also took issue with what it saw as the 'shifting of the tax burden on to the shoulders of workers' (see below).⁵⁶ [⁵⁶ *The Weekly Mail* 28 March 1991]

The general secretary of NACTU, Mr Cunningham Ngcukana, criticised the budget's failure to provide for work creation and train' He said that no money had been allocated in the budget for the training of the unemployed or public works programmes. He also complained about the inadequate provision for health and land purchase.⁵⁷ [⁵⁷ Ibid]

Value added tax (VAT)

During the period under review there was concerted protest by unions over the introduction of value

added tax (VAT). Their opposition rested on two main grounds

- the government's failure to consult them on the new tax. and
- its imposition of the tax on basic foodstuffs and on medical supplies.

The only exemptions from VAT were brown bread, maize meal, bus and rail transport and certain municipal services, electricity and water.

COSATU spearheaded the co-ordinating committee on VAT (CCV), representing 94 organisations, including unions, and welfare, relief and community organisations, which was set up to negotiate with the government on VAT. After deliberations with the government, the CCV accepted that the implementation of VAT could not be postponed, but proposed zero rating on a broader range of foodstuffs and medicines and medical services for a period of six months to allow for the negotiation of poverty-relief programmes. At a meeting with the CCV on 17 September, Mr Du Plessis refused, however, to accept the CCV's proposals, saying that no further zero rating was possible. Instead, he proposed subsidies amounting to R50m on food consumed by the very poor, South African Defence Force assistance in running a poverty-relief programme, and additional powers for VAT watch (a consumer watchdog group) to monitor company costs. The committee rejected these proposals and said it would seek direct talks with the state president.⁵⁸ [⁵⁸ Ibid 20 September 1991]

On 29 September 1991, the eve of the introduction of the tax, the government announced a six-month zero rating of more food, which would result in an estimated saving to consumers of R200m. In a statement, Mr Du Plessis said that the additional concessions were aimed at providing further relief to the poor and unemployed until poverty-relief programmes became fully operational and the benefit of VAT filtered through. He had already announced that R220m would be spent on poverty relief until the end of the 1991/92 financial year and announced a further R500m had been allocated for the 1992/93 financial year.⁵⁹ [⁵⁹ *Business Day* 30 September 1991]

On 8 October 1991, after a summit between COSATU, NACTU and 12 other trade unions, the unions announced that they would call for a general strike on 4 and 5 November 1991 unless their demands were met. These were for:

- the zero rating of basic foods, water, electricity, medical services and supplies (thus reverting to the CCV's original demand);
- the negotiation of satisfactory poverty-relief programmes;
- the provision for small businesses not to be prejudiced by VAT; and

- an end to unilateral economic decision making by the government and big business and the establishment of a jointly agreed forum for socio-economic restructuring through negotiations.

Mr Naidoo told a press conference that there would be demonstrations and marches in addition to the two-day strike (see *Strikes* below).⁶⁰ [⁶⁰ *The Star* 9 October 1991]

Sanctions

In April 1991 the NUM, at its seventh congress, resolved to convene a conference on sanctions involving all parties which had earlier called for punitive measures. The assistant general secretary of the union, Mr Marcel Golding, said that the conference would be based on the understanding that sanctions could not be lifted until reforms were irreversible and that an ‘investment code’ had to be formulated.⁶¹ [⁶¹ *Business Day* 2 May 1991]

SACTWU supported a review of sanctions in exchange for social clauses in trade agreements. It envisaged that these clauses would cover basic trade union rights—to join unions, to strike and to picket. The union’s assistant general secretary, Mr Ebrahim Patel, said that the lifting of sanctions needed to be linked to progress towards the achievement of a political settlement, and compliance by employers with basic labour rights in a labour code. These would include protection for workers not covered by labour legislation, such as farmworkers.⁶² [⁶² *Financial Mail* 21 June 1991]

In October 1991 COSATU advanced a modified position on sanctions to heads of government attending the Commonwealth Conference in Harare (Zimbabwe), and to the Commonwealth Trade Union Council, whose recommendations would feed into the summit. In setting out its position, COSATU took into account the New Delhi Declaration by Commonwealth foreign ministers in mid-September, which had called for a phased easing of sanctions. COSATU proposed certain changes to the principles. These were that:

- the lifting of ‘person-to-person’ sanctions should be conditional upon affirmative action, where appropriate, and that integration between races in sport, culture etc be actual rather than formal;
- the lifting of economic sanctions—on trade and investment—should take place once there was an interim government, and agreement on constitutional principles and the ‘modalities of drafting a new constitution’. The New Delhi principles envisaged the scrapping of these second-line sanctions once ‘interim mechanisms’ were in place; and
- the lifting of the oil embargo and financial sanctions, including a ban on IMF and World Bank loans should occur once there was a democratically elected government. The principles proposed that third-

line sanctions should be dropped once the text of a new democratic constitution had been agreed upon.⁶³

[⁶³ *The Weekly Mail* 18 October 1991]

Trade unions and politics

Constitutional debate

In his report to the fourth congress of the Congress of South African Trade Unions (COSATU) held in July 1991, the federation's general secretary, Mr Jay Naidoo, outlined COSATU's stand on constitutional issues. Regarding negotiations, he said that while the organisation looked forward to a new and democratic constitution, it had depended too much 'on the integrity of our opponents' rather than on 'our mass base and on hard negotiations. We have made too many concessions to the regime'. He said that COSATU had chosen not to be part of the negotiating team, thus depriving 'our movement of the expertise and experience which we have gained in negotiations'. It was time to reassess this approach, he said. He added that COSATU had an obligation to assist in trying to achieve a negotiated political settlement, and reiterated the organisation's support for a constituent assembly, a patriotic front, an interim government, and an all-party conference (see chapter on *Political Developments* for a more detailed discussion of these issues). Mr Naidoo outlined three reasons why COSATU supported a constituent assembly: firstly, it identified the 'real leaders and organisations with mass support'. Secondly, it ensured maximum popular participation in drafting a new constitution. Thirdly, it gave broad legitimacy to the content of transition. At its congress COSATU said it would continue to support calls for a democratically elected constituent assembly as the control mechanism for drafting a new constitution, as well as reiterating its support for an all-party conference and an interim government. It resolved that only national parties and organisations should attend the all-party conference whose decisions should be made public and subject to ratification by the participatory organisations. It further resolved that the conference would not take decisions which would in any way restrict or limit the scope and powers of the constituent assembly.⁶⁴ [⁶⁴ COSATU congress secretariat report July 1991]

At its third congress in December 1990 the National Council of Trade Unions (NACTU) resolved that the following should be principles to be discussed during negotiations:

- one-person one-vote in a unitary nonracial country; and
- redistribution of resources, particularly the land

Acceptance by the government of these two principles as pre-conditions would pave the way for a peaceful settlement of the conflict in South Africa and lead to the convocation of a constituent assembly that should be elected to draw up the new constitution. The government should consult all liberation organisations on this question.⁶⁵ [⁶⁵ *Azanian Labour Journal*, vol 3 no 3/4, December 1990, p12]

Bill of rights/workers' charter

At its congress COSATU reiterated its support for the inclusion of a bill of rights in a new constitution. It said that it welcomed the African National Congress (ANC) bill of rights, and that COSATU should study this document and ensure that the collective rights of workers, not presently included in the document, were included. The congress said that it supported the inclusion of the following rights in a new constitution:

- union rights, including the right to strike;
- union independence from government, employers and political parties;
- democratic and accountable government, including a popular right to overturn laws in a referendum;
- a democratically planned economy, including provision for jobs, a living wage, and greater worker and union participation in the workplace and economy; and
- equality between men and women, including practical steps to promote this.⁶⁶ [⁶⁶ Report on COSATU congress July 1991]

The congress empowered its central executive committee to draft a workers' charter, based on the workers' charter report submitted to the congress, and on any other appropriate decisions made at the congress. The document should be presented for adoption at a proposed workers' summit involving NACTU and other unions. In April 1991, when COSATU first made known its demands regarding a workers' charter, Mr Naidoo said that the inclusion of a workers' charter in a constitution was necessary to prevent a repetition of mistakes made in other parts of the world. The workers' charter of Fidal for COSATU, Mr Ebrahim Patel, said that if the charter was embedded in the constitution, no statute or law could override it. The constitution was a permanent piece of legislation, whereas statutes could be amended or changed according to whichever government came into power.⁶⁷ [⁶⁷ *The Citizen* 4 April 1991]

In July 1991 NACTU published a draft of its workers' manifesto. It had earlier said that the manifesto would not entail 'intellectuals imposing ideas on the working class' but a programme of education which would allow workers themselves to formulate their own manifesto. Its general secretary confirmed that NACTU had received a request from COSATU to be part of its workers' charter campaign, and that a workers' summit could discuss a joint campaign between the two federations.⁶⁸ [⁶⁸ Pillay D, 'NACTU's third congress: what prospects for unity?', SALB, November 1990, p54]

The charter declared that workers needed to unite and be guided by ‘working-class principles’ to achieve industrial justice. The workers’ struggle, it said, could not be divorced from the struggle for national liberation. However, care should be taken to safeguard the independence of the working class from political organisations. Enshrined in the manifesto were the rights:

- of all workers to belong to trade unions;
- to strike and picket;
- to collective bargaining;
- to education and training and upgrading of skills;
- to work without discrimination based on race, colour, political affiliation, sex or creed;
- to equal pay for men and women;
- to a healthy and safe working environment;
- to family life, with the provision of accommodation near breadwinners’ places of employment; and
- to state-provided social security.⁶⁹ [⁶⁹ *Sowetan* 5 July 1991]

Union independence

The question of union independence from political parties, especially the role of the union movement under a majority government, was widely debated during the period under review. In an article on the issue in *Business Day* in March 1991, the general secretary of the South African Clothing and Textile Workers’ Union (SACTWU), Mr John Copelyn, said that there was widespread agreement in COSATU that ‘our struggle for the end of minority rule should be linked to the work done by other such organisations’. However, he said that it was possible that ‘if we go on blindly with the current rhetoric, the union movement will simply degenerate into being the labour wing of the government’. He pointed to three developments which indicated that COSATU was unlikely to become a junior partner in an ANC-led government after apartheid. Firstly, debates within the federation about the content of a workers’ charter showed a developing consensus about union independence. Secondly, in discussions over minimum wage laws, a view was emerging which supported the independence of the union movement (see above). Thirdly, there was the influence of the two-hats debate on the issue (see below). He said that the view that the wearing of two hats (a union hat and a party political hat) represented a fundamental surrender of the independence of the union was gaining credence within COSATU. According to Mr Copelyn, if a union chose to become the labour wing of a government, it would be the

death knell for democracy in a postapartheid society. 'When the institutions of civil society become so tied up in the workings of government that they become an integral part of the state machinery, there is less and less space for any criticism of the manner in which the state operates,' he said.⁷⁰ [⁷⁰ *Business Day* 20 March 1991] He said that two institutions would allow unions to play an independent role:

- firstly, employers had to accept national industrial councils as forums for collective bargaining which would deal seriously with the social and economic concerns of union members; and
- secondly, the positive results of union/employer negotiations had given unions a vision that national negotiations with employers 'were the way to go in order to influence the government on laws affecting workers'.⁷¹ [⁷¹ *Ibid*]

A further issue which came up for debate was the nature of COSATU's role in the ANC/South African Communist Party (SACP)/ COSATU alliance, formalised on 9 May 1990. In his report to the federation's fourth congress, Mr Naidoo pointed to certain problems within the alliance. These were:

- a lack of a clear alliance programme;
- a lack of consultation, COSATU being treated as a junior partner in the alliance;
- poor co-ordination between alliance partners; and
- an inability to translate the formal alliance into solid organisation and effective mass action.⁷² [⁷² COSATU congress secretariat report July 1991, p25]

Despite these problems, COSATU remained committed to the alliance. The congress affirmed this commitment, pointing out that the alliance at a national level should look at ways of ensuring its smooth operation at lower levels.

It said that it saw the alliance as being based on:

- democratic principles of mandates and report-backs;
- consensus decisions;
- the full independence of each organisation;
- effective co-ordinating structures at all levels;

- a uniting, mass-based programme of action;
- joint planning and organisation of agreed alliance campaigns;
- prior consultation on major policy issues and mass action;
- constructive self-criticism of the alliance partners within the broad framework of their programme of work; and
- full information to be provided to its members.

The congress also resolved that no party to the alliance could unilaterally change any decisions agreed to at an alliance level. It also reaffirmed the organisational independence of COSATU and its policy not to affiliate to any political party.

Mr Naidoo's report to the congress also raised the question of COSATU's role in a 'patriotic front of democratic forces': firstly, should the front be as broad as possible or limited to the 'so-called left of the tripartite alliance'? Secondly, should COSATU play a direct role in the front or was it a front for political organisations only? The congress supported the establishment of such a front, whose primary aim would be to unite 'organisations of the oppressed and all those who support the call for a constituent assembly'. The tasks of the front should be to launch a united mass campaign and programme of action for peace, unity, and a constituent assembly based on one-person one-vote on a common voters' roll. The congress resolved that COSATU should be part of the patriotic front.

At its third national congress in December 1990, NACTU reaffirmed its principle of non-affiliation to political organisations. It resolved to co-operate with all political organisations within the policies and principles of the federation and to take up political issues which affected its membership through campaigns. It said that it believed that a 'free, independent and self-sufficient trade union movement is a cornerstone of a democratic society'. It also resolved to reduce dependency on foreign funding and reaffirmed the principle of financial accountability within the federation and its affiliates.⁷³ [⁷³ *Azailion Labour Journal*, vol 3 no 3/4, pp10-11]

In his presidential address to NACTU's congress, Mr James Mndaweni said that NACTU's approach was one of independent trade unionism, and that this had made it possible for it to make inroads into a number of areas. Outlining NACTU's principles, he stated that these were:

- African working-class leadership;
- worker control;

- non-affiliation to political organisations;
- financial accountability within unions; and
- independent action of unions within the federation.⁷⁴ [74 Ibid]

He said that because its members came from a wide political spectrum, a plurality of views had therefore to be encouraged and respected. This, NACTU believed, would lead to political tolerance and was the basis for true democracy within the organisation. It guaranteed divergent viewpoints and ensured that NACTU was in touch with broad political thinking.

However, despite its official position of an acceptance of a plurality of political views and independence from political movements, NACTU continued to be beset internal tensions between its Africanist faction (sympathetic to the Pan-Africanist Congress (PAC)) and its black-consciousness wing. Africanists were in the dominant position in the organisation, most of the leadership belonging to this grouping (see *1988/1989 Survey* p330 and above for details of the Africanist/black-consciousness conflict within NACTU). It was reported in the *South African Labour Bulletin* that NACTU's political stand was not very different from that of the PAC, particularly its views on the redistribution of resources and the principle of African working-class leadership.⁷⁵ [75 Ibid]

Speaking at NACTU's congress, the general secretary of the PAC, Mr Benny Alexander, while accepting NACTU's need for independence in decision making, urged the federation to collaborate openly with 'its natural allies'. Isolation from the liberation movements was nothing less than a crime or social betrayal of the African working class, he said.⁷⁶ [76 Ibid]

The two-hats debate

A main area of discussion within the union movement during the period under review was whether trade union officials should be able to take up leadership positions in political organisations. Dissenters pointed to two obstacles: that the wearing of a political hat by a union official could lead to too great a closeness between unions and political organisations; and the effect that the wearing of two hats could have on the efficiency with which the official could carry out his/her tasks in both organisations. Certain unions within COSATU, such as the Chemical Workers' Industrial Union, believed that dual or multiple leadership should be avoided and that alliance structures were sufficient to allow worker input into the ANC. The South African Commercial, Catering and Allied Workers' Union also rejected the principle, while SACTWU, the fiercest opponent of unionists serving in political movements, forbade its leaders to speak on political platforms without a mandate. However, the National Union of Mineworkers (NUM) and the National Union of Metalworkers of South Africa (NUMSA) supported the wearing of different hats, subject to guidelines aimed at ensuring the primacy of worker interests. According to Mr Moses Mayekiso, the general secretary of NUMSA and a member of the internal leadership committee of the

SACP, 'We are still struggling for democracy and the contribution of union leaders will be vital, especially as the political organisations have recently been unbanned. We can represent workers better with a foot in both camps. If unionists won't lead the ANC who will? And who is going to lead the working class party if not workers?'⁷⁷ [⁷⁷ *The Weekly Mail* 15 February 1991] The Printing, Paper, Wood and Allied Workers' Union and the Food and Allied Workers' Union also supported the two hats' principle.⁷⁸ [⁷⁸ *IR Data*, vol 9 no 6, August 1991]

At COSATU's fourth congress in July 1991, the textile and chemical unions argued for a ban on the wearing of two hats, saying that this was a threat to union independence. However, their motion was rejected by 1 524 votes to 617. The congress resolved that all but paid full-time officials could occupy leadership positions in political organisations. 'We have no problem with people occupying two leadership positions, as long as they stay with their COSATU mandate,' said Mr Naidoo.⁷⁹ [⁷⁹ *The Citizen* 29 July 1991, *The Weekly Mail* 2 August 1991]

The general secretary of the NUM. Mr Cyril Ramaphosa, was elected secretary general of the ANC in June 1991. The NUM announced that it had endorsed Mr Ramaphosa's secondment to the ANC, and appointed Mr Marcel Golding as acting general secretary until the union's executive meeting in 1992.⁸⁰ [⁸⁰ *Business Day* 25 July 1991]

Action involving trade unions

Attacks on trade unions

In July 1991 the Congress of South African Trade Unions (COSATU) gave details of 40 attacks which had been made on its union offices between May 1987 and January 1991, pointing out that the police had not been able to apprehend the perpetrators of these attacks. It also reported that there had been numerous attacks on unionists and their homes.

Government/United Workers' Union of South Africa (UWUSA)/ Congress of South African Trade Unions (COSATU) conflict

In July 1991 *The Weekly Mail* published a secret government document showing that the government had given the United Workers' Union of South Africa (UWUSA) R1,5m in secret funding between September 1987 and the time of the revelations. The document, which was entitled 'Management and Control, Project Omega, Operation Alpha' and dated 17 October 1989, described UWUSA as a project under the joint control of the security police and KwaZulu's minister of the interior, Mr Steven Sithebe.⁸¹ [⁸¹ *The Weekly Mail* 26 July 1991]

Commenting on the revelations, the minister of law and order, Mr Adriaan Vlok, claimed that the payments to UWUSA were designed 'to counter intimidation, illegal actions and related violence on the labour front'. According to the minister of foreign affairs, Mr Roelof (Pik) Botha, UWUSA was perceived as a relatively moderate trade union which stood for stability, proper negotiations and bargaining.⁸² [⁸² *The Star* 26 July 1991]

The document also gave details of the maladministration of funds within UWUSA. Referring to the dangers posed by litigation for 'covert projects', the document added that Mr Vlok was concerned about how the union had been allowed to accumulate debts and how it was to be managed in the future. In the light of UWUSA's 'waning membership and effect in the labour field' and to remove 'problems in the management and control' of the union the document said that a commission of inquiry, under Dr Gavin Woods, the director of the Inkatha Institute, had been appointed to investigate the financial affairs of the union. The commission had reported to the KwaZulu administration.

Reporting on the funding of UWUSA, the auditor general, Mr Peter Wronsley, said that no irregularities had been found pertaining to the police's spending of the R1,5m, but that the internal finances of the union seemed to be in disarray. Mr Vlok said that he accepted that the union's 'broader financial affairs' had not been regulated by acceptable accounting procedures. He added that an in-depth police investigation into the financial affairs of UWUSA had found that the union could not be supported without exorbitant expenditure and that since the South African Police (SAP) was not prepared to fund UWUSA totally, it had been decided to terminate all Financial responsibility at the end of July 1991.⁸³ [⁸³ *Ibid* 29 July 1991]

In response to the revelations, the National Union of Metalworkers of South Africa (NUMSA), an affiliate of the Congress of South African Trade Unions (COSATU), called for the immediate derecognition of UWUSA at all South African companies. In particular, it demanded that BTR Sarmcol in Natal 'make public details of all dealings with UWUSA, the SAP, the security police, the SADF [South African Defence Force] and Inkatha' or face an International Labour Organisation investigation. The company rejected the allegations of collaboration with these organisations and said that it had 'signed an agreement with UWUSA after it had been proved to have a majority membership two years after the dismissals' [of 900 workers after a legal strike in 1985]. The National Union of Mineworkers (NUM), also a COSATU affiliate, announced that it would institute legal action against 'individuals and organisations' which colluded with the Inkatha Freedom Party (IFP) and UWUSA. It singled out Iscor, where it claimed UWUSA had been responsible for a number of attacks on its members. Iscor denied allegations that it was aiding UWUSA and pointed out that it had not signed an agreement with the union.⁸⁴ [⁸⁴ *The Weekly Mail* 16 August 1991]

In the same month COSATU launched a programme of mass action in protest against the government funding of UWUSA and held a two-day stayaway in the Vaal Triangle (southern Transvaal). It also met the South African Consultative Committee on Labour Affairs to draw up a code of conduct to 'govern employer relationships with trade unions, preventing employer funding of trade unions, employer

collusion in violence and forced recruitment'. COSATU also said that it would review its support for negotiations in the light of the exposure of the role of the SAP in government payouts to the IFP.⁸⁵ [⁸⁵ *The Star* 23 July 1991]

At a press conference in July 1991, spokesmen for the IFP said that UWUSA was not part of Inkatha and they did not know where its funds came from.⁸⁶ [⁸⁶ *Financial Mail* 6 July 1991] UWUSA made no public statements on the funding issue.

In August 1991 the American Federation of Labour and Council of Industrial Organisations condemned the government's funding of UWUSA and called for the retention of all remaining sanctions on South Africa. It said that the reasons for its refusal to have dealings with UWUSA in the past 'are now confirmed by the revelation of its clandestine association with the government'.⁸⁷ [⁸⁷ *The Star* 2 August 1991]

In July 1991 COSATU alleged that the government had financially backed a reign of terror waged by UWUSA against the federation. It said that the disclosures of government funding to UWUSA and Inkatha proved that the government had been involved before and after 2 February 1990 in funding and supporting efforts to undermine and destabilise the African National Congress (ANC) and COSATU. The exact amount of funding was unimportant. 'What is clear is that the government has been backing and financing the reign of terror which UWUSA has been conducting against workers, particularly COSATU members in the factories, communities and trains.' COSATU members in hostels in the Pretoria/Witwatersrand/Vereeniging (PWV) area had repeatedly told the federation since July 1991 that they had been forced to resign from COSATU and the ANC and join UWUSA and Inkatha, the federation said. UWUSA members had taken over the KwaMadala hostel in the Vaal Triangle (southern Transvaal), which was being used as a base to attack non-UWUSA hostel dwellers and neighbouring communities, COSATU added. In factories and industrial areas in the PWV area, UWUSA vigilantes had, since the beginning of 1991, demanded that workers produce their membership cards. It also claimed that UWUSA and the security forces were implicated in train attacks. The federation called for an independent judicial commission of inquiry into 'government involvement in violence and destabilisation of anti-apartheid organisations'. It also demanded the public disbanding of all special counter-insurgency units and 'death squads' of the SAP and the SADF.⁸⁸ [⁸⁸ *Business Day* 23 July 1991]

As a result of the funding revelations, COSATU called for the government to declare its preparedness to give way immediately to an interim government. The only way to save the negotiation process would be for an interim government to be formed which was broadly acceptable to the people of South Africa and which could preside over the transition process, it said.⁸⁹ [⁸⁹ *The Citizen* 25 July 1991]

There were reports of increased COSATU/UWUSA violence after the funding scandal was made public.

Conflict between UWUSA and the Food and Allied Workers' Union (FAWU), a COSATU affiliate, at the Langeberg Corporation's canning factory in Boksburg (east Rand) in August 1991 led to the death of seven FAWU members. The conflict followed the dismissal of casual workers belonging to UWUSA. An UWUSA official said that management was to blame for the clashes as it had allowed itself to be 'bullied by the FAWU/COSATU alliance into driving out not only casual workers but all Zulu-speaking workers belonging to UWUSA or Inkatha'.⁹⁰ [⁹⁰ *Business Day* 29 August 1991]

The company closed down for two days after workers had expressed fear for their lives, said a company spokesman, Mr Des du Toit. He said that the dismissals had no political connotations as his company did not keep records of workers' political affiliations.⁹¹ [⁹¹ *Ibid* 30 August 1991]

There were also reports of clashes in the Driehoek industrial area near Germiston (east Rand) and COSATU affiliates held crisis talks with the Germiston Chamber of Commerce at which it was agreed to setup a joint violence monitoring group. There were reports that the violence was linked to an UWUSA recruitment drive.⁹² [⁹² *The Weekly Mail* 6 September 1991]

Nineteen people were killed in September 1991 in clashes between employees at the Winkelhaak mine near Evander (eastern Transvaal). The NUM blamed Inkatha members for the attack and said that they were aided by mine security. This was denied by Mr Gary Maude, the managing director of Gengold (managers of the mine), who said that the union was trying to make capital from a situation which had started out as a 'drunken effort'.⁹³ [⁹³ *The Star* 18 September 1991]

Other clashes between workers

In August 1991 at least nine people were killed in clashes between two workers at Impala Platinum's Wildebeesfontein North mine in Bophuthatswana during a strike by about 16 000 workers. The one group wished to continue the strike, the other to end it, according to mine management.⁹⁴ [⁹⁴ *Ibid* 19 August 1991]

The NUM, which is not recognised by the Bophuthatswana authorities, accused management of being responsible for the deaths. The NUM said that people were sent into the mine hostel compounds by management to break the strike. The allegations were denied by Genmin, managers of the mine.⁹⁵ [⁹⁵ *The Citizen* 22 August 1991]

Both Wildebeesfontein North and South mines were closed on 22 August because, according to management, it was feared that the lives of some employees would be endangered.⁹⁶ [⁹⁶ *Ibid* 23 August 1991]

According to the managing director of Impala Platinum, Mr Mike McMahon, the lack of adequate union structures at the mine was at the heart of the problem. He said that he would welcome the NUM on his mines. The general secretary of the NUM, Mr Marcel Golding, said that the question of the union's recognition at the mine was the critical issue in the dispute.⁹⁷ [⁹⁷ *Business Day* 3 August 1991]

Police front

In September 1991 the government admitted that the security police had established a private close corporation, the Liaison Bureau for Labour Relations Services, in March 1989 as a front to influence labour affairs. However, the minister of law and order, Mr Hernus Kriel, said that the police's involvement had ceased on 31 July 1991 after the government had announced that all secret government projects of a political nature had been cancelled, following the UWUSA funding scandal (see above). A report in the *Financial Mail* named a security policeman, Major F P R Derrick Botha, who had also been involved in the UWUSA funding scandal, and a senior academic from the Rand Afrikaans University, Professor Kobus Slabbert, as being involved in the secret operation. Citing widespread labour unrest in 1989, Mr Kriel said that the police believed that the activities of the bureau had made a valuable contribution towards improving relations between employers and workers and among workers themselves. He said that at no stage had the activities of the bureau aimed at disrupting the normal activities of unions. COSATU, reacting to the disclosures, said that covert police operations had not ceased and demanded a meeting with Mr Kriel.⁹⁸ [⁹⁸ *The Citizen* 27 September 1991]

Unions and discussions over peace

In his report to COSATU's congress in July 1991, the federation's general secretary, Mr Jay Naidoo, said that escalating violence in the country had become a major obstacle to a negotiated political settlement. It demonstrated the weakness of organisation in many areas, and the inability of the democratic movement to develop a comprehensive strategic programme to deal with the violence. At its congress, the federation said that it needed to play a leading role in the peace process and resolved that it should campaign for:

- codes of conduct for political organisations;
- codes of conduct for security forces;
- reconstruction programmes for communities destroyed by the violence; and
- enforcement mechanisms, such as a standing commission and a peace secretariat at national, regional and local levels.

The congress resolved to popularise and educate members on the ground about the codes. It said that the codes had to be accompanied by the intensification of a call for an interim government, because the police at present reported back to the present government.

Claiming that violence was ‘well orchestrated by the state and its agencies’, the congress resolved to encourage COSATU members to participate actively in setting up defence units in industrial and residential areas. These should be open to all members of the community regardless of political affiliation, be run democratically, and be controlled and monitored by the people. Street and industrial area committees should be formed first and be responsible for the formation of the committees. The federation said that it would continue to campaign against the carrying of dangerous weapons, including traditional weapons. It would also continue to campaign for appropriate accommodation to enable workers living in hostels to be integrated into the community.⁹⁹ [⁹⁹ COSATU congress resolutions July 1991]

Responding to renewed violence on the Reef. in September 1991, COSATU claimed that ‘it bore all the hallmarks of state and vigilante violence which have become familiar since August last year’. COSATU said that it had made it clear that if the state failed to act decisively to stop violence against workers, it would have no option but to embark on protracted national industrial action.¹⁰⁰ [¹⁰⁰ *The Star* 12 September 1991]

Delegates at the third annual congress of the National Council of Trade Unions in December 1990 noted with concern the failure of political organisations to address the fundamental causes of violence among working people. They called on the federation to facilitate peace among workers in factories and in the townships, demanded that the state of emergency in Natal be lifted so that ‘elements in the violence should be exposed’, and called on all organisations to exercise tolerance of opposing political views and to commit themselves to the principle of freedom of association.¹⁰¹ [¹⁰¹ *Azanian Labour Journal*, vol 3 no3/4, December 1990 p11]

COSATU, UWUSA and other unions were signatories of the National Peace Accord signed in Johannesburg in September 1991 (see *Overview*). COSATU’s general secretary, Mr Jay Naidoo, said that while the accord might not be to everyone’s satisfaction, it did hold out a ray of hope.¹⁰² [¹⁰² *Sunday Times* 15 September 1991] NACTU said it would take the accord to its members for a decision.¹⁰³ [¹⁰³ *The Citizen* ? September 1991]

For further details of unions’ role in the peace process, see chapter on *Political Developments*.

Free State Geduld Mine peace agreement

In May 1991 the Anglo American Corporation of South Africa and the NUM reached an agreement which would apply to the Free State Geduld Mine (Orange Free State) which provided for open air union meetings. Tough curbs on such meetings, including bans on toyi-toying and political T-shirts and banners, had led the NUM to protest that miners’ human rights were being violated.¹⁰⁴ [¹⁰⁴ *The Weekly*

Mail 22 March 1991¹ The agreement would last six months unless agreed otherwise. Although the union still had to seek permission for meetings, management agreed not to withhold this unreasonably. Meetings would be monitored by a joint union-management committee. The NUM agreed that rallies would be voluntary, no weapons would be carried and that there would be no incitement to violence or illegal strikes. Subject to this, workers would have freedom of speech, and the right to display banners, sing songs and wear clothes of their choice. Management would also respect the ‘privacy and confidentiality’ of meetings.¹⁰⁵ [¹⁰⁵ *Ibid* 3 May 1991]

Court cases

In August 1991 five shopstewards, all NUMSA members, and a sixth man, allegedly hired by them to intimidate non-striking workers, appeared on charges of murder and attempted murder in the Witwatersrand Local Division of the Supreme Court (Johannesburg) following a strike at Haggie Rand (east Rand) in 1989. They were accused of attempting to murder 11 complainants, all non-strikers, who had refused to participate in the strike.¹⁰⁶ [¹⁰⁶ *The Citizen* 7 August 1991] There was no outcome to the case at the time of writing.

In June 1991 four COSATU officials—its general secretary, Mr Jay Naidoo; the assistant general secretary, Mr Sydney Mufamadi; the general secretary of NUMSA, Mr Moses Mayekiso; and a COSATU staff member, Mr Baba Schalk—were charged in the Johannesburg regional court with the kidnapping and assault of a security policeman, Mr Monge Maleka, on 28 August 1990 at COSATU’s head office (Johannesburg). Mr Maleka said that he had waited outside the office because he had been instructed by his superior to trace a South African Communist Party official and report back to him. The state claimed that Mr Maleka was kidnapped from outside the COSATU offices at 11am and forcibly taken inside by the accused where he was assaulted. The accused denied the charges.¹⁰⁷ [¹⁰⁷ *Business Day* 26 June 1991]

Giving evidence, Mr Naidoo said that COSATU officials had not taken the law into their own hands when they apprehended Mr Maleka. He said that they would have left Mr Maleka alone if he had told them that he was a policeman. He had denied being a policeman when the officials approached him. Had he admitted to being one, the issue would have been pursued through a liaison mechanism established through the Pretoria Minute, Mr Naidoo said.¹⁰⁸ [¹⁰⁸ *The .Star* 3 July 1991]

In October 1991 the magistrate, Mr O Rautenbach, found three of the accused guilty of kidnapping and assault (charges against Mr Schalk had been dropped). Although kidnapping and assault were crimes of ‘a very serious nature’, he found that mitigating circumstances existed relating to the case, that is, that the kidnapping took place in daylight and that Mr Maleka’s superior officer knew of his removal and where he had been removed to, but failed to make contact with COSATU until 5pm. He sentenced the accused to fines of R2 000 or one year’s imprisonment each, and a further one year’s imprisonment each

was conditionally suspended for three years.¹⁰⁹ [¹⁰⁹ *The Citizen* 17 October 1991]

Trade unions and socio-economic issues

Health

At its fourth national congress in July 1991 the Congress of South African Trade Unions (COSATU) noted that it had not done enough to implement its 1989 policy on the acquired immune deficiency syndrome (AIDS), and resolved that it should initiate a summit on AIDS of progressive organisations and all those committed to or having a role to play in the fighting of the disease. A document which it adopted as its guidelines proposed the following:

- a clear and easily applied workplace policy to combat prejudice and fear, prevent the disease and care for sufferers. This should form part of a comprehensive health and safety programme;
- a ban on the dismissal of workers because they were infected. Benefits should not be affected and workers should ensure benefit scheme trustees did not discriminate against sufferers;
- confidentiality should be observed. Infected workers should be under no obligation to inform employers;
- testing should be voluntary and preceded by a clear explanation of what the test was for. Results should be confidential; and
- workers found to have AIDS should have access to health services and counselling. Where appropriate, workers and first-aid staff should be trained to provide this for sufferers and their families.

The document also proposed that education seriously address the stigma attached to the use of condoms, as well as free access to condoms supplied by the state.¹¹⁰ [¹¹⁰ *The Weekly Mail* 24 May 1991]

COSATU resolved that this document should be discussed by all affiliates together with a draft document from COSATU's AIDS conference held in early 1991. These two documents would be used to finalise a COSATU AIDS policy.¹¹¹ [¹¹¹ COSATU congress resolutions, July 1991]

Other health issues

The COSATU congress resolved that the federation should campaign for a national health service that provided affordable and accessible basic health care for all, including those unable to pay. It also

resolved that the present ethnically fragmented health system should be unified, and called for the expansion of health care to include:

- a greater focus on preventative medicine;
- more appropriate training of health workers;
- improved facilities in all areas, especially rural areas;
- the concentration of resources into the state-run health system; and
- consideration of the nationalisation of the pharmaceutical industry.

The congress mandated the federation's central executive committee to research and develop a more comprehensive policy on health care. Such a health policy should be developed together with 'progressive organisations in the health sector'.

The congress noted that many workers were killed in industrial accidents while others suffered occupational diseases. In addition, it said that industry was a major cause of environmental damage affecting workers in the workplace and in their communities. It resolved that it needed to campaign for:

- a comprehensive review of all legislation affecting health safety and the environment;
- the establishment of an independent occupational health, safety and environment monitoring structure;
- employers to be held responsible for creating a safe and healthy workplace and for the safe disposal of toxic waste products;
- training centres, run jointly by unions, employers and the state to retrain workers disabled in accidents for other jobs; and
- the banning of the dumping of waste in South Africa by other countries.

The congress also resolved that it needed to fight for shopstewards to negotiate health and safety issues in each workplace, and to take up environmental issues.¹¹² [¹¹² Ibid]

In April 1991 the Minerals Bill was passed by Parliament in the face of strong opposition from the National Union of Mineworkers (NUM). The union said that the act's safety provisions were 'wholly inadequate, and out of line with international standards'. Drafted in 1988, the bill, which consolidated nine laws, was tabled in Parliament in February 1990, but was returned to the parliamentary standing

committee after criticism from employers and unions.

In talks with the Chamber of Mines of South Africa in May 1991, the union called for a statutory advisory council, representing the state, unions and employers, which would devise national policy on mine safety and be consulted on all safety legislation. The NUM proposed that a new law should provide for an inspectorate with only health and safety responsibilities and with adequate personnel and resources, partly financed through a levy on employers. Among other demands were:

- adequate accident inquiries, in which all interested parties could participate;
- elected safety representatives, with rights of inspection and access to documents;
- the right of workers to refuse to do dangerous work, and protection from victimisation when refusing to do such work;
- access by workers to information on health and safety hazards, including access to inspectors' findings at inquiries; and
- the right to health and safety training and free safety equipment.¹¹³ [¹¹³ *The Weekly Mail* 10 May 1991]

In June 1991 labour lawyers and trade unions criticised a draft bill amending the Occupational Diseases in Mines and Works Act of 1973. The bill failed to address the racially discriminatory schedule for payment of compensation for workplace diseases. In terms of the schedule there was a thirteenfold difference in the compensation payouts for African and white workers suffering from the same disease. The act provided for a maximum payout of R43 834 for white workers, R25 328 for coloured workers, and R3 842 for African workers. The legal consultant for the chamber, Mr Barry Shipman, said that the chamber had been pressing for years for colourblind legislation based on earnings and levels of disability as in the Workmen's Compensation Act of 1941.¹¹⁴ [¹¹⁴ *Ibid* 21 June 1991]

Housing

COSATU's national congress held in July 1991 resolved that:

- the government and employers should fund housing programmes which should be negotiated with civic organisations, trade unions, hostel dweller committees and other relevant bodies;
- that affordable and suitable land should be made available for housing development;
- through negotiation with hostel dwellers, hostels should be upgraded and decent alternative

accommodation provided for them which integrated them into the surrounding communities;

- the land and housing markets be regulated to eliminate profiteering and speculation;
- measures should be introduced to force financial institutions to make small loans available to all citizens on an equitable and non-discriminatory basis; and
- the federation should continue its research into the feasibility of a large-scale and infrastructural programme as a ‘lead sector in the economy’.¹¹⁵ [¹¹⁵ COSATU congress resolutions, July 1991]

Pension and provident funds

After negotiations lasting more than two years between the Steel and Engineering Industries’ Federation of South Africa (SEIFSA) and the eight trade unions in the metal sector, a provident fund was launched in May 1991 which would give the members of the Metal Industries Group Pension Fund—one of the largest funds in South Africa—the option of an alternative form of pension. From 1 May 240 000 members were granted the option of transferring their contributions to the new Metal Industries Provident Fund. About 60% of members were expected to take up the option to transfer. By doing so they had the opportunity to take their full pension benefits in a lump sum when they resigned or retired. Members had two years in which to decide whether to move their contributions. New members would have to choose which fund to join and would be given three months in which to change their minds. The pension fund, which was established as a non-contributory fund in 1966 and was converted to a contributory fund in 1978, would remain operational for those who did not wish to transfer. The new provident fund would be jointly managed by trustees elected by trade unions and employers. Mr Johannes Bokasa, a shopsteward of the National Union of Metalworkers of South Africa (NUMSA), was elected the first chairman of the fund’s management board.¹¹⁶ [¹¹⁶ *Business Day* 24 April 1991] Conflict over pension funds had emerged in 1981 when the government published a controversial Pensions Bill designed to preserve pensions. Many workers threatened to withdraw from their pension funds at the time and provident funds were established as an alternative (see 1981 *Survey* p210).

At its fourth congress in July 1991 COSATU called for the establishment of industry-based provident schemes so that company provident and pension schemes could be merged in the future. It also resolved that there should be one state pension fund with equal benefits for all state employees. It resolved further that the state old-age pensions should be equalised immediately on a nonracial basis and set at a level which provided for a decent standard of living. In addition there should be one scheme for all South Africans.¹¹⁷ [¹¹⁷ COSATU congress secretarial report, July 1991]

Education

In March 1991 COSATU’s campaigns co-ordinator, Ms Lisa Seftel, announced that COSATU was

formulating proposals for a nationwide worker literacy and basic education programme which it intended tabling in negotiations with the South African Consultative Committee on Labour Affairs. Ms Seftel stressed that both management and the government had to recognise programmes negotiated by COSATU to ensure workers' access to further training and study. It emphasised the vital need for co-operation with organisations such as the National Education Co-ordinating Committee and a future democratic government on the issue. Basic principles for such a programme set out in the document included:

- the linking of courses to the state's adult education system, and access from courses to industry training programmes;
- programmes should be planned and negotiated with COSATU;
- paid time off for courses and an agreed target date for workers to achieve the first two literacy levels: mother-tongue literacy and basic English and numeracy; and
- employers should provide facilities for classes, and negotiate the payment and training of teachers and the development of materials.

COSATU saw literacy training as part of workers' empowerment, economic growth and the building of democracy in South Africa.¹¹⁸ [¹¹⁸ *The Weekly Mail* 28 March 1991]

In the same month a workers' college—jointly controlled by COSATU and the National Council of Trade Unions and non-aligned unions—was launched in the western Cape. The college aimed to strengthen the labour movement by offering courses in labour law and collective bargaining, political economy and the international labour movement, the theory of trade unionism and organisational management. About 20 students would undertake a pilot course to end in November 1991.¹¹⁹ [¹¹⁹ *Ibid*]

Among COSATU's resolutions at its fourth congress in July 1991 was one calling for the total restructuring of the training system along the following lines:

- training should be linked to economic planning and form an integral part of attempts to restructure the economy;
- unions should play a central role in planning, implementing and monitoring training with agreed procedures for selection and testing;
- the effects of past class, race and sexual discrimination should be fought;
- employers and the government should undertake and help finance training;

- there should be clear links between formal schooling, adult education, and industrial training and other education and training systems; and
- training should be linked to grading and pay.

The congress also resolved that there was a need to negotiate with employers and the state a nationwide adult basic education programme open to workers and the wider community.

During its annual wage negotiations in 1991 NUMSA proposed that employers contribute 10c an hour per worker to an industry training fund, which would lead to R80m a year for training. The union said that this amount would be utilised for extending training to a far wider group—at present only apprentices were trained at industry level. Training of operators, where it occurred, was done in a job specific and company specific way.¹²⁰ [¹²⁰ *Finance Week* 13 March 1991]

According to the head of SEIFSA's education and training division, Ms Janet Lopes, in 1988 it was decided that operator training should be the responsibility of individual companies rather than that of the industry as a whole. A metal industry grant-levy scheme had been in operation for over 20 years. Grants paid to employers by the Metal and Engineering Industries Education and Training Fund for apprenticeship training had been in the region of R15m annually and it was envisaged that this amount would increase to R21m.¹²¹ [¹²¹ *Ibid*]

The national organising secretary of NUMSA, Mr Bernie Fanaroff, said that the union wanted to negotiate a system of modular training that would also address formal qualifications. The union saw better training as the answer to productivity. According to a Human Sciences Research Council/National Training Board report into skills training in South Africa published in 1989, on average less than 2% of expenditure in South Africa was allocated to training, while the average allocation in other countries was 5%.¹²² [¹²² *Finance Week* 14 March 1991]

Collective Bargaining

During the period under review the issue of collective bargaining was widely discussed within the Congress of South African Trade Unions (COSATU) in relation to the question of the independence of trade unions. The general secretary of the South African Clothing and Textile Workers' Union, Mr John Copelyn, argued that collective bargaining was an important base of union power, and thus union independence, compared to unions' becoming a labour wing of political parties and relying on legislation to achieve advances in the workplace (see *Trade unions and politics* above). The latter course would spell the end of union independence, he said. Collective bargaining should be broadened, he argued, and should take place on a national basis for each industry. This would allow for agreements on

issues such as industrial restructuring, developing a growth strategy for South African industry which was not based on a low-wage policy, and on import and export tariffs. The state would act as an enabling institution, enacting in law agreements reached by organised labour through collecting bargaining

Pointing to the negative attitude of some employers towards national bargaining forums, he said that factory- or company-level bargaining would result in unions either having to abandon any attempt to represent the social and economic concerns of their members or having to focus their attempts on developing close ties with political parties which would give them access to power. He pointed to the relative success of the joint COSATU/National Council of Trade Unions/South African Consultative Committee on Labour Affairs initiative (see *Policy and Legislation* above) and said that this had given unions a vision of the 'way to go in order to influence the government on laws affecting workers'. This bargaining process could be expanded in future and include such functions as choosing judges for the future Industrial Court, and approving future labour legislation.¹²³ [¹²³ Copelyn J, 'Collective Bargaining: a base for transforming industry', SALB, vol 15 no 6, March 1991, p26]

Bargaining forums

In a major breakthrough the Delta Motor Corporation agreed in May 1991 to join the national bargaining forum (NBF) for the motor industry. It was the only major vehicle manufacturer to have refused to join the forum since its establishment in 1989, sparking a six-day wildcat strike and formal dispute in 1990. Eight other companies were members. According to the National Union of Metalworkers of South Africa (NUMSA), the company would join the forum with immediate effect, implement clauses of the 1990 NBF agreement pertaining to maternity leave, short-time, sick leave, and other issues, and join sub-committees of the NBF, notably those on job security and training. In turn, the union agreed to the company's exemption from the NBF clause on working hours until 1995, subject to annual review, and to regulate overtime through a joint committee at the plant. NUMSA said that the only outstanding demand related to the implementation of a 1989 industrial council agreement at Delta, involving back pay for the relevant period.¹²⁴ [¹²⁴ *The Weekly Mail* 3 May 1991]

Conflict continued during the period under review over the demand of the Paper, Printing, Wood and Allied Workers' Union for admission to the Industrial Council for the Furniture Manufacturing Industry (Transvaal). The council had blocked the union's application on technical grounds—that it had not met registration requirements—and after having passed through the Industrial and Labour Appeal courts, the case went to the Appellate Division of the Supreme Court. The union argued that the technical application of the law could not nullify the union as a force in the industry and stressed that its members contributed financially to the council and its benefit funds.¹²⁵ [¹²⁵ *Ibid* 26 April 1991]

In September 1991 Transnet and 13 trade unions signed an agreement setting up an industrial council covering 150 000 Transnet employees. It was due to start operating on 6 October 1991 when Transnet would fall for the first time under the Labour Relations Act of 1956. The council would replace the

present labour council and parallel bargaining forums for the South African Railways and Harbour Workers' Union and the Black Trade Union, Transnet's two black unions. In addition to the central forum, there would be six committees, called chambers, catering for Transnet's various divisions: Autonet, Portnet, South African Airways, Spoornet, and technical staff and a general chamber for specialist employees, such as medical aid staff. The aim was that workers common to more than one division, such as general workers, would have their wages and conditions set by the council, while those specific to one division, such as pilots and train drivers, would be covered by the relevant chamber.¹²⁶
[¹²⁶ Ibid 27 September 1991]

Dispute-settling mechanisms

Industrial Court (IC)

Commenting on the operation of the Industrial Court (IC), its president, Mr David de Villiers, said in May 1991 that a number of changes needed to be made to it. Firstly, small labour courts should be established in the rural areas to deal with farm labour disputes and other less complicated cases. Secondly, there should be more courts and officials especially in view of the fact that civil servants and domestic workers could fall under the Labour Relations Act of 1956 in the near future. Thirdly, there should be labour legislation education for the man in the street, through booklets published by the Department of Manpower on the workings of the court.¹²⁷ [¹²⁷ *Finance week* 2 May 1991]

Labour Appeal Court (LAC)

The Labour Appeal Court (LAC), established in 1988, came under criticism during the period under review. In an article in *Business Day*, Mr Edwin Cameron, a lawyer at the Centre for Applied Legal Studies at the University of the Witwatersrand, said that the court had been established to curb the Industrial Court, which had become too sympathetic to workers' interests. He said that in its short history the LAC had 'drastically altered labour practice in South Africa'. Its judgements had adversely affected the jurisprudence which the Industrial Court had established on the right to strike, unfair dismissals and the balance of power between unions and employers regarding over time bans, benefits for strikers and non-strikers and bargaining levels. Other problems were the length of appeal procedures, and the selection of judges and assessors. The latter were often employer advocates, and this, in theory, could undermine the impartiality of the proceedings. He pointed out that the South African Consultative Committee on Labour Affairs also had reservations about the court and the employer body agreed that the LAC would have to be changed.¹²⁸ [¹²⁸ *Business Day* 18 March 1991]

Agreement seemed to be emerging on the following changes, he said:

- judges should be appointed for their knowledge of labour law;

- the LAC should not consist only of judges nor only of lawyers There should be additional members drawn equally from two panels—one employer nominated and the other union nominated. These ‘wingpersons’ might or might not be lawyers;
- wingpersons should have the power to out vote the professional judges on factual and legal questions
- there should be flexibility on how many judges and wingpersons were required to sit in any specific appeal, depending on the complexity of the case; and
- procedures should be expedited and the number of appeals limited.¹²⁹ [¹²⁹ Ibid]

Collective bargaining for public sector workers

In September 1991 the president of the Public Servants’ Association (PSA), Mr Johan van Wyk, said that the PSA was to register as a trade union so that public servants could have a collective bargaining platform similar to that of private-sector workers. He said that representations had been made over a number of years to the government for public servants to be granted legal rights similar to those in the Labour Relations Act (LRA) of 1956 protecting other workers. The government and the various employee organisations were currently drafting legislation for a system of collective bargaining within the public service based on the LRA—either to be incorporated under the act or falling under a similar act, he said.¹³⁰ [¹³⁰ *The Star* 24 September 1991]

In September 1991 a draft Public Service Bill was published, providing for the establishment of a public service bargaining council to function as an industrial council. It also made provision for state workers to use the Industrial Court, the Labour Appeal Court and statutory conciliation mechanisms.

Collective bargaining for domestic and farmworkers

During the period under review there were developments on the question of the extension of protective labour legislation to domestic and farmworkers. Both categories of workers are excluded from the Labour Relations Act (LRA) of 1956, the Basic Conditions of Employment Act (BCEA) of 1983, the Wage Act of 1957, the Workmen’s Compensation Act of 1941 and the Unemployment Insurance Act (UIA) of 1966.

Domestic workers

In February 1991 the National Manpower Commission (NMC) published a working document flowing

from its sub-committee on domestic labour, on which both the Congress of South African Trade Unions (COSATU) and the South African Domestic Workers' Union (SADWU) were represented. In June 1990 the minister of manpower had instructed the commission to make recommendations on including domestic workers under protective legislation. The document contained arguments for and against the extension of labour laws to domestic workers.¹³¹ [¹³¹ *Business Day* 30 January 1991]

Some members of the sub-committee, which also included women's organisations and lawyers, argued against the extension of the LRA and BCEA to domestic workers on the grounds that added administrative burdens on employers would spur mechanisation and large-scale dismissals. They also argued that these acts should not be extended to domestic workers because the small claims court provided for the hearing of civil claims and related matters raised by them.¹³² [¹³² *Ibid*]

Another view was that domestic workers should be covered by a separate domestic workers' act which would include those parts of the LRA and BCEA relevant to domestic work. A third option would be to include them under these acts but with special provisions taking into account the sector's special circumstances.¹³³ [¹³³ *Ibid*]

As far as including domestic workers under the Wage Act was concerned, one suggestion was that an amendment be made to the act to allow the Wage Board to set recommended wages.¹³⁴ [¹³⁴ *The Weekly Mail* 1 February 1991]

COSATU argued that domestic workers should be included under labour legislation because their lack of collective bargaining muscle left them less able to defend themselves than other workers. It argued that inclusion would give workers access to the Industrial Court and its unfair labour practice jurisdiction, provide for the registration of unions and protect union members against victimisation. It also argued for 'appropriate' conciliation procedures. However, the federation accepted that the peculiarity of the sector might mean adjustments to some of the acts' sections. Although it described the document as a first step towards frill rights for domestic workers, COSATU said that it rejected many of the views expressed in it, which would leave 'domestic workers again at the bottom of the labour pile'.¹³⁵ [¹³⁵ *Ibid*]

In September 1991 the NMC published its recommendations on the extension of labour legislation to domestic workers. The main recommendations were that domestic workers be covered immediately by the BCEA, the LRA, the UIA and the Workmen's Compensation Act. However, specific amendments would be made to these acts for such workers. There was division within the commission on whether they should be included under the Wage Act. Members who believed that domestic workers should not be included under this act recommended that there should be wage guidelines instead. These should be nonbinding and drafted by the wage board or a similar institution. Wages could be recommended according to area, workers' competence and training and employers' financial ability. Members who

said that domestic workers should be included under the act believed that this would enable the board to investigate wages and other conditions of domestic workers. The board would take into account relevant factors and could recommend minimum wages for uiffereni areas. The minister of manpower would, however, retain a discretion as to whether to give effect to the recommendations by making a wage determination.¹³⁶ [¹³⁶ *Business Day* 13 September 1991]

The commission was also divided on a contract of employment for domestic workers. One group supported the view that provision should be made in the BCEA that no domestic worker be employed without a written contract. This contract should be signed by both parties, be available for inspection and both employer and domestic working should have a copy. Other members believed that no statutory compulsion should exist.

It was recommended that domestic workers be entitled to 12 weeks' maternity leave, as provided in the BCEA. The commission decided to investigate whether female employees in all sectors should be guaranteed their jobs back after pregnancy.¹³⁷ [¹³⁷ *Ibid*]

SADWU welcomed the NMC's proposals that domestic workers should fall under the BCEA but criticised it for ignoring their demands that they should be included under the Wage Act. The union's general secretary, Mrs Florence de Villiers, said, 'Demands for a living wage were part of the proposals we have made to the government since 1980. Recommending guidelines on wages and not on the Wage Act is not enough. We won't be satisfied until the Wage Act is implemented.' She said that the union was demanding R450 a month for all its workers.¹³⁸ [¹³⁸ *The Star* 16 September 1991]

Farmworkers

In 1990 the minister of manpower announced that amendments to the BCEA and the UIA would be introduced during the 1991 parliamentary session, making the acts applicable to farmworkers. He said that he had also asked the NMC to investigate the aptness of the LRA and the Wage Act for farmworkers and report back within 12 months (see *1989/90 Survey* p361).

At the end of 1990, the NMC published its proposals on labour legislation for farmworkers, particularly the extension of the BCEA and the UIA to cover them. The NMC proposed a working week of a maximum of 48 hours, with provisos that employees could sign written agreements with employers allowing them to work for 52 hours a week for three months of the year with subsequent time off. The South African Agricultural Union (SAAU) pointed out that the seasonal nature of most farming necessitated working longer hours than the 46 prescribed by the act, but COSATU said that farmworkers could not be expected to work for 'unreasonably long periods of time'.

The SAAU also argued for the continued use of child labour on farms, opposed in principle by COSATU. The NMC recommended that only children between the ages of 12 and 15 years should be

allowed to work, and that only with parental consent and for limited periods.¹³⁹ [¹³⁹ *Business Day* 4 January 1991]

There was also serious division over the extension of the UIA to farmworkers. Farmers were concerned that excessive financial commitments would be forced on them if they were required to make contributions for a large number of farmworkers of whom few were permanent employees. The SAAU argued that only permanent workers with one year's service should be covered by the fund, while COSATU advocated the present eight-month qualifying period be reduced to three months so as to include as many workers as possible. The NMC recommended that only regular workers be admitted to the fund pending further investigations by the unemployment insurance board of the suitability of extending the fund to casual workers.

COSATU was critical of a draft bill published in early 1991 designed to extend the BCEA to farmworkers. The bill represented a departure from the NMC's recommendations—the product of hard bargaining between unions and the SAAU—and was less favourable to workers. COSATU branded the department's proposals as 'unwarranted interference' in the making of labour law and called for the department's wings to be clipped. It also warned that it might rethink its involvement in the NMC. 'If our compromises are going to be overruled, what is the point of remaining in the forum?' asked the campaigns co-ordinator of COSATU, Ms Lisa Seftel. COSATU claimed that long-standing tension between the commission and the Department of Manpower was intensifying and that key departmental officials opposed the restructuring of the NMC to give it more powers. According to the director general of manpower, Mr Joel Fourie, in addition to NMC views, the government had had to take into account individual submissions on the bill, and these had raised new issues which the NMC might not have discussed. The issue had repercussions for the restructuring of the NMC demanded by COSATU (see *National Manpower Commission* above).¹⁴⁰ [¹⁴⁰ *The Weekly Mail* 19 April 1991]

A second draft bill introduced in June 1991 omitted many of the controversial proposals contained in the earlier draft. It provided for a 48-hour working week which could be extended by four hours a week over a period of three months. The department had proposed a 54-hour week over a period of four months. Overtime was set at three hours a day and not more than ten hours a week. Sunday work would be paid at double normal wage rates with a day's paid leave if work had exceeded five hours. In a significant move, the bill provided for piecework to be paid at normal rates. However, some of the NMC's original clauses were watered down. A key NMC recommendation was the introduction of civil remedies for breaches of the act. The bill made provision for civil remedies—but stipulated that parties to a civil claim should sign a certificate removing the Department of Manpower's responsibility to investigate. Strict regulations aimed at governing the granting of exemptions from the act were laid down by the NMC, among them a provision that the minister of manpower should provide reasons for granting exemptions and should publish those granted. The bill left the granting of exemptions to the minister. Significant omissions from the bill were anti-race and sex discrimination clauses proposed by COSATU and a ban on dismissals. A clause preventing farmers from forcing farmworkers to buy at their shops was also not included. Also excluded were clauses for the provision of summaries of legislation in four

languages on all farms and one for the streamlining of departmental enforcement procedures. Explaining these omissions, the department said that the bill had been rushed through Parliament and only the most important clauses had been included. It said that the bill was likely to be significantly changed by the parliamentary standing committee.¹⁴¹ [¹⁴¹ Ibid 28 June 1991]

The Unemployment Insurance Amendment Bill, extending unemployment benefits to farmworkers, was also tabled in June 1991. It made provision for the act to be phased in over 12 months, to ‘inform and prepare employers and employees properly’. However, the bill also made provision for farmworkers to become contributors should they so wish as soon as the act was passed.¹⁴² [¹⁴² Ibid]

In June 1991 the NMC published in the *Government Gazette* recommendations on its investigation into the inclusion of farmworkers under the LRA. The majority view was that a separate act for farmworkers would cause uncertainty and suspicion, leading to constant pressure for inclusion under the LRA and would be difficult to administer. The commission’s main recommendation was the extension of the LRA to farmworkers subject to certain amendments to take into account special conditions in farming. These included:

- the inclusion of mediation and arbitration among dispute-settling mechanisms. Mediation should be concluded within 30 days, or longer by agreement, before Industrial Court action or a strike; and
- small labour courts with regional jurisdiction to deal largely with disputes of right, where no professional representation would be allowed and from which no appeal would be possible. Complainants would have the option of using these or the Industrial Court.

The commission recommended that there should be initial attempts to settle disputes at farm level, failing which access should be to an industrial council, a conciliation board, mediation or arbitration. The NMC accepted the right to strike and to lockouts in agriculture but suggested regulations to take account of the sector’s unique features. These included its seasonal character and the fact that payment in kind, including housing and land use, would be difficult to withhold during industrial action. The NMC recommended no-strike agreements banning strikes and specifying compulsory arbitration or other remedies for certain periods of the year. To guarantee enforcement, enabling legislation would be needed. Another suggestion was the right to court interdicts banning strikes for a certain time because of special circumstances—including a threat to the viability of a farm, or a danger to health and safety or property.

However, there were divided opinions on the question of the application of the Wage Act to farming. COSATU and the National Council of Trade Unions called for the inclusion of farming under the act and the conversion of the Wage Board, which sets statutory minimum wages in unorganised sectors, into a tripartite body representing the state, business and labour. Stressing that wages comprised a mere 17% of expenditure in agriculture, the unions pointed to the gap between pay in farming and other sectors. They also stated that difficulties in unionising farms were an obstacle to collective bargaining. In

contrast, the SAAU and the employer body, the Confederation of Employers of Southern Africa, called for the act to continue to exclude farmworkers. They held that minimum wages would fuel inflation and unemployment, adding that 30% of white farmers were close to insolvency. The inclusion of farmworkers under the BCEA and the LRA would in any case provide for wages to be set in bargaining, they argued. A third view held that the extension of the act should be delayed for two years and that voluntary wage guidelines for farming should be drawn up in the interim. Although not the majority view, this was the recommendation made by the commission. In the interim the board should make recommendations about acceptable minimum wages which would not become law but which would serve 'to orientate the farming community' towards the idea.

A spokesman for the office of the minister of manpower said that the NMC's recommendations were an important step in the process of attaining the 'widest possible consensus' on legislation for farmworkers. The report made it clear that the SAAU was 'not fully convinced' of the need for a formal labour relations dispensation in farming, fearing that the statutory recognition of unions would disturb the 'special' relationship between farmers and their workers.¹⁴³ [¹⁴³ Ibid 30 May 1991, *Business Day* 30 May 1991]

In November 1991 the minister of manpower, Mr Eli Louw, announced that amending legislation to bring farmworkers under the LRA and Wage Act was in the pipeline, although the Wage Act amendments would come into effect only in two years' time. The delay was designed to give farmers an opportunity to bridge their present financial problems and have a 'fair chance' to negotiate their own conditions of employment.

He said that the government would not drag its feet in getting the changes enacted 'because they all form part of labour and employee rights to which the government is committed'. Enlarging on planned statutory protection for farmworkers, he said:

- there should be provision in the LRA for no-strike agreements under certain circumstances between a farmer and his workers;
- dispute machinery should provide for more informal, simplified and less rigid procedures to facilitate the conciliation process;
- a much simplified and less expensive alternative to the Industrial Court should be introduced to handle disputes between farmers and workers; and
- a code of fair and unfair labour practices should be drafted and given legal force.¹⁴⁴ [¹⁴⁴ *The Citizen* 9 November 1991]

In response, the president of the SAAU, Mr B Fourie, said that the announcement had been made despite

repeated representations by his organisation, which believed that the extension of the acts to farmworkers would have a negative impact on agriculture. He said that organised agriculture was definitely not in favour of a legal stipulation on wages, as could happen with the application of the Wage Act. 'We would prefer that the act be scrapped altogether, whether a legal stipulation on wages be applied regionally or by commodity,' he said.¹⁴⁵ [¹⁴⁵ Ibid]

Bargaining on retrenchments

One of the main concerns of the union movement during the period under review was the largescale retrenchments reported across the board in industry. Unions, especially affiliates of the Congress of South African Trade Unions (COSATU), placed negotiations on retrenchments high on their agendas. Collective bargaining over retrenchments was one of the main recommendations of COSATU's congress held in July 1991.

Central Statistical Service (CSS) figures for the four months to the end of June 1991 showed that 43 962 workers lost their jobs during that period in the mining, manufacturing, construction and electrical industries. The figure for the previous four months was 23 000, showing a mark acceleration in job losses. Of the 43 962 jobs lost, 21 362 were in the mining industry, 10 300 in the manufacturing industry, 5 300 in the construction industry and 700 in the relatively stable electrical industry. The chief economist of Volkskas, Mr Adam Jacobs, said that there was no indication that the growing unemployment trend would slow down during 1991. Behind the trend was a weak domestic demand for consumer goods and tough international trading conditions which affected exports and the manufacturing industry in particular, he said. Corporate profits were down almost across the board. Companies viewed labour as a prime target when looking at ways to reduce costs, he added.¹⁴⁶ [¹⁴⁶ *Business Day* 3 September 1991]

The mining industry, in particular, showed a sharp decrease in jobs. At its peak in June 1987 the number of workers in the mining industry was 526 000. By the end of 1990 this figure had decreased by almost 100 000 workers. According to the president of the Chamber of Mines of South Africa, Mr Clive Knobbs, 190 000 workers were employed on mines which were unprofitable at the current gold price.¹⁴⁷ [¹⁴⁷ Sompetha M, 'NUM demands: restructure the mining industry', *Work in Progress*, no 74, p45]

However, in August 1991 the chamber's newsletter showed an improvement in the situation, reporting that the estimated number of jobs at risk had decreased from 100 000 in June 1990 to 30 000 at the end of June 1991. The reduction had been made possible by effective cost-cutting measures undertaken by the industry, according to the chamber.¹⁴⁸ [¹⁴⁸ *Business Day* 29 September 1991]

The critical state of the mining industry was the focus of the seventh annual congress of the National Union of Mineworkers (NUM) held in April 1991, whose theme was 'restructuring the mining industry

for a democratic South Africa'. The NUM believed that the wave of retrenchments brought on by the crisis in the industry had to be dealt with immediately rather than be postponed until a democratically elected government was in power.¹⁴⁹ [¹⁴⁹ Sompetha M, 'NUM demands: restructure the mining industry', *Work in Progress*, no 74, p45]

In June 1991 a summit of employers, unions and government representatives was held to investigate ways of ensuring the long-term viability of the mining industry. The representatives decided to set up a steering committee to establish working committees to investigate a wide range of issues, including the following:

- the retraining of retrenched workers and assistance to communities affected by mine closures and the scaling down of operations;
- the devising of ways to prolong the lives of the mines for as long as possible and to expand the industry; and
- the reaching of agreement on and ensuring the enforcement of basic conditions of employment and of acceptable standards of health, welfare, and safety for workers. The investigation would focus on tax reform and subsidisation of marginal mines, productivity, new technology and training.

The NUM put forward a number of proposals for the short-term relief of the problems besetting the industry, including state assistance to marginal mines, to allow them to operate during adjustment periods, and the appointment of worker directors to mining companies' boards. Medium-term proposals included skills training schemes, a health and safety programme and reduced working hours. Long-term proposals included job-creation schemes through the establishment of secondary industries and five-year programmes for the scaling down of operations in each mining house. According to the minister of mineral and energy affairs, Mr George Bartlett, little help could be expected from major new gold mines as most on the Witwatersrand would be operating at depths in excess of 2 000 metres and would therefore incur high costs and would be viable only at a gold price above \$360 per ounce. Mr Knobbs said that growth by means of state aid and state or public ownership was not sustainable in the long run, and would lead to ruin.¹⁵⁰ [¹⁵⁰ *Business Day* 4 June 1991]

The question of the restructuring of industry was also a significant feature in the metal industry's annual negotiations, which affect about 360 000 workers. Underpinning this was the view of the National Union of Metalworkers of South Africa (NUMSA) that business 'has conclusively demonstrated it is not competent to run the economy and that labour has a major role to play in the reconstruction of the South African economy'.¹⁵¹ [¹⁵¹ *The Weekly Mail* 22 February 1991]

At the annual negotiations NUMSA demanded:

- the establishment of an industry fund to train all workers under joint employer/union control to which employers would contribute 10c per worker an hour;
- the right of all those retrenched to training, for which 10% of industry funds should be earmarked;
- the establishment of jointly controlled job-creation schemes; and
- unions' right to information on the operation and plans of companies.¹⁵² [¹⁵² Ibid 8 March 1991]

In August 1991 the South African Commercial, Catering and Allied Workers' Union (SACCAWU) launched a job-security campaign and demanded an end to retrenchments and a freeze on pay rises for managers and dividend payments. The union also demanded a central forum for negotiating industrial restructuring and job security and a national register of retrenched workers.

Because there was no national negotiating forum in the commercial sector, SACCAWU said that its demands would be made in negotiations with individual employers. The union said that in 1991 more than 1 000 of its members had been retrenched and about 30 companies had closed. SACCAWU demanded alternative support systems be set up for retrenched workers as a means of ensuring income for workers. It also wanted industry-wide skills development schemes and called on all companies to adopt its model job-security procedures.¹⁵³ [¹⁵³ Ibid 9 August 1991]

Bargaining on wages

In a survey of wage settlements for the nine months ending September 1991, Andrew Levy and Associates reported a 'great diversity' in wage agreements. According to the consultancy, unions had apparently targeted those sectors or specific companies which had recorded good financial results as being able to pay 'reasonable' increases. In sectors where results had been poor or increased competition from companies threatened profitability and therefore jobs, unions had been prepared to settle at lower rates. It also found that unions were shifting the emphasis to non-wage issues. Retrenchments, collective bargaining, education and training and economic issues had all been taken up by COSATU, it said.¹⁵⁴ [¹⁵⁴ *Financial Mail* 27 September 1991] According to the survey, the average level of settlement between February and June 1991 was 16,7% of payroll. The figure in 1990 was 17,4% and in 1988, 17,9%. The survey also pointed to lower union pay claims during 1991—the average increase demanded was 43,6% compared with 50,9% in 1990 and 86,3% in 1989; a sharp drop in the time required for settlement—63 days compared with 82 days in 1990; and less industrial action during pay talks—in 43,6% of cases in 1991 compared with 52,4% in 1990.¹⁵⁵ [¹⁵⁵ *The Weekly Mail* 5 July 1991]

A feature of wage settlements in 1991 was the first-ever profit- and performance-based wage settlement between the Anglo American Corporation of South Africa's Ergo gold mine (Brakpan) and the NUM.

The agreement allowed for an across-the-board increase of 5% for NUM members, but added to that bonuses of as much as 15% depending on company profit levels and employees' performance. Commenting on the deal, the union's general secretary, Mr Cyril Ramaphosa, said that it cut across the union's wage policy (see above).¹⁵⁶ [¹⁵⁶ *Business Day* 13 June 1991]

'Because of the gold mines' difficulties, we have had to put aspects of our wage policy in abeyance, including movement towards a uniform wage structure on the gold mines,' he said. The agreement stated that the objective of the bonus scheme was to minimise increases in long-term fixed costs, to motivate employees to improve their performances and to use possible improved performance and an improved gold price 'to pay a bonus to offset the below-CPI [Consumer Price Index] wage increase'. Ergo agreed to provide relevant financial information to the union to enable it to monitor the bonus scheme.¹⁵⁷ [¹⁵⁷ *Ibid*]

A spokesman for Ergo said that the package, which was valid for a year only, 'issued out of very peculiar circumstances'—that is the low gold price.¹⁵⁸ [¹⁵⁸ *Financial Mail* 21 June 1991]

The Ergo deal heralded a similar agreement between the NUM and the chamber in August 1991. In terms of the deal workers at most mines would receive an average 6% increase, a gold price-linked bonus up to a maximum of 7% of basic pay and performance-related bonuses whose details would have to be negotiated at individual mines. Gold Fields—whose mines were the most profitable—and Anglovaal's Harties, agreed to a deal without a bonus component, but with higher basic increases of 6,5% in the more skilled categories to 9% for unskilled miners. A separate agreement was signed with Rand Mines's struggling Harmony mine, providing for a R25-a-month increase across the board. In addition, 15% of the profits, if any, up to a maximum of R4m would be shared among workers.¹⁵⁹ [¹⁵⁹ *Business Day* 1 August 1991]

The gold price-linked bonus, payable quarterly, would be 'triggered' by a R1 051 an ounce average gold price. At that level the bonus would be equal to 0,5% of earnings. It ranged upwards in six stages to R1 160 an ounce where the bonus would earn miners an extra 7% on basic pay.¹⁶⁰ [¹⁶⁰ *Ibid*]

The agreement, which applied officially to NUM members at mines where the union was recognised and which would in practice apply to the entire industry, was the first industry-wide wage agreement where bonus payments potentially represented the largest part of a worker's increase. The NUM said that bonus agreements were a response to the gold mining industry's crisis, and the union's wage policy had been suspended temporarily. The vice president of the chamber, Mr Bobby Godsell, said that the bonus system was uncharted territory for management and labour.¹⁶¹ [¹⁶¹ *Ibid*]

In September 1991 the general secretary of NUMSA, Mr Moses Mayekiso, rejected a statement by the chairman of Sasol, Mr J A Stegman, that salaries paid to semi-skilled and unskilled workers in South

Africa had priced the country out of the international market, when compared with the newly industrialised nations. ‘... it has definitely impeded the global and domestic competitiveness of our economy. It has also contributed greatly to the high level of unemployment, which is perhaps our single most serious challenge for the future,’ Mr Stegman said. Mr Mayekiso said that South Africa’s workers were poorly paid in comparison with workers in Europe and other parts of the world. They were paid ‘slave wages’ and it was ‘capitalists’ bad planning and the system of apartheid which had ruined the economy’.¹⁶² [¹⁶² *The Star* 5 September 1991]

A survey undertaken by the Labour Research Service (LRS) of labourers’ wages for the first six months in 1991 showed that the average increase was around 20,7%, almost equal to increases won by workers during the same period in 1990 of 20,9%. Despite these higher-than-expected increases, labourers continued to earn much less than the LRS’s living wage, which it estimated to be around R260 a week. The average wage earned by labourers was about R182 a week. However, it warned that average increases could fall in the second half of the year. In the two main industrial sectors workers’ increases were well below the inflation rate. In the mining industry mineworkers received a 6% average basic increase, while workers in the engineering industry averaged increases of 13,5%. The highest recorded increases were in the rubber sector where workers received average increases of 25%. Of the 282 companies surveyed, only 36% settled for increases below the inflation rate. The automobile assembly sector remained the top payer with labourers earning a minimum of R287 a week.¹⁶³ [¹⁶³ *New Nation* 16 August 1991]

Collective bargaining in the homelands

During 1990 and 1991 various homelands, once hostile to trade union activity, passed laws or drew up bills allowing for the formal recognition of unions within their territories. The Ciskei, QwaQwa, the Transkei and Venda all passed such laws, while draft legislation was drawn up by Gazankulu, KwaNdebele, and Lebowa. KaNgwane passed a law making ‘South Africa’s’ Labour Relations Act (LRA) applicable to it—the first homeland to do so. Both Bophuthatswana and KwaZulu had passed laws recognising trade unions on taking ‘independence’ and self-governance respectively. Both these laws specified, however, that trade unions with head offices outside the homeland could not operate within the territory.

Various factors accounted for the change in homeland attitudes to trade unions, among them:

- unrest and protest by homeland populations against the homelands system and in support of reincorporation into ‘South Africa’, in particular since the lifting of the banning orders on the African National Congress, the Pan-Africanist Congress and the South African Communist Party in February 1990 (see chapter on *The Homelands in 1989/90 Survey* pp475-539);
- widespread strikes and stayaways by homeland workers, especially those in the public sector, over labour issues, in particular union recognition and wage increases (the Ciskei, Lebowa, QwaQwa and

Venda were all severely affected by large strikes by civil servants during 1990 and 1991);

- the coming to power in some homelands of leaders more open to worker demands. On 30 December 1987 Major General Bantu Holomisa came into power in the Transkei; on 4 March 1990 Brigadier Joshua Gqozo seized power in the Ciskei; and on 4 April 1990 Venda's president, Mr Frank Ravele, was overthrown by Lieutenant Colonel Gabriel Ramushwana;¹⁶⁴ [¹⁶⁴ Ibid] and
- a campaign by the Congress of South African Trade Unions (COSATU) within the homelands to introduce a simplified and uniform labour relations act based on the pre-1988 'South African' LRA.

Bophuthatswana

During the period under review tensions between the Bophuthatswana authorities and affiliates of COSATU continued. In terms of Bophuthatswana's Industrial Conciliation Act of 1984, unions with head offices outside the homeland could not organise within the homeland. COSATU refused to accept this constraint, and continued protests against this prohibition culminated in November 1990 in a one-day stayaway organised by the federation to force the homeland and homeland employers to recognise trade unions affiliated to it. COSATU also threatened to withdraw all investments from the First National Bank and the Standard Bank if they continued to refuse to deal with its affiliates in the homeland. Most companies reported that almost their entire black workforces had not reported for duty.¹⁶⁵ [¹⁶⁵ Cooper C *COSATU initiatives in the homelands*, forthcoming publication]

After meeting COSATU on 13 April 1991, the Bophuthatswana authorities agreed to comply with International Labour Organisation (ILO) standards; to freedom of association as enunciated in the homeland's declaration of fundamental rights and enshrined in ILO standards, specifically relating to freedom of movement for union organisers and officials; and that no new labour legislation or amendments to existing legislation would be introduced; without consultation with interested parties.¹⁶⁶ [¹⁶⁶ Ibid]

The administration said that it would respond to COSATU's request that a committee be established to consider matters relating to legislation at a future meeting.

Conflict, however, erupted over the interpretation of the agreement: COSATU believed that the freedom of association clause gave its affiliates the right to organise freely in the homeland, while the Bophuthatswana authorities said that this was not the case.

In September 1991 Bophuthatswana passed an amendment to the act, which introduced new restrictions on the operation of unions in the territory. Its provisions include:

- a requirement that all unions register within three months of the commencement of the act. Worker

bodies under the direct or indirect control of ‘foreign’ unions, federations or political parties, or unions which have ‘governing bodies’ or leaders based outside the homeland will not be able to register; and

- a ban on the deduction of union dues on behalf of ‘South African’ unions active in Bophuthatswana. Employers who refuse to comply face a R5 000 fine.¹⁶⁷ [¹⁶⁷ *The Weekly Mail* 11 October 1991]

The act also contains certain restrictions on the political activity of unions. It provides that:

- no person convicted of a security offence carrying a jail sentence of more than three months may work as a union office bearer or official;
- unions may not affiliate to or use their money to promote political organisations or constitutionally require members to pay a ‘political subscription’. They are also banned from paying affiliation fees to federations which financially support political bodies;
- unions may not promote political organisations by allowing them the use of their ‘services, equipment, or facilities’; and
- unions may not contribute to or receive money from any organisation banned under Bophuthatswana’s Internal Security Act of 1979 or any other security law.¹⁶⁸ [¹⁶⁸ *Ibid*]

The act provides for the establishment of a national industrial relations council and a judicial committee, manned by government employees, which have the power to legislate on labour matters. After an inquiry the judicial committee may strikeout any provision in a union constitution, suspend registration or wind up a union. It can also interdict any strike ‘not in the national interest’.¹⁶⁹ [¹⁶⁹ *Ibid*]

In a statement after the act had been passed the Bophuthatswana authorities claimed that most employers had ‘actively praised and pledged their support’ to the LRA, and that only ‘a minority’ of firms were dissatisfied with it. The minority included, however, firms such as The South African Breweries, AECEI, Pilkington Shaterprufe and Rustenburg Platinum Mines—all South African-based and having longstanding relationships with COSATU in ‘South Africa’. According to a report in *The Weekly Mail*, employer representations on the act were met with threats of deportation against managers who refused to implement it. Concerned that possible unrest over the act might lead to a disruption of the negotiation process, and responding to employer requests, the ‘South African’ cabinet asked the chairman of the National Manpower Commission (NMC), Dr Frans Barker, to investigate. However, according to reports, the president of Bophuthatswana, Chief Lucas Mangope, signed the legislation despite agreeing to hold it back pending further discussions.¹⁷⁰ [¹⁷⁰ *Ibid*]

Ciskei

In May 1990 the Ciskei passed a Labour Relations Decree legalising trade unions in the homeland for the first time (see *1989/90 Survey* p342).

However, the law excluded farmworkers and domestic and public sector workers and workers in small businesses. After a meeting in March 1991 between the Ciskei administration, the Ciskei Chamber of Business and COSATU it was agreed that domestic workers and farmworkers and workers in small businesses would be included under the decree, and a task force would be established to investigate the position regarding public sector workers. At the time of writing, these workers had not yet been included under the decree.¹⁷¹ [¹⁷¹ Cooper C *COSATU initiatives in the homelands*, op cit]

Gazankulu

During the period under review Gazankulu published its own labour relations bill based on 'South Africa's' 1988 LRA. It includes compulsory registration of unions and the specification that a union's head office has to be in the homeland. It excludes farmworkers and domestic and public sector workers. Although the Gazankulu authorities agreed to adopt 'South Africa's' current LRA after meetings with COSATU, the proposed amendments had not been made to the bill at the time of writing.¹⁷² [¹⁷² *Ibid*]

KaNgwane

On 6 March 1991 KaNgwane passed the KaNgwane Labour Laws Amendment Act making all South African labour laws applicable to the homeland. The act was awaiting promulgation by the state president at the time of writing.¹⁷³ [¹⁷³ *Ibid*]

KwaNdebele

In 1989 the KwaNdebele authorities appointed the director of the School of Business Leadership at the University of South Africa, Professor Nic Wiehahn, as chairman and sole member of a commission of inquiry into labour matters in the homeland. He reported in April 1990 (see *1989/90 Survey* p506). KwaNdebele drafted its own labour law in early 1991. It provides for the formal certification of registered 'South African' trade unions, a simple conciliation board procedure, and the extension of South African industrial councils and their agreements to KwaNdebele.¹⁷⁴ [¹⁷⁴ *Ibid*]

Lebowa

In August 1990, following extensive labour unrest in the territory, the Lebowa authorities met COSATU and industrialists and agreed to recognise trade unions. A tripartite body consisting of the Lebowa administration, employers and COSATU was established to deal with disputes until legislation was passed. In February 1991 a draft bill was published. According to COSATU, it was similar to the 'South African' 1988 LRA and was therefore problematic. It contained the 1988 definition of an unfair labour practice, the presumption that trade unions were liable for the illegal strikes of their members and dual registration. It excluded farmworkers and domestic and public sector workers and workers in small businesses.¹⁷⁵ [¹⁷⁵ Ibid]

Despite the fact that public sector workers were excluded from the legislation, the administration gave de facto recognition to two public sector unions, following a series of strikes by public sector workers. They were COSATU's National Education, Health and Allied Workers' Union and the Northern Transvaal Public Servants' Union.¹⁷⁶ [¹⁷⁶ Ibid]

QwaQwa

In 1988 QwaQwa passed the QwaQwa LRA based on 'South Africa's' 1988 LRA. It requires that trade unions have their offices in the homeland and excludes domestic, farm and public sector employees. Following labour unrest in 1990, the administration agreed that workers could belong to unions not registered in the homeland.¹⁷⁷ [¹⁷⁷ Ibid]

Transkei

Transkei passed a Labour Relations Decree (LRD) on 20 August 1990. It contains a simplified registration procedure, the pre-1988 definition of an unfair labour practice in the 'South African' LRA, provisions for the establishment of an industrial court and for the use of 'South African' structures of conciliation boards and industrial councils. It includes farmworkers and domestic workers, but excludes public sector workers. In October 1990 COSATU began an anti-LRD campaign in the homeland, calling on the administration to reconsider the registration clause in the decree and to include public sector workers. In July 1991 the Transkei amended the decree in line with proposals submitted to it by the NMC. In terms of the amendment, trade unions in South Africa will be deemed to be registered in the Transkei and appeals from the Industrial Court will go to a labour appeal court.¹⁷⁸ [¹⁷⁸ Ibid]

Venda

The Venda LRA was passed on 6 March 1991, after labour unrest in the territory and various meetings between COSATU and the new Venda administration. It includes the pre-1988 LRA definition of an

unfair labour practice, a simple conciliation board procedure, a simple industrial court procedure, and organisational facilities, such as stop orders. The act applies to all workers, bar those in the security forces.¹⁷⁹ [¹⁷⁹ Ibid]

COSATU's new initiatives in the homelands

On 27 June 1991 representatives of COSATU met the minister of constitutional development and planning, Dr Gerrit Viljoen, and the minister of development aid, Mr J de Villiers, to discuss extending 'South Africa's' LRA to all ten homelands. At the meeting the government supported the harmonisation of South African and homeland labour laws and the integration of labour administration. It also accepted that in the 'independent' homelands this would have to be by way of treaty through the multiparty technical committee, while in the case of the nonindependent homelands it would involve amendments to the National States Constitution Act of 1971. The government agreed that a conference involving it, the homelands and COSATU was necessary to secure agreement on the extension of the LRA and would sound out each homeland administration about attending. There were no further details at the time of writing.¹⁸⁰ [¹⁸⁰ Draft Report by COSATU on meeting with Dr Gerrit Viljoen, 27 June 1991]

Strikes

The total number of strikes for the years 1981 to 1990, the workers involved, and mandays and wages lost are given below:¹⁸¹ [¹⁸¹ South African Labour Statistics 1991]

Strikes: 1981-1990

Year

No of strikes^a

Total workers involved

Total mandays lost

Total wages lost

1981

342

92 842

226 554

2 263 7050

1982

394

141 571

365 337

4 544 362

1983

336

64 496

124 596

1 697 610

1984

469

181 942

379 712

5 174 798

1985

389

239 816

678 273

8 184 985

1986

793

424 340

1 308 958

23 166 278

1987

1 148

591 421

5 825 231

14 058 102

1988

1 025

161 679

914 388

23 879 287

1989^b

855

197 504

1 511 499

N/A

1990^b

855

341 097

2 729 844

N/A

a

Including workstoppage, but excluding political stayaways. Figures also exclude public sector strikes

b

These figures cover the period 1 November to 31 October

N/A—No

Strikes 1981-1990: Racial breakdown

Workers involved

Year

African

Asian

Coloured

White

1981

84 706

1 865

6 271

—

1982

112 481

1 170

17 920

—

1983

61 331

1 712

1 415

—

1984

1774 897

1 725

5 304

11

1985

225 045

1 879

12 883

16

1986

400 775

1 366

13 944

255

1987

572 706

2 266

16 359

90

1988

138 653

6 308

16 573

145

1989 ^a

163 757

6 605

25 969

1 446

1990 a

292 480

9 098

36 530

2 989

a

Figure are for the period 1 November to 31 October ¹⁸²

182 [¹⁸² Ibid]

In its strike report from January to the end of September 1991, Andrew Levy and Associates said that strike activity had increased ‘dramatically’ in the third quarter of the year, with the number of mandays lost approaching 2m. A total of 375 000 mandays had been lost in the first half of the year, which had been marked by a relative decline in the number of strikes.

The main strike trigger was wages, which accounted for 62,7% of strikes, followed by grievances (21,1%), dismissals and discipline (7,9%), recognition (6%) and retrenchments (1,3%). The vehicle assembly sector accounted for 36,4% of strike action, followed by the transport sector (16,1%), where there were largescale strikes involving Transnet and the South African Railways and Harbour Workers’ Union (SARHWU). The mining sector accounted for 10,6% of strikes. Strike action in the state (9,9%) and retail (2,9%) sectors decreased noticeably compared with 1990 (28% and 27,4% respectively). The National Union of Metalworkers of South Africa was the most active union in terms of mandays lost (42,8%), followed by SARHWU (13,2%), the National Union of Mineworkers (10,6%), the National Education, Health and Allied Workers’ Union (6,5%), and the South African Commercial, Catering and Allied Workers’ Union (6%).¹⁸³ [¹⁸³ *The Citizen* 26 September 1991, *Business Day* 27 September 1991] Of significance was the increase in the proportion of strikes over grievances, dissatisfaction ranging from incidents of racism to the introduction of job-gr

Stayaways

On 1 February 1991 a stayaway was called by the Congress of South African Trade Unions (COSATU)/ African National Congress (ANC)/ South African Communist Party alliance in the Pretoria/Witwatersrand/Vereeniging (PWV) area, Border, the eastern Cape and certain western Transvaal towns in support of its call for a constituent assembly and interim government. It was supported by the Azanian People's Organisation (AZAPO), the National Council of Trade Unions (NACTU) and the Pan-Africanist Congress (PAC). The stayaway received strong support in the eastern Cape and Border region where between 90% and 100% of workers did not report for work. Support for the stayaway in the PWV area varied, Pretoria being reported as being affected the most. In Durban and the western Cape, where there had been no call for a stayaway, it received only minimal support. According to COSATU, attendance in the PWV area was between 70% and 80% and was higher on the east Rand than on the west Rand.¹⁸⁴ [¹⁸⁴ *Business Day* 5 February 1991]

The Steel and Engineering Industries' Federation of South Africa estimated the response in the metal industry to have been 41% or 187 000 workers.¹⁸⁵ [¹⁸⁵ *The Weekly Mail* 8 February 1991]

A stayaway called by the Mamelodi Civic Association (central Transvaal) on 6 May 1991 to demand the resignation of town councillors received poor support.¹⁸⁶ [¹⁸⁶ *The Star* 17 September 1991]

On 13 May 1991 the ANC Youth League called for a one-day stayaway at Tsing, the black township adjoining Ventersdorp (western Transvaal), in protest against an attack by white men on the residents of an informal settlement. Residents reported a 50% to 100% absenteeism.¹⁸⁷ [¹⁸⁷ *The Citizen* 14 May 1991]

Also in May 1991 a one-day stayaway was held in Krugersdorp (western Transvaal), called by the Kagiso Residents' Association to commemorate the victims killed at the Swanieville informal settlement (near Kagiso, the township outside Krugersdorp) in an attack by hostel dwellers (see chapter on *Political Developments*). According to the local chamber of commerce, the stayaway was about 70% effective.¹⁸⁸ [¹⁸⁸ *Business Day* 17 May 1991]

A two-day stayaway was held in the Vaal Triangle (southern Transvaal) on 12 and 13 August 1991, called by the Vaal Civic Association in conjunction with the local branches of the ANC, AZAPO, COSATU, NACTU and the PAC, to protest against the cutting off of electricity to townships in the Vaal Triangle (see chapters on *Political Developments* and *Urbanisation and Housing*). It was reported that the stayaway was more than 50% effective.¹⁸⁹ [¹⁸⁹ *Ibid* 14 August 1991]

A two-day stayaway was called in September 1991 by the ANC, the Civic Associations of Southern Transvaal and COSATU to protest against the government's alleged unwillingness to halt township

violence which had immediately preceded the signing of the National Peace Accord. It was reported that the stayaway was widely ignored by township residents.¹⁹⁰ [¹⁹⁰ Ibid 17 September 1991]

In September 1991 a one-day stayaway at Babalegi (western Transvaal) was called by COSATU to protest against new labour legislation passed by Bophuthatswana. It was reported by the federation as being a 'resounding success', 98% of the town's workers having supported the call.¹⁹¹ [¹⁹¹ *The Citizen* 24 September 1991]

On 4 and 5 November 1991 a countrywide stayaway or general strike was called by COSATU, NACTU and 12 other unions in protest against the government's implementation of value added tax (VAT). According to COSATU, 3,5m people stayed away. The South African Chamber of Business (SACOB) said that support for the stayaway on the Witwatersrand, in the eastern Cape, and in the Durban metropolitan area was between 80% and 100%; in Bloemfontein, Pietermaritzburg and Pretoria between 60% and 80%; and on the Free State Goldfields, in northern Natal and in the western Cape between 20% and 40%.¹⁹² [¹⁹² *The Star* 6 November 1991]

Estimates of the costs of the stayaway varied. The minister of law and order, Mr Hernus Kriel, said that it could cost the country R2,5bn. However, SACOB disputed this figure. Its economist, Mr Ben van Rensburg, said that figures produced by the National Productivity Institute put the cost at between R500m and R700m. The chief economist of the Standard Bank, Mr Nico Czypionka, said that it was impossible to arrive at an exact figure, but that the stayaway was symbolic more than anything else.¹⁹³ [¹⁹³ *The Weekly Mail* 8 November 1991] According to SACOB, workers lost R200m in wages as a result of the strike action.¹⁹⁴ [¹⁹⁴ *Business Day* 6 November 1991]

The comparative peace of the stayaway was lauded by the chairman of the National Peace Commission, Mr John Hall.¹⁹⁵ [¹⁹⁵ *The Star* 6 November 1991] The main violence centred on the mines. Eighteen miners were killed and 88 injured in violence during the stayaway—17 on the Anglo American Corporation of South Africa's President Steyn (Welkom) and Western Deep Levels (Carletonville) mines and at Gold Fields of South Africa's Doornfontein mine (Carletonville). The mines claimed that non-strikers were attacked by colleagues supportive of the stayaway.¹⁹⁶ [¹⁹⁶ *The Weekly Mail* 8 November 1991] According to the National Union of Mineworkers, the incidents were being investigated.¹⁹⁷ [¹⁹⁷ *The Star* 6 November 1991]

Commenting on the stayaway, COSATU's general secretary, Mr Jay Naidoo, said. 'There have been fewer deaths in the last two days of peaceful protest than there are during the normal running of the country.' COSATU attributed the peaceful nature of the strike to COSATU discipline.¹⁹⁸ [¹⁹⁸ Ibid] A

spokesman for the ministry of law and order, Captain Craig Kotze, said that the strike was ‘intimidation on a grand scale’. He also attributed the generally peaceful situation to the fact that COSATU had put out a directive to its regions to apply for permission for protest niaohes The strike was condemned by the state president, Mr F W de Klerk, as being unjustified and marked by intimidation.¹⁹⁹ [¹⁹⁹ Ibid] According to the executive director of the South African Institute of Race Relations, Mr John Kane-Berman, it was impossible to n .ire how much real support there had been for the strike and how much of the claimed support had been compliance resulting from intimidation.²⁰⁰ [²⁰⁰ Ibid]

According to Mr Naidoo, the strike indicated that the majority of working people were no longer prepared to accept the government’s ‘diktat’. The only sensible course for the government to take was to freeze further implementation of VAT and to accept the need to negotiate with the entire spectrum of South African society.²⁰¹ [²⁰¹ *Business Day* 6 November 1991] The Afrikaanse Handelsinstituut said that it believed that the strike would have little effect on the implementation of VAT.²⁰² [²⁰² *The Citizen* 6 November 1991]

HOUSING AND URBANISATION

Key Points

- In 1991 approximately 59% of the population of South Africa (including the ten homelands) was urbanised.
- Estimates of the number of informal settlers in 1991 varied from 3,5m to 7m.
- The Urban Foundation estimated that the housing shortage in South Africa (including the ten homelands) was 1,2m units.
- The Less Formal Township Establishment Act was passed in July 1991 to speed up the establishment of such townships and to allow for the provision of basic services.
- The Upgrading of Land Tenure Rights Act of 1991 gave full ownership rights to all people holding 99-year leasehold rights.
- The Abolition of Racially Based Land Measures Act of 1991 repealed all legislation containing discrimination with respect to land rights.
- The Repeal of Discriminatory Legislation Regarding Public Amenities Act was passed in June 1990 but many town councils still practised racial discrimination during the period under review.

- Budgeted expenditure on housing for 1991/92 was R1,56bn, which was 1,8% of the total budget.
- The Independent Development Trust allocated R750m for one-off capital subsidies for the development of 100 000 sites for occupation by informal settlers.
- According to Eskom, about two thirds of the population of South Africa (including the ten homelands) had no access to electricity in 1991.
- The amount owing to African local authorities as a result of rent and service boycotts increased from R764m in 1989 to R1,15bn in 1990.
- The proportion of the transport budget that was spent on roads declined from 73% in 1975/76 to 41% in 1990/91.
- The taxi industry's share of African commuter transport increased from 29% in 1987 to 44% in 1991

Urbanisation

Statistics

According to the Urban Foundation (UF), approximately 59% of the total population of South Africa (including all ten homelands) was urbanised in 1991. About 46% of the population lived in metropolitan areas such as Cape Town, Durban, Johannesburg and the Orange Free State goldfields, while a further 13% lived in other urban areas. The following table gives the number of Africans living in urban and rural areas in South Africa (including all ten homelands) in 1985 and 1991:¹ [¹ Urban Foundation, *Policies for a New Urban Future: Populations Trends*, 1990; Urban Foundation, *Policies for a New Urban Future: Population Trends, a demographic projections model*, 1990]

Urban/rural distribution of the African population: 1985 and 1991

1985

1991

Number

Proportion

Number

Proportion

White designated areas

Metropolitan ^a

5,2 m

21%

7,0 m

24%

Urban ^b

1,6 m

7%

2,0 m

7%

Rural ^c

3,4 m

14%

3,4 m

12%

Ten homelands

Metropolitan ^a

3,5 m

14%

4,5 m

15%

Urban ^b

0,8 m

3%

1,1 m

4%

Dense settlements ^a

1,9 m

8%

2,3 m

8%

Rural ^c

8,0 m

33%

8,8 m

30%

Total ^e

24,5m

100%

29,0 m

100%

a

Bloemfontein, Cape Town, Durban, East London, the Orange Free State goldfields, Pietermaritzburg, Port Elizabeth, Pretoria and the Witwatersrand. Some of these areas form parts of the homelands

b

Cities and towns such as Kimberly and Rustenburg, which are not metropolitan

c

Areas of low population density and with a high proportion of income derived from agriculture

d

Rural homelands peri-urban areas where income is not significant derived from agriculture

e

Rounded; figures may, therefore, not add up.

While the rural and urban populations remained fairly static between 1985 and 1991, there was an increase of 2,8m in the population of metropolitan areas over

In 1990 the UF predicted substantial growth in the urbanised population between 1990 and the year 2010 (see chapter on *Population*). It said that in 2000, 51% of the population would be living in metropolitan areas and a further 13% in urban areas. The UF declared that 56% of Africans would be urbanised in the year 2000, with 45% of the total African population living in metropolitan areas. It estimated that in 2010, 60% of Africans would be urbanised, with 48% of the African population living in metropolitan areas. The UF predicted that there would be a growth rate of 4,3% per annum in the metropolitan African population and 4,2% per annum in the total urban African population.

The Helen Suzman professor of political economy at the University of the Witwatersrand, Professor Charles Simkins, said in June 1990 that such urban growth would be similar to that which had occurred between 1920 and 1950 when South Africa had had an ineffectual system of influx control. He pointed out, however, that one of the major differences between the present time and the 1920-1950 period was that urbanisation in the earlier period had been accompanied by substantial economic growth. Professor Simkins said that from 1960 to 1985 migration to urban areas had occurred mainly from rural areas outside the homelands, and that there had been net inflows into the homelands. Between 1980 and 1985, 1,6m people had left rural areas outside the homelands, he added. Professor Simkins said that this pattern could not continue into the 1990s since unemployment in both homelands and rural areas outside the homelands would spur movement to the cities and he predicted that the homelands would become the principle source of migration to urban areas.² [2 Simkins C, 'People Power', *Leadership*, June 1990]

Migration from the rural areas was expected to account for one third of the increased urban population. The UF predicted that between 1990 and the year 2000 about 2,9m people, or about 300 000 per year, would migrate from rural areas and dense settlements to the urban and metropolitan areas.³ [3 *Policies for a New Urban Future, Population Trends*, 1990] The chairman of the South African Housing Advisory Council, Dr Joop de Loor, said in June 1991 that this rapid rate of urbanisation could be expected to continue for ten years before it levelled off.⁴ [4 *The Star* 4 June 1991]

Urbanisation in South Africa: 1985

Development region

Total population

Urban population

Urban population as proportion of national urban population

Level of urbanisation

A Western Cape

2,9 m

2,3 m

17%

82%

B Northern Cape

0,9 m

0,4 m

3%

44%

C OFS ^a

1,9 m

0,8 m

6%

46%

D Eastern Cape

4,1 m

1,7 m

12%

41%

E Natal

7,1 m

2,4 m

17%

34%

F Eastern Transvaal

1,6 m

0,5 m

4%

30%

G Northern TransVaal

3,2 m

0,3 m

2%

9%

H PWV area ^b

6,2 m

5,0 m

36%

81%

J Western Transvaal

1,4 m

0,4 m

3%

29%

Total c

29,2m

13,9 m

100%

48%

a

Orange Free State

b

Pretoria/Witwatersrand/Vereeniging

c

Rounded; figures may, therefore

In October 1991 two lecturers in the Department of Geography at the University of Stellenbosch, Professor Isak van der Merwe and Dr Johannes van der Merwe, and the chief cartographer at the Institute of Cartographic Analysis at the same university, Dr Pieter de Necker, said in an article entitled 'A spatial and socio-economic profile of urbanisation in southern Africa' that a feature of urbanisation in South Africa was its concentration in specific areas. They provided the previous table, showing urbanisation by development region, based on an analysis of the 1985 census figures of South Africa (including the ten homelands).⁵ [5 Van der Merwe I J, Van der Merwe J H, De Necker P H, 'A spatial and socio-economic profile of urbanisation in Southern Africa', *Africa Insight*, vol 21 no 2, 1991]

The researchers said that further analysis showed that there were 13 urban centres in South Africa with more than 100 000 inhabitants and that they contained 66% of the urban population, while 599 towns of less than 10 000 inhabitants accommodated only 11%. Some 115 towns in the middle ranks housed 23% of the urban population. According to Professor Van der Merwe, Dr Van der Merwe and Dr De Necker, 'Although such uneven urbanisation is a universal phenomenon, the southern African urban system exhibits signs of abnormal imbalance.'⁶ [6 Ibid]

Informal settlement

Estimates of the number of people living in informal dwellings during the period under review varied. The Development Bank of Southern Africa estimated in 1989 that there were about 7m people living in informal dwellings.⁷ [⁷ *The Star* 26 October 1989] The minister of planning, provincial affairs and national housing, Mr Hernus Kriel, said in May 1991, 'The legal squatter population is at present estimated at 1,5m, while [there are] some 2m backyard dwellers.'⁸ [⁸ *RSA Policy Review*, vol 4 no 4, May 1991]

In 1991 there were 864 informal settlements throughout South Africa (excluding the 'independent' homelands). According to Mr Kriel, the largest settlements were at Inanda, near Durban (245 000); Soweto/KwaZakhele/Zwide, near Port Elizabeth (130 000); Embalenhle, in the eastern Transvaal (103 600); Diepmeadow, in Soweto (97 314); Uitenhage, near Port Elizabeth (60 128); Groutville, in Natal (60 000); and KwaGuqa, in the eastern Transvaal (55 080).⁹ [⁹ *The Star* 1 May 1991]

Policy

Urbanisation

A member of the board of governors of the Urban Foundation (UF), Mr Len Abrahamse, said in June 1990, 'Experience elsewhere in the world shows that urban growth can, and most often does, proceed in tandem with economic growth and is an essential prerequisite for it.' He said that the main reason why this relationship did not hold in South Africa was because the physical and upward mobility of most South Africans had been artificially restricted. Mr Abrahamse said that the policies of segregated urbanisation and industrial decentralisation had affected the economy detrimentally in a number of important ways: firstly, in the form of unnecessarily inflated transport subsidies (R2bn each year at 1985 prices); secondly, in the increased cost of living of those staying in segregated areas; and, thirdly, in the hampered growth of the informal economy, which tended to perform most effectively in city centres and along commuter thoroughfares. Mr Abrahamse argued that future urban development should be efficient and compact.¹⁰ [¹⁰ Abrahamse L, 'Getting it right', *Leadership*, June 1990]

Cross Times said in October 1990 that the patterns of urbanisation that had been allowed had resulted in geographic, economic and socio-political fragmentation. It quoted the UF as saying that the government's recognition of African urbanisation was overdue and that it was now necessary to integrate large numbers of Africans into all aspects of urban society, including service networks, the economy and local government.¹¹ [¹¹ Henning H, 'Balancing Democracy with Delivery', *Cross Times*, October 1990]

In the same month the UF said that rapid urbanisation had serious consequences for cities, which had to

provide basic shelter and services, and deal with rent and service boycotts, illegal occupation of land by homeless people and outbreaks of disease. The executive director for urbanisation at the UF, Ms Ann Bernstein, said that population growth had not been the major cause of the urban crisis. She argued that the main causes were 'inadequate policies for the management of urbanisation as a major factor in overall development'.¹² [¹² *Ibid*]

The head of the Urban Problems Research Unit at the University of Cape Town, Ms Vanessa Watson, stated in January 1991 that urban growth, if correctly managed, could improve people's quality of life and aid economic growth. She added that city management and planning needed to balance human development needs against those of the environment. Ms Watson said, 'As a result of decades of town planning informed on the one hand by apartheid ideology and on the other hand by inappropriate and often outdated planning fashions, large parts of our cities are sterile, monotonous, degraded and impoverishing.'¹³ [¹³ *Sash*, January 1991, pp30-31]

During the period under review increasing urbanisation and unemployment led South Africa's major cities to ask for government assistance to encourage industrialisation and economic growth in these areas and create more jobs. In May 1991 the outgoing president of the Johannesburg Chamber of Commerce and Industry, Mr Jonny Frankel, said, 'It is estimated that by the year 2000 more than 25% of South Africa's total population (about 12m people) will be living in the Pretoria/Witwatersrand/Vereeniging region. By then, only 2% of South Africa's land will produce over 50% of gross domestic product.'¹⁴ [¹⁴ *Business Day* 8 May 1991]

A member of the executive committee for the Transvaal, Mr Olaus van Zyl, said in June 1991 that urbanisation and population growth occurred regardless of political and social changes. 'The need for planning and development is there. We cannot wait for new constitutions. There are too many backlogs and distortions already,' he said.¹⁵ [¹⁵ *Sowetan* 28 June 1991]

Informal settlement

The chairman of the South African Housing Advisory Council, Dr Joop de Loor, said in June 1991 that it was necessary to allow people coming into the cities and towns to settle on land which was close to places of employment and where minimum standards applied. He added that even if nothing but basic sewage disposal, a place for shelter and running water were supplied, health hazards associated with informal settlements would be eliminated.¹⁶ [¹⁶ *The Star* 4 June 1991]

In July 1990 the government passed the **Prevention of Illegal Squatting Amendment Act**. The aim of the amendment was to enable the establishment of 'transit areas' for temporary informal settlement outside the jurisdiction of local authorities. Previously it had been necessary to extend the jurisdiction of the local authority to include an area where informal settlement was occurring before the local authority

could provide services to, and restrict further settlement in, the area. The amendment act enabled an administrator to establish transit areas and the government to regulate the development and provision of services in such areas.¹⁷ [¹⁷ *Hansard* (Public Committee) 14 col 7985, 4 May 1990]

Dr Andreas Oosthuizen MP (Conservative Party) said in Parliament in June 1990 that the CP did not support the legislation because it created further possibilities for ‘illegal squatters to flock to white areas’ and because it would allow informal settlements to be established legally on agricultural land.¹⁸ [¹⁸ *Hansard* (joint sitting) 21 col 11323, 11 June 1990]

Mr Jan van Eck MP (Democratic Party) said in the same month that the DP supported the amendment. He argued that informal settlers had been treated shamefully in the past and added that the legislation was a step in the right direction in making it easier for people to settle legally and in indicating the government’s acceptance of the ‘permanence of the black [African] man’.¹⁹ [¹⁹ *Hansard* (joint sitting) 21 col 11324, 11 June 1991]

The government tabled the *White Paper on Land Reform* in March 1991 (see also chapter on *Land and Agriculture*). The white paper contained proposals for relieving the pressure on housing and informal settlement. It said that the government was committed to promoting realistic and affordable norms for housing and services for informal settlers. ‘The government ... believes that at this stage the accent should be on minimum standards and the systematic upgrading thereof.’²⁰ [²⁰ Republic of South Africa, *White Paper on Land Reform*, WP B-91, 12 March 1991, pp10-11]

The white paper said that provincial administrations, local authorities and other responsible bodies should set minimum requirements for the erection and maintenance of buildings and for the provision of services. They should then ensure that upgrading took place in a responsible and orderly manner as and when communities could afford to pay for better services.²¹ [²¹ *White Paper* pp21-22]

The white paper condemned trespass and squatting on land not intended for occupation. It said that responsibility for controlling illegal squatting should be handed over to provincial administrations and that anti-squatting laws should be applied more effectively. ‘The government believes that the emphasis on dealing with squatting should always be on guiding [informal settlers] towards land which is suitable for less formal settlement and on which at least rudimentary but upgradable services are available.’²² [²² *White Paper* p10]

In July 1991 three of the five bills proposed in the white paper were passed. They were the Abolition of Racially Based Land Measures Bill (see *Housing* below), the Upgrading of Land Tenure Rights Bill, (see chapter on *Land and Agriculture*) and the Less Formal Townships Establishment Bill.

The **Less Formal Township Establishment Act** aimed to ‘provide for shortened procedures for the

designation, provision and development of land, and the establishment of townships for less formal forms of residential settlement',²³ [²³ *Government Gazette*, Less Formal Townships Establishment Act, 1991] The objective of the act was to provide interim measures for dealing with the 'acute needs of urbanisation' until a more comprehensive strategy could be developed. In terms of the act provincial administrators and local authorities were empowered to establish informal townships on any land at their disposal, provided that the area had been surveyed and a township register had been opened. Settlement could take place as soon as the land had been surveyed and erf beacons had been placed. The act made it possible to bypass other legal procedures applicable to formal township development.

The CP rejected the passing of the act. Mr Jan Hoon MP (CP) argued in Parliament in June 1991 that the legislation had become necessary because the government had lost control over urbanisation and because of the development of 'squatter towns which have arisen overnight like toadstools and are making their appearance in and around the towns and cities of South Africa'. He added that the act was preparatory to a new constitution with an African majority government and was therefore contrary to the principles of the CP.²⁴ [²⁴ *Hansard* (A) 24 col 13073, 17 June 1991]

According to the DP, the act was 'a positive measure which addressed one of the greatest social needs in South Africa today ... the creation of living space for the ... rural migrants who are streaming into our towns and cities every year'. Mr Errol Moorcroft MP (DP) said that the DP recognised that urbanisation could not be stopped and that much land would have to be set aside for township development.²⁵ [²⁵ *Hansard* (A) 24 col 13074, 17 June 1991]

Ms Bernstein said that the act would do little to promote the development of housing and that it might retard private housing initiatives. In May 1991, before the legislation arising from the white paper had been passed, she called on the government and other political leaders to use the opportunity created by the repeal of the Group Areas Act of 1966 and other legislation on land to develop a nonracial vision of urban and rural development.²⁶ [²⁶ *The Star* 16 May 1991]

The Prevention of Illegal Squatting Act of 1951 had allowed for action to be taken against 'illegal squatters' (see *1989/90 Survey* p51). In line with the government's expressed intention of penalising squatting on land not designated for settlement, the deputy minister of law and order, Mr Johan Scheepers, announced in June 1991 that people who allowed shacks to be erected illegally on their land would be liable for prosecution. In reaction to Mr Scheeper's announcement, the deputy national director of the Legal Resources Centre, Mr Geoff Budlender, said. 'In effect the state is now requiring private persons to create further homelessness while it is not in a position to provide further housing.'²⁷ [²⁷ *Ibid* 28 June 1991]

A document released in June 1991 by the minister of planning, provincial affairs and national housing, Mr Hernus Kriel, detailed the government's strategy for dealing with 'illegal squatting'. The document said that 'squatter auxiliary units' would be formed in an attempt to handle the problem in a non-violent

manner. They would be under the control of the provincial administrations and would assist local authorities, police and the public in dealing with informal settlers. These units would also direct informal settlers to sites where they could settle legally. The document argued that it was the responsibility of the provincial authorities to identify land for informal settlement and to provide services on such land. Where municipalities could not move an informal settlement to a new housing area, they should declare it a 'temporary transit area', which would allow the municipalities to have control over the area while a permanent settlement was being prepared, the document said.²⁸ [²⁸ *Financial Mail* 14 June 1991; *Urban Focus*, vol 2 no 6, June 1991]

The African National Congress rejected the plan and said that the government was 'declaring war' on informal settlers.²⁹ [²⁹ *Financial Mail* 14 June 1991] Critics also said that it would not be possible to remove informal settlers without force as there was nowhere for them to go. While over 2m people lived in shacks in the Witwatersrand in 1991, by June 1991 only 30 000 sites had been developed for low-income housing.³⁰ [³⁰ *Urban Focus* June 1991]

In July 1991 the South African Agricultural Union expressed fears that squatting would get out of control because the provisions of the Prevention of Illegal Squatting Act were not being properly implemented. The union said that while there was no justification for farmers taking action against informal settlers, the 'extreme provocation' to which farmers were subjected had to be taken into account before their actions were criticised. The union said that incidences of theft had increased, fences had been cut and insurance was difficult to obtain for those farmers who had informal settlers living next to their farms.³¹ [³¹ *Business Day* 31 July 1991]

Regional issues

Natal

Sash reported in May 1991 that Durban was the fastest growing city in the southern hemisphere.³² [³² *Sash* May 1991] Between 1970 and 1980 the population of the Durban functional region (DFR) doubled, and it increased by a further 75% by 1985.³³ [³³ *Ibid* January 1991] In 1970 the population of the DFR had been less than 1m, but with the scrapping of influx control and increasingly difficult economic conditions in the rural areas of KwaZulu/Natal, people had moved to Durban and by 1991 the population of the DFR was more than 3m.³⁴ [³⁴ *Special Dispatch*, vol 4 no 9, October 1991]

A professor in the Department of Geographical and Environmental Science at the University of Natal in Pietermaritzburg, Dr Jeff McCarthy, said in October 1990 that by the year 2010 there would be between

8m and 10m people living in the Durban metropolitan area.³⁵ [³⁵ Ndwandwe M, 'Durban: Tourist Heaven, Squatter Hell', *Cross Times*, October 1990] Urban Foundation (UF) projections were that by the year 2000 the population would total 4m and by 2010, 6m.³⁶ [³⁶ Urban Foundation, *Policies for a new urban future: population projections*, 1990]

Sash said in May 1991 that as a result of such rapid growth, about 1,7m people or more than half the population were living in shack settlements surrounding Durban.³⁷ [³⁷ Sash May 1991] Many of the shack dwellers were unemployed or partly employed in the informal sector.

The chairman and chief executive of Prefhold, Mr Terry Rosenberg, calculated that the DFR needed to boost economic growth to 8% a year and create 300 000 new jobs by the year 2000 in order to maintain employment levels at 1991 levels. Operation Jumpstart, a business initiative headed by Mr Rosenberg, was involved in a number of projects aimed at stimulating the economy of the region and creating jobs. These included campaigning for the development of Block AK (in the city centre of Durban) and of Cato Manor (outside Durban) as business and residential areas, promoting training and education to foster entrepreneurship and effective use of educational facilities, and attempting to get bureaucratic obstacles to housing and other development removed.³⁸ [³⁸ *Special Dispatch*, vol 4 no 9, October 1991]

The Development Bank of Southern Africa estimated that the population of Natal was 8,5m in 1989. Urban growth over the previous decade had averaged 3,5% per year, which was the highest of all the development regions. The economically active population comprised 2,3m people, of which the economy of Natal could absorb only 58% and the formal sector 36%.³⁹ [³⁹ Centre for Information Analysis, Development Bank of Southern Africa, *South Africa: an intra-reponal Profile*, Midrand, 1991, p15]

Port Elizabeth/Uitenhage

The Port Elizabeth/Uitenhage (PEU) area falls within development region D, which comprises the Ciskei, the eastern Cape and the Transkei. According to a professor of development studies at Rhodes University (Grahamstown), Professor W J Davies, the PEU's share of the total population of region D increased from 16% in 1980 to 21% in 1989. The annual population growth rate of the PEU metropolitan region was 5% per annum compared with an average rate for region D of 2% which indicated substantial urbanisation. In 1989 the urban population of the PEU area totalled 1,5m.⁴⁰ [⁴⁰ Davies W, 'A Metropolitan Region in Decline: Socio-economic Conditions in the Greater Algoa Bay Area', *South African Journal of Economics*, June 1990]

Professor Davies said in June 1990 that the increase in the African population growth rate in the PEU

area (from 6,7% between 1980 and 1985 to 7,5% between 1985 and 1989) could be attributed to migration resulting from the relaxation of influx control laws. He said that this high growth rate had serious implications for job creation and the provision of affordable housing in the area.⁴¹ [⁴¹ Ibid p203]

Professor Davies believed that the PEU region's economic dependence on the motor industry, which had declined substantially in 1985 and 1986, together with a government regional development policy which excluded the area from most effective benefits, had led to economic decline.⁴² [⁴² Ibid p204] In 1989 the proportion of people unemployed in Port Elizabeth was 27% and in Uitenhage, 21%.⁴³ [⁴³ *Eastern Province Herald* 12 August 1991] Registered unemployment in the eastern Cape in April 1991 was more than double that for the same period in 1990. The *Eastern Province Herald* reported that one of the reasons for the rise in unemployment was that miners who were out of work had migrated to the area in search of work.⁴⁴ [⁴⁴ Ibid 12 June 1991] Professor Davies pointed out that as unemployment in the area was structural rather than cyclical, little improvement was expected in the short to medium term.⁴⁵ [⁴⁵ Davies W, 'A Metropolitan Region in Decline: Socio-economic Conditions in the Greater Algoa Bay Area', *The South African Journal of Economics*, June 1990, p205]

Owing to the high growth rate of the African population and a shortage of land for housing, approximately 45% of the African population of Port Elizabeth lived in informal settlements which were overcrowded and lacking in essential services. Professor Davies said that 'coupled with the pervasive poverty induced by high unemployment, the situation ... is, indeed, explosive. It will take much more than a mild economic recovery to resolve the area's predicament'.⁴⁶ [⁴⁶ Ibid p208]

Pretoria/Witwatersrand/Vereeniging (PWV area)

According to the Urban Foundation (UF), the total population of the Pretoria/Witwatersrand/Vereeniging (PWV) metropolitan region was 7,2m in 1991 and it would increase to 12,3m by the year 2000. The UF added that in comparison with metropolitan areas elsewhere in the world, the PWV was very large spatially, and that future development should focus on urban concentration rather than deconcentration.⁴⁷ [⁴⁷ *Policies for a new urban future: population trends*, 1990, p26]

The PWV area falls within development region H, which also comprises areas of Bophuthatswana and KwaNdebele. According to statistics supplied by the Development Bank of Southern Africa, in 1989 the economically active population of this region numbered 4m and the formal economy could provide employment for 61% of the potential labour force, while the total absorption capacity of the regional economy was 90%. Unemployment in this region totalled 14% in 1989.⁴⁸ [⁴⁸ Centre for Information Analysis, Development Bank of Southern Africa, *South Africa: an intra-regional profile*, Midrand, 1991, p18]

The member of the executive committee (MEC) for the Transvaal for community development, Mr Willie Hoods, said in June 1991 that there were more than 1,3m informal settlers living in the PWV region, of whom approximately 900 000 were living in backyard shacks. Mr Hoods said that a survey conducted by the Transvaal Provincial Administration (TPA) had shown that 15 700ha of land were needed in the Transvaal to provide housing for these settlers, the cost of which would be nearly R300m.

A further R1bn would be needed to provide rudimentary services, he added.⁴⁹ [⁴⁹ *Business Day* 7 June 1991]

In July 1991 the MEC for the Transvaal for land use and physical planning, Mr John Mavuso, said that land had been identified which would be able to accommodate about 1,2m people.⁵⁰ [⁵⁰ *Ibid* 23 July 1991]

According to a spokesman for the TPA, during the period under review three areas in the Transvaal were designated for informal settlement in terms of the Prevention of Illegal Squatting Act of 1951. These settlements were, Doornkop (near Soweto), Ivory Park (Midrand), and Zonkesizwe (east Rand).⁵¹ [⁵¹ Interview with a public relations officer at the TPA, Mrs Magda du Toit, 20 July 1991]

Mr Mavuso said in August 1991 regarding the uncontrolled expansion of informal settlements, 'It cannot be tolerated that people who do not pay for any services, use the facilities other people are paying for.' He added that when uncontrolled expansion occurred it was difficult to lay out and provide rudimentary services.⁵² [⁵² Fax communication from Mrs Magda du Toit, 7 August 1991]

Western Cape

In 1991 Cape Town was the only city in South Africa in which the white population outnumbered the African population. In 1985 only 20% of the population of metropolitan Cape Town had been African, but the UF believed that this figure would increase to approximately 28% by the year 2000. *Cross Times* said in October 1990 that the African population already constituted 28% of the total population of greater Cape Town. The UF said that most of the newly urbanised African population were housed in informal settlements on the Cape Flats and added that conditions in these settlements were unusually harsh owing to inadequate planning for African urbanisation.⁵³ [⁵³ *Policies for a new urban future: population projections*, 1990; H, 'Cape Town: Testing the Waters for One City', *Cross Times*, October 1990]

A study conducted by the Urban Problems Research Unit at the University of Cape Town in 1991 and entitled 'Movement patterns of the African population in Cape Town' showed that there were more than 60 000 shacks in the greater Cape Town area. In Khayelitsha alone, which had a total population of 300 000, there were 40 753 shacks. The study showed that there were complex patterns of movement among the African population which made it difficult to estimate its size. The publication suggested an estimate of 750 000, which was a 50% increase on the adjusted 1985 census figure of 500 000 Africans in the

western Cape.⁵⁴ [⁵⁴ *Cape Times* 4 June 1991]

During the period under review, 12 informal settlements in the western Cape were proclaimed transit areas in terms of the Prevention of Illegal Squatting Act. They were Bloekombos (Kraaifontein), Die Bos/Waterkloof (Somerset West), Gonubie-Camp (Gonubie), Imizamo Yethu (Hout Bay), Inthabeni/Site 5 (Noordhoek), Marconi Beam Site (Milnerton), Uitkyk (Kraaifontein) and those at Bredasdorp, Grabouw, Norvalspont, Paarl and Villiersdorp.⁵⁵ [⁵⁵ Information supplied by Mr R AS Letter of the chief directorate of land development and co-ordination at the Cape Provincial Administration, 24 October 1991]

According to the Development Bank of Southern Africa, development region A, which comprises the western parts of the Cape province, had a population of 3,5m in 1989 and an economically active population of 1,5m. The formal economy was able to absorb 59% of the labour force. The total absorption capacity of the economy of the region was 97%.⁵⁶ [⁵⁶ Centre for Information Analysis, Development Bank of Southern Africa, *South Africa: An Intn-regional Profile*, Midrand, 1991]

Residential segregation

Repeal of the Group Areas Act of 1966

On 28 June 1991 the state president, Mr F W de Klerk, signed the **Abolition of Racially Based Land Measures Act**, abolishing racial discrimination in respect of land. The act contained the following provisions:

- chapter 1 of the act abolished the Black Land Act of 1913 and the Development Trust and Land Act of 1936 (see also chapter on *Land and Agriculture*);
- chapter 2 repealed the Group Areas Act of 1966, the Free Settlement Areas Act of 1986 and the Local Government Affairs in Free Settlement Areas Act of 1988. This chapter also made provision for the recognition of ownership of property bought illegally under the Group Areas Act;
- chapter 3 repealed restrictions on land acquisition by Asian and coloured people;
- chapter 4 abolished the Black Communities Development Act of 1984 and related legislation and made provision for all races to live in site-and-service schemes identified and developed by the provincial administrations;
- chapter 5 made provision for the establishment of a committee to advise the state president on the deproclamation of regulations and legislation promulgated in terms of the Black Administration Act of 1927;

- chapter 6 allowed for the establishment of an advisory committee on land allocation which would advise on the identification, allocation and development of land acquired by the government under any law repealed by the act; and
- chapter 7 allowed for the setting of norms and standards by residents of a neighbourhood.⁵⁷ [⁵⁷ *Hansard* (joint sitting) 19 cols 10, 571-573, 27 May 1991]

Although the promulgation of the Abolition of Racially Based Land Measures Act was widely welcomed, it was also criticised by the African National Congress (ANC), the Democratic Party (DP) and the Urban Foundation, among others, for allowing the introduction of regulations governing ‘urban standards’, and for its failure to offer any reparation to those people whose land had been taken away from them under the Group Areas Act and other legislation (see also chapter on *Land and Agriculture*).

The addition of the section allowing for the setting of urban standards by residents of a neighbourhood was in response to the general rejection of the Residential Environment Bill. The Residential Environment Bill had sought to allow residents of individual suburbs or municipalities to write their own bylaws regarding standards pertaining to ‘the aesthetic appearance of any premises’, hygiene, the maintenance of buildings and open spaces, overcrowding and the removal of ‘nuisances’. It had also sought to provide for the policing of these bylaws through mediation officers and justices of the peace appointed by the provincial administrations. The bill was seen by the ANC as racist and as an attempt to keep Africans out of white areas. It was subsequently withdrawn and similar provisions made in chapter 7 of the Abolition of Racially Based Land Measures Act. However, chapter 7 also stipulated that any bylaw which discriminated on grounds of colour, race or religion would be null and void.⁵⁸ [⁵⁸ *Government Gazette* Abolition of Racially Based Land Measures Act, 18 June 1991]

Mr Luwellyn Landers MP (Labour Party) said in June 1991 that chapter 7 was a clear substitute for the Group Areas Act and that it was meant to protect ‘white properties and white interests’.⁵⁹ [⁵⁹ *Sunday Tribune* 2 June 1991]

The LP abstained from voting on the legislation for this reason. Mr Peter Soal MP (DP) said that while the DP was in favour of standards, the provisions made in the chapter were unworkable and he accused the government of trying to placate its right-wing supporters. He added that the DP would support the Abolition of Racially Based Land Measures Act because ‘the abolition of the dreadful land acts and the Group Areas Act is sufficiently momentous’.⁶⁰ [⁶⁰ *Hansard* (joint sitting) 19 col 10 597, 27 May 1991]

The founder and former chairman of the Johannesburg Central Business District Association, Mr Nigel Mandy, said in June 1991 that he welcomed the repeal of the Group Areas Act and land legislation. He added, ‘The acts distorted the normal process of urbanisation,’ and said that much of the deterioration in

Hillbrow and Joubert Park (both in Johannesburg) had occurred because tenants and landlords had been contravening the Group Areas Act. Tenants had had, therefore, no recourse to the law in the event of inferior living conditions.⁶¹ [⁶¹ *The Citizen* 6 June 1991]

The Inkatha Freedom Party welcomed the passing of the new legislation, saying that it was ‘another nail in apartheid’s coffin’. The Urban Foundation said that for the first time ‘the way was open for the country as a whole to build a nonracial vision of an urban and rural South Africa’. The chairman of the Federation of Residents’ Associations, Dr Ram Salojee, said that while his organisation welcomed the new legislation, the legacy of the Group Areas and land acts would ‘continue to haunt us for generations’.⁶² [⁶² *The Indicator* 13 June 1991]

Statistics

Group areas were first implemented in 1957 when the Group Areas Act of 1950 was consolidated. The following table sets out the number of group areas proclaimed for Asians, coloured people and whites between 1957 and 31 December 1989:⁶³ [⁶³ *Hansard*(A) 6 col 503 14 March 1990]

Group areas proclaimed: 1957-1989

Number

Area in hectares

Proportion

Asian

266

52 788

6%

Coloured

561

104 653

12%

White

586

741 174

82%

Total

1 413

898 615

100%

Between February 1990 and February 1991, ten Asian, 25 coloured and eight white group areas were proclaimed.⁶⁴ [⁶⁴ *Hansard (A) 3 q col 106*, 19 February 1991]

Business Day estimated in June 1991 that 3,5m people had been removed from their businesses, homes and land as a result of the Group Areas and land acts.⁶⁵ [⁶⁵ *Business Day* 6 June 1991] The Surplus People's Project estimated that between 1960 and 1983 approximately 860 000 people countlywide had been moved because they were disqualified as residents of a particular area under the Group Areas Act. Most of these were coloured people.⁶⁶ [⁶⁶ McCarthy J, 'The Divided City: Group Areas and Racial Segregation,' Urban Foundation *Opening the Cities: Comparative Perspectives on Desegregation*, 1990] Government statistics on group areas removals were available until only the end of 1984. From 1966 to 31 August 1984 a total of 12 6176 coloured, Indian and white families were moved under group areas legislation.⁶⁷ [⁶⁷ *1988 Survey*, p348] In 1985 the government had stated that a total of 745 000 people (mostly coloured, Indian and white) had been moved or remained to be moved under the Group Areas Act of 196

A study conducted in 1984 by a senior lecturer in the Department of Geography, Mr Jeff McCarthy, and a senior lecturer in the Department of Planning, Mr Dan Smit (both at the University of Natal in Durban), indicated that in Durban approximately 60% of the black population and 10% of the white population had been moved under the Group Areas Act.⁶⁹ [⁶⁹ McCarthy J J and Smit D P, *South African*

City, Theory, Analysis and Planning, Cape Town, 1984¹ According to the *Leader*, in Cato Manor (Durban) between 1958 and 1964 about 28 300 Africans, 2 100 coloured people and 26 000 Indians were moved from their homes and Indian families lost 3 000 acres of land.⁷⁰ [⁷⁰ Letter 8 March 1991] In Cape Town the first group areas in the centre of the city were proclaimed in 1957 and between then and 1980 about 30 800 families, mainly coloured, were moved.⁷¹ [⁷¹ Venter S, 'No Turning Back', *Leadership*, vol 10 no I, February/March 1991]

Before the repeal of the Group Areas Act in 1991 many cities had become de-facto multiracial areas. A study conducted in 1989 by the director of the Centre for Policy Studies at the University of the Witwatersrand, Professor Lawrence Schlemmer, showed that just under 1% of properties in white group areas were occupied by black people.⁷² [⁷² Schlemmer L, 'Racial Zoning: Problems of Policy Change', Centre for Policy Studies, *Policy Issues and Actors*, 1989] Professor Schlemmer added that this proportion would be far higher in cosmopolitan cities such as Johannesburg and Cape Town. According to Mr Mandy, in 1989 most of the Johannesburg central business district was occupied by black residents.⁷³ [⁷³ Fick J, 'Cities in Transition: Urban Renewal and Suburbanisation', Urban Foundation, *Opening the Cities: Comparative Perspectives on Desegregation*, 1990]

In May 1989 *The Star* indicated that 30 suburbs in greater Johannesburg could be classified as 'grey areas' (ie racially mixed).⁷⁴ [⁷⁴ *The Star* 5 May 1989] Professor Schlemmer said that in specific areas east of Johannesburg more than 25% of the population was black.⁷⁵ [⁷⁵ Schlemmer L, 'Racial Zoning: Problems of Policy Change', Centre for Policy Studies, *Policy Issues and Actors*, 1989]

The approach to the granting of permits to black people to live in white areas had become more flexible from the mid 1980s. Between 1 September 1985 and 31 August 1986, 113 of 280 applications made were granted, 119 refused and 48 were 'still being considered'. In 1987 the Transvaal Provincial Administration approved 940 of the 961 applications from Africans, 15 of the 46 applications from Indians and one of 18 applications from coloured people to live in white group areas.⁷⁶ [⁷⁶ McCarthy J, 'The Divided City: Group Areas and Racial Segregation,' Urban Foundation *Opening the Cities: Comparative Perspectives on Desegregation*, 1990] However, many more black people ignored the law and simply moved into white areas.

According to the minister of planning, provincial affairs and national housing, Mr Hernus Kriel, as at 30 April 1991, 13 free settlement areas had been proclaimed, of which four were in the Cape province, three were in Natal, none were in the Orange Free State and six were in the Transvaal.⁷⁷ [⁷⁷ *Hansard* (A)

25 q cols 2018 and 2019, 19 June 1991]

Residential desegregation

It was reported in January 1991 that whites in Cape Town were buying houses in the coloured areas of Bo Kaap and Harbour Heights. Houses in coloured areas were said to be about half the price of similar ones in white areas, but estate agents believed that prices would even out after the repeal of the Group Areas Act.⁷⁸ [⁷⁸ *The Citizen* 30 January 1991]

In March 1991 the *Financial Mail* said that developers of black housing would experience difficulties once the Group Areas Act was repealed because the protective barriers which had created artificial property markets in uneconomic areas would be removed. The group financial director and deputy chairman of Group Five, Mr Theuns Kotzee, said, 'Historically, government decided where people stayed and allocated land accordingly. Once the Group Areas Act goes people will generally decide for themselves where to live.' He added that developers who, because of government policy, had bought large tracts of land in areas where people did not want to live, were likely to incur financial losses. Mr Kotzee believed that the lower end of the property market would be affected, insofar as black people would move closer to places of employment to save on transport costs.⁷⁹ [⁷⁹ *Financial Mail* 1 March 1991]

In June 1991, before the Abolition of Racially Based Land Measures Act was promulgated, estate agents canvassed by *The Natal Mercury* predicted that there would not be a rush by black home buyers into formerly white areas. However, estate agents believed that an interest would be shown in suburbs that bordered on African townships. *The Natal Mercury* reported that since the introduction of the permit system, whereby houses in white areas could be bought by blacks with the permission of the local authority, there had been many such transactions. In Pinetown and Westville (both near Durban) there had been a steady purchase of white properties during 1990 and many flats in the Albert Park area of Durban had also been occupied by black families when it was reported that the Group Areas Act would be repealed.⁸⁰ [⁸⁰ *The Natal Mercury* 1 June 1991]

Estate agents in Johannesburg reported in July 1991 that blacks had shown little increase in interest in buying homes in previously white group areas since the state president promulgated the new legislation at the end of June. Estate agents said that those black families who had wanted to buy in white areas had done so during the previous three years. Other reasons given for the lack of interest by blacks were the inability to afford houses in white areas and the difficulty of selling houses in the townships.⁸¹ [⁸¹ A-Z *Easifinder* supplement to *Saturday Star* 20 July 1991]

Barriers to desegregation

Research conducted by Professor Schlemmer and Ms Louise Stack in 1988 and 1989 showed that approximately 50% of the white population was opposed to residential integration and that about 40% of whites were prepared to mobilise to prevent the entry of black people into their residential areas. They added in September 1990 that these attitudes had not changed after the announcement by Mr De Klerk in February 1990 that the Group Areas Act would be repealed. 'It can be fairly confidently predicted that after the abolition of racial zoning in South Africa, phenomena such as racial tipping and white withdrawal from rapidly integrating neighbourhoods are very likely to occur.' (Racial tipping occurs when large numbers of white people start moving out of a residential area once the proportion of people of other race groups exceeds a certain limit. In the United States white suburbs would 'tip' when black occupancy was between 12% and 20%.)⁸² [82 Schlemmer L, 'Racial Zoning: Problems of Policy Change'; Schlemmer L and Stack L, 'Ethnocentric Symbols: Attitudes to Group Areas Reforms,' Indicator SA, Issue Focus *Opening the Cities: Comparative Perspectives on Desegregation*, September 1990]

A property economist, Mr Neville Berkowitz, said that black people who could afford conventional housing were usually limited to a house costing R75 000. Bond repayments and service expenses on such a house would amount to about R1 000 per month. According to Mr Berkowitz, houses costing R75 000 or less were generally in the poorer and more conservative white areas, therefore increasing the chance of racial conflict should black people move into such areas. Affordability was cited as a major factor in hindering effective integration of residential areas. Only 2% of the African population, 13% of the coloured population and 27% of the Indian population earned more than R2 000 per month.⁸³ [83 *The Weekly Mail* 21 February 1991]

The managing director of In City (a property development company), Mr Marc Wainer, pointed out in February 1991 that until a proper infrastructure, including nonracial government schools, was available, the freedom of movement afforded by the abolition of group areas would be restricted. He added that areas which had voted to integrate schools were more likely to experience the influx of black people, but that this trend would be tempered by affordability since most of these areas were more affluent.⁸⁴ [84 *Financial Mail* 15 February 1991]

In July 1991 both the Cape Town and the Durban city councils attempted to make council housing under their jurisdiction available to all race groups. As this type of housing was classified as an own affair, the government refused permission to the Cape Town City Council to do so.⁸⁵ [85 *Cape Times* 30 July 1991] A spokesman for the Durban municipality said in August 1991 that it had decided to form a committee to investigate options for equitably allocating dwellings under the control of the council on a nonracial basis and to seek clarity on the legal implications of nonracial allocation.⁸⁶ [86 Information supplied by the acting city treasurer for housing of the Durban City Council, Mr Don Johnston, 7 August 1991]

Housing

Shortages

During the period under review housing delivery was unable to keep up with demand, resulting in higher occupancy rates of existing housing stock and growth in the number of unplanned informal

settlements.⁸⁷ [87 Urban Foundation, *Policies for a New Urban Future: Housing for All, Proposals for a National Housing Policy*, 1990]

Research by the Urban Foundation (UF) in African townships in the Pretoria/Witwatersrand/Vereeniging (PWV) area showed that the average occupancy rate per stand in African areas was between ten and 11, with an average of six people per formal house. There was an average of three to four people in each backyard shack and in many cases two or more families were sharing a hostel room designed for two people. The UF said that high occupancy had unfortunate consequences for health, security and welfare. It argued that unplanned development of informal settlements could lead to the inadequate provision of services, the prejudicing of individual land rights and the exploitation of the poor through 'squatter farming'.

Informal settlement met with varied reaction during the period under review, with some people condemning it as a vehicle for reproducing urban and rural poverty, while others saw it as the answer to the provision of affordable housing. In his article 'Informal settlement in African cities', a senior lecturer in the Department of Development Administration and Politics at the University of South Africa, Mr Frik de Beer, said that while critics condemned the establishment of these settlements, 'the fact is ... that most people who live in informal settlements have very little, if any, choice in doing so. Few would share the above perception [that informal settlements reproduce poverty] because they are struggling to survive and are doing their best in a hostile environment'.⁸⁸ [88 De Beer F, *Informal Settlement in African Cities*, *Africa Insight*, vol 19 no 2, 1989]

Estimates of the shortage of housing units varied, depending on whether informal structures were accepted as housing. The South African Housing Trust estimated in 1989 that there was a need for 3,4m units in South Africa (including all ten homelands). This figure was calculated using an estimated African population of 28m and assuming an average occupancy rate of 6,5 people per household. The existing housing stock was deducted from the number of houses required. The figure therefore took into account all people not living in a conventional house, such as shackdwellers and farm labourers.⁸⁹ [89 *Update Sixteen*, 1991, p13]

The UF estimated in 1990 that there was a shortage of 1,2m housing units in South Africa (including the ten homelands). Some 47% of the shortage was in the PWV region, 20% in the greater Durban region and 10% in greater Cape Town. The UF included in its estimates of people who were housed all those who lived in structures under secure title. It therefore included informal housing in site-and-service schemes.⁹⁰ [90 *Policies for a New Urban Future: Housing for All, Proposals for a National Urban Housing*

Policy, 1990₁

The official backlog of housing for Africans in South Africa (excluding the 'independent' homelands) in June 1991 was 1m. The minister of planning, provincial affairs and national housing, Mr Hernus Kriel, said that this shortage comprised a need for 258 755 houses in the Cape province, 210 867 in Natal, 68 878 in the Orange Free State and 492 986 in the Transvaal.⁹¹ [⁹¹ *Hansard* (A) 22 q cols 1851-1852, 11 June 1991₁] In May 1991 he had estimated that by the year 2000 basic services would have to be provided for an additional 9m people in urban areas.⁹² [⁹² *RSA Policy Review* May 1991₁]

According to the UF, if the population were to continue to increase at the projected annual growth rate of 2,8%, by the year 2000 there would have to be sufficient housing to accommodate 48m people, of which the African population would constitute 37m.⁹³ [⁹³ *Update Seventeen*, 1991, p13₁]

The UF said in August 1991 that two of the key features of the housing requirement were the magnitude of the need and the rate at which housing needed to be provided. The UF argued that if everyone was to have shelter by 1995, 174 000 units would have to be built annually. It said that the average urban African population growth rate was 4,3% a year compared with an average national African population growth rate of 2,8%. According to the UF, 'it is imperative that the rate of housing supply is able to keep pace with the rate of growth in population and housing requirements'. Should this not happen, housing backlogs would increase and exacerbate the situation.⁹⁴ [⁹⁴ *Policies for a New Urban Future: Housing For All, Proposals for a National Urban Housing Policy*, 1990₁]

In May 1991 the minister of the budget and of welfare, housing and works in the House of Assembly, Mr Sam de Beer, said that unemployment and associated impoverishment among white people had led to an increase in the demand for low-cost houses to rent. He said that between 1983 and March 1991 his department had received 47 367 applications for white people for housing assistance.⁹⁵ [⁹⁵ *Daily Dispatch* 17 May 1991₁]

Policy

The minister of planning, provincial affairs and national housing, Mr Hernus Kriel, said in August 1990 that all South Africans (including residents of the ten homelands) would be provided with shelter by the year 2000. He added. 'It does not mean everybody will live in a formal house, but people should have shelter.'⁹⁶ [⁹⁶ *Eastern Province Herald* 24 August 1990₁] In October 1990 the National Housing Advisory Council was instructed to advise on the formulation of a national housing strategy. The results of their investigation were expected to be published at the end of 1991.

In May 1991, speaking at a conference in Cape Town organised by the National Association of Home Builders, Mr Kriel said that the state could not meet the housing needs of the population alone and that it needed the involvement of the private sector.⁹⁷ [⁹⁷ *The Star* 4 June 1991] Mr Kriel added that the fragmentation caused by the number of government departments responsible for housing (14 in South Africa, including the ten homelands) should be addressed.⁹⁸ [⁹⁸ Minister of planning, provincial affairs and national housing, Mr Hemus Kriel, address to congress of the National Association of Home Builders, Cape Town, 16 May 1991]

The Urban Foundation pointed out that from the 1940s to the early 1980s the government had been the major supplier of low-income housing. However, in 1982 it had shifted responsibility for the provision of housing to the private sector and to employers, while it had played a 'supportive role'.⁹⁹ [⁹⁹ *Policies for a New Urban Future, Housing for All, Proposals for a National Urban Housing Policy*, 1990, p8] Mr Kriel said in Parliament in May 1991 that the government's policy was now to acquire land and to provide as many serviced sites as possible where individuals could erect their own structures, which would be financed with loans from banks and building societies or with financial assistance from employers.¹⁰⁰ [¹⁰⁰ *Hansard* (A) 17 q col 1545, 21 May 1991]

In the same month Mr Kriel said that the government believed that financing of housing was the primary issue which needed to be addressed. He added that state assistance would be rendered only to those who were in desperate need of housing.¹⁰¹ [¹⁰¹ Minister of planning, provincial affairs and national housing, Mr Hemus Kriel, address to the congress of the National Association of Home Builders, Cape Town, 16 May 1991]

The interest-subsidy scheme for first-time home buyers, in terms of which the government subsidised a third of the interest on bonds for first-time home buyers for a period of five years, had been available to all race groups from its inception in 1983 (see 1983 *Survey* p229). In 1990, as a result of the increasing popularity of the scheme and lack of funds, the government limited it to African households in South Africa (excluding the 'independent' homelands) whose monthly income was less than R3 500.¹⁰² [¹⁰² Department of Planning, Provincial Affairs and National Housing, *Annual Report*, 1990]

The deputy minister of planning, provincial affairs and national housing, Mr André Fourie, said in April 1991 that informal housing was a permanent feature of South African society. He added that new urban development would involve informal structures with minimum standards. and that people would have to adapt to more flexible and relaxed norms and standards in building regulations. He said that provision would have to be made to help the poor.¹⁰³ [¹⁰³ *The Citizen* 4 April 1991]

The minister of finance, Mr Barend du Plessis, said in August 1990 that the provision of housing or

shelter had become the government's greatest challenge. Mr Du Plessis said, 'We need to think in terms of an upfront capital subsidy rather than smaller interest subsidies over a period of time.'¹⁰⁴ [¹⁰⁴ *Business Day* 24 August 1990]

In order to assist those who could not afford conventional housing and to help provide infrastructure to informal settlements, the government established the Independent Development Trust (IDT) in 1990 (see *1989/90 Survey* p108). The government initially allocated an amount of R2bn to it, which the IDT was to apportion as it saw fit (see *Provision* below). Part of the assistance provided by the IDT was in the form of one-off capital subsidies of R7 500 for site-and-service stands.

Constraints on housing provision

The executive director of housing policy for the Urban Foundation, Ms Jill Strelitz, said in May 1991 that successful provision of housing would not be possible unless there was one housing ministry. She argued that cumbersome bureaucratic procedures hindered developers.¹⁰⁵ [¹⁰⁵ *Urban Focus* 5 May 1991]

This view was supported by a senior lecturer in the Department of Town Planning at the University of Natal (Durban), Mr Michael Maughan-Brown, who said that the policy of separate development, the tricameral system and the devolution of power to the second tier of government had created a multiplicity of authorities regulating housing.¹⁰⁶ [¹⁰⁶ *Business Day* 24 May 1991]

According to the minister of planning, provincial affairs and national housing, Mr Hernus Kriel, some of the major obstacles to the provision of housing were:

- the inability of the government to finance the buying and development of land for housing;
- the inability of the majority of the African population to afford conventional housing; and
- increased urbanisation.¹⁰⁷ [¹⁰⁷ *RSA Policy Review* May 1991]

A Tongaat-Hulett Group planning forum said in May 1991 that 90% of Africans, 60% of coloured people, 54% of Indians and 13% of whites in the Durban functional region would be unable to make any contribution to payment for a home, or would need the assistance of a subsidy to buy a house.¹⁰⁸ [¹⁰⁸ *Business Day* 24 May 1991]

Research published by the Development Bank of Southern Africa in June 1991 revealed that between 60% and 80% of the urban African population earned between R400 and R800 per month. After other

expenses had been paid, only 9% of income (R35-R75) was left for expenditure on housing.¹⁰⁹ [¹⁰⁹ *The Citizen* 1 June 1991] An African person earning between R400 and R800 a month could afford a bond between only R8 400 and R18 000. This meant that most urban Africans could not afford formal housing without heavy subsidisation.

A high inflation rate and high interest rates led to a record number of debt judgements being handed down by magistrates' courts in 1991 in respect of individuals' defaulting on mortgage bond repayments. In May 1989 there were 872 such judgements and in May 1991 there were 1 577. Debts to be settled as a result of court action rose from R44m in May 1989 to R82m in May 1991. According to the president of the Mortgage Lenders' Association, Mr Bob Tucker, defaulting on mortgage bond repayments occurred equally among high-income and low-income families.¹¹⁰ [¹¹⁰ *The Star* 5 June 1991]

During the period under review lending institutions were reported to have become reluctant to provide finance for low-income housing. As a result of the threat to housing because of the violence in the townships, mortgage bond boycotts and the difficulties associated with the repossession of homes, banks and building societies withdrew substantially from the low-income housing market (see also chapter on *Political Developments*). The United Bank, which was the biggest financier of housing in South Africa, stated in May 1991 that it would lend funds for housing in only the most exceptional circumstances. The general manager of the home loans section of United Bank, Mr Piet Kruger, said that the bank would return to the market only once political difficulties had been solved.¹¹¹ [¹¹¹ *Financial Mail* 11 May 1991]

Builders involved in development in the townships also found it increasingly difficult to obtain mortgage bonds for their clients. The managing director of the Schachat Homes Group, Mr Hilton Katz, said in August 1991 that it was very difficult to obtain bonds for homes of less than R50 000 in value and that the market had worsened to such an extent that building was almost at a standstill.¹¹² [¹¹² *Business Day* 14 August 1991]

Many building companies withdrew from the townships as a result of the violence. The regional director of Time Housing, Mr Kobus le Roux, said in May 1991 that spiralling violence in the western Transvaal had forced building companies to leave the area. The chief executive of FHA Homes, Mr John Weaver, said in the same month that it was becoming increasingly difficult to find contractors who were willing to build in the townships. The managing director of Basil Read Homes, Mr Pat Culligan, explained that enormous losses were occurring as a result of vandalism and theft and that builders were therefore reluctant to build in the townships.¹¹³ [¹¹³ *Ibid* 16 May 1991]

In May 1991 it was reported that home builders believed that fewer than 30 000 low-cost homes would be built in 1991.¹¹⁴ [¹¹⁴ *Financial Mail* 31 May 1991]

According to the group financial director and deputy chairman of Group Five, Mr Theuns Kotzee, a crucial problem was that potential home owners had been encouraged to take out mortgage bonds which they could not afford. He added that because of increasing interest rates and unemployment, people could not keep up with mortgage bond repayments and consequently bond boycotts occurred.¹¹⁵ [¹¹⁵ *Ibid*]

Legislation

On 5 July 1991 the state president, Mr F W de Klerk, promulgated the **Upgrading of Land Tenure Rights Act**. Speaking in Parliament in June 1991, the deputy minister of land affairs, Mr Jacob van Wyk, said that the object of the act was to enable holders of ‘certain rights to land to obtain full ownership of the properties concerned’.¹¹⁶ [¹¹⁶ *Hansard* (joint sitting) 21 col 11803, 6 June 1991] In the urban context, all holders of 99-year leasehold were given the right to freehold ownership of their property. People with 30-year occupational title would have the same right once they had converted to 99-year leasehold.

Freehold ownership rights were granted automatically to all holders of 99-year leasehold in townships for which a register had been opened—a total of 1,3m people. A further 1m people were to be given freehold title once registers for the townships in which they were living had been opened.¹¹⁷ [¹¹⁷ *The Star* 13 March 1991]

According to a partner of EFK Tucker (a conveyancing firm), Mr Johan Latsky, the differences between freehold and 99-year leasehold rights were mainly symbolic, insofar as owners were able to bequeath, develop and sell property under both systems. He said that 99-year leasehold had been instituted in 1978 for two reasons: to recognise the permanence of the urban African population when it was not politically feasible to give them formal title to land, and to avoid the time-consuming, technical procedures of opening township registers to allow for freehold title. Mr Latsky said that where under 99-year leasehold it had not been necessary to pay transfer duties when buying property, it would be necessary on such transactions subsequent to conversion to freehold under the Upgrading of Land Tenure Rights Act.¹¹⁸ [¹¹⁸ Interview with Mr Johan Latsky, EFK Tucker Incorporated, 6 November 1991]

Provision

According to a spokesman for the Department of Housing, Local Government and Agriculture in the House of Delegates, Mr Logan Appasamy, between January 1990 and August 1991 the House of Delegates built approximately 3 000 houses in Indian areas countrywide.¹¹⁹ [¹¹⁹ Information supplied by a spokesman for the housing department of the House of Delegates, Mr L Appasamy, 29 August 1991]

Between 1984, when the House of Representatives took over responsibility for housing for coloured people, and 1991, coloured own affairs developed 10 000 sites on a self-help basis and granted about

R34m in loans to 13 340 first-time home owners. The Blue Downs project (western Cape) was started by the coloured own affairs administration in 1986 and by 1991 about 6 500 houses had been built, some by the private sector. According to the director of Blue Downs, Mr Carel Marais, construction and sales had slowed down considerably in 1991 owing to the difficulty of obtaining bonds. Since 1989 approximately 3 500 houses for families with a monthly income of less than R1 000 per month had been built at Delft (western Cape) by the House of Representatives. In April 1991 the House of Representatives launched a self-help housing scheme which was to allow families earning less than R1 000 per month to borrow up to R30 000 from the government to build homes.¹²⁰ [¹²⁰ *Housing in Southern Africa* March 1991; *Urban Focus* April 1991; telephonic interview with the director of Blue Downs, Mr Carel Marais, 30 October 1991]

During the 1990/91 financial year the government made available R34m in loans to African people in the lower- income group to purchase building material or to build informal shelters. The average loan granted was R8 500. In this way approximately 4 000 families were enabled to build their own homes.¹²¹ [¹²¹ Department of Planning, Provincial Affairs and National Housing, *Annual Report*, 1990]

The minister of planning, provincial affairs and national housing, Mr Hernus Kriel, said in March 1991 that 40 465 houses had been built for Africans in 1990. Of these 7 898 were built through self-help loans granted by local authorities, 1 656 were built by the central government and 30 911 by the private sector.¹²² [¹²² *Business Day* 3 April 1991]

Government expenditure

Of the total budget in 1990/91, R1,4m was set aside for the allocation of land to the various race groups. A total of R323m was allocated for urban development and housing aid for Africans. Included in this amount were the following: a sum of R212m, which was allocated to the National Housing Fund and was to be used for loans to local authorities, for assistance to building societies in the form of collateral payment of up to 30% of housing loans, and for personal loans to home owners; and an amount of R69m for the purchase of land for township development and settlement. A further amount of R4m was allocated to 'co-ordinate the execution of the urbanisation strategy, conduct research pertaining to urbanisation and formulate policy in respect of squatting'.¹²³ [¹²³ *Estimate of the Expenditure to be Defrayed from the State Revenue Account*, financial year ending 1990/91, 26-12]

In the 1991/92 financial year, R1,56bn (1,8% of the total budget) was allocated for housing and infrastructure for urbanisation. The following amounts were allocated to each race group, with the previous year's allocation in brackets: Africans, R913m (R714m); coloured people, R99m (R58m); Indians, R63m (R49m); and whites, R82m (R96m). Between 1990/91 and 1991/92 budgeted spending on white housing decreased by 15% in nominal terms, while combined spending on black housing

increased by 31%.¹²⁴ [¹²⁴ *Update Sixteen*, 1991, p13] The Department of Planning, Provincial Affairs and National Housing received R610m to provide for the demands of housing and urbanisation. An amount of R9bn was allocated to the provincial administrations to supplement their income and enable them to carry out their duties, which included coping with the demands of urbanisation and housing.¹²⁵ [¹²⁵ *Estimate of the Expenditure to be Defrayed from the State Revenue Account*, Financial year ending March 1992, 26-1]

The following table shows housing expenditure as a proportion of the total budget in the 1960/61, 1970/71, 1980/81 and 1990/91 financial years:¹²⁶ [¹²⁶ *Estimates of the Expenditure to be Defrayed from the State Revenue Account*, Financial years ending March 1961, 1971, 1981, 1991]

Housing expenditure as a proportion of total budget 1960-1990

Financial year

Total budget

Housing allocation

proportion

Rm

Rm

1960/61 ^a

320

2

0,6

1970/71 ^a

1 858

4

0,2

1980/81 b

13 142

261

1,9

1990/91 c

71 932

1 456

1,8

a

Including the ten homelands

b

Excluding Bophuthatswana, the Transkei and Venda

c

Excluding the 'independent' hom

The minister of finance, Mr Barend du Plessis, said in August 1991 that R8bn would be required each year over the following ten years to buy land and build 3,2m houses required by the year 2000. Between 70 000 and 80 000 houses would have to be built each year for this to occur, he said.¹²⁷ [¹²⁷ *Business Day* 24 August 1991] (This estimate assumed that conventional housing would have to be provided for all those living in informal structures.)

The chairman of the South African Housing Advisory Council, Dr Joop de Loor, said in June 1991 that the state would have to increase spending on housing from less than 2% to at least 2,5% of the total budget if it were to address the housing crisis adequately.¹²⁸ [¹²⁸ *The Star* 4 June 1991]

Private sector

Independent Development Trust (IDT)

By May 1991 the Independent Development Trust (IDT) had allocated about R1,5bn of the R2bn given to it by the government in 1990 (see *1989/90 Survey* p106). A total of R899m had been allocated for housing. The Urban Foundation Land Investment Trust was allocated R70m; an amount of R3m was allocated to Hambanathi in Natal to enable hostel conversion, the servicing of 630 plots and a further 20 erven, and to construct a show village; R229 000 was granted for the development of housing and community facilities in informal settlements in the Cape Peninsula; and R100 000 was allocated to the Legal Resources Centre (Johannesburg) for a feasibility study on the upgrading of Phola Park (east Rand).¹²⁹ [¹²⁹ *Business Day* 13 May 1991; interview with the communications director of the Independent Development Trust, Mr Jolyon Nuttall, 30 October 1991]

In March 1991 the IDT announced that it would make R750m available over the following two years for one-off grants of R7 500 to buy serviced sites. In order to qualify for the grant applicants were required to be over the age of 21 years, to have dependants living with them, to earn less than R1 000 per month, to be first-time home buyers and to be receiving no housing subsidies from the state. The grant would not be paid directly to the home buyer but to the developer, who would receive the sum on proof that there was a purchaser for the site.¹³⁰ [¹³⁰ *Update Sixteen*, 1991, p16] The following table indicates the amounts allocated by the IDT and how many sites were to be developed in each region:¹³¹ [¹³¹ Information supplied by the managing director of SPT Housing, Mr Mike Morkel, 9 August 1991]

Independent Development Trust allocations for serviced sites: March 1991

Region

Number of sites

Number of developers

Amount allocated Rm

Eastern Cape

13 000

14

98

Eastern Transvaal

4 900

8

37

KwaZulu/Natal

22 900

26

172

Northern Cape

1 700

4

13

Northern Transvaal

5 200

6

39

Orange Free State

7 300

4

55

Pretoria/Witwatersrand/Vereeniging

31 800

26

239

Western Cape

9 000

13

68

Western Transvaal

4 000

7

30

Total

99 800

108

749 a

a

Rounded; figures may, therefore, n

The IDT said that funding would be directed to those companies which provided serviced sites and which could start development soon. In August 1991 it was expected that development of sites would begin in December 1991 and that it would continue for the following 18 months.¹³² [132 Information

supplied by the managing director of SPT Housing, Mr Mike Morkel, 9 August 1991]

South African Housing Trust

The primary function of the South African Housing Trust (SAHT) was to facilitate the finance and construction of homes in low-income communities. Between July 1987 and February 1991 the board of the trust had approved the expenditure of R1,4bn on projects which would result in 67 000 homes being built and 68 000 stands being serviced.¹³³ [¹³³ *Enterprise*, vol 43, May 1991] Of this amount, R1,1bn had been contracted for and R740m had been advanced for the building of houses.¹³⁴ [¹³⁴ Interview with the public relations officer of the South African Housing Trust, Mr Gideon van der Westhuizen, 6 November 1991] Between June 1990 and June 1991 the trust built a total of 12 215 houses, all costing less than R25 000 each.¹³⁵ [¹³⁵ Information supplied by the corporate marketing manager of the SAHT, Mr Mike Fowlds, 4 October 1991] It was estimated that 40% of the low-income homes built in 1990 were financed by the SAHT.¹³⁶ [¹³⁶ *Enterprise*, vol 43, May 1991]

Housing finance schemes

Loan guarantee fund

The Urban Foundation (UF) and the Mortgage Lenders' Association launched the loan guarantee fund in July 1990 and started lending on 1 October 1990. By 25 August 1991, 1996 loans had been processed using this fund. Amounts lent were as low as R12 500 but were not to exceed R35 000.¹³⁷ [¹³⁷ Information supplied by the manager of home loan guarantees at the Independent Development Trust, Mr Duncan McArthur, 6 October 1991]

The objective of the loan guarantee fund was to address two constraints on lending in the low-income housing market—the risk of not recovering funds loaned and the non-profitability of small loans. It also aimed to make housing finance available to an additional 30% of the population by lowering the normal lending threshold and the deposit required. Banks and building societies traditionally granted loans of up to 95 % of the property valuation and borrowers generally had to provide a deposit of between 10% and 20% of the purchase price. Under the loan guarantee system, a borrower needed to supply only a 5% deposit, either in cash or in the form of equivalent collateral from his or her employer. The borrower would be required to buy a deposit replacement guarantee (to ensure receipt by the lender of a sum equal to the full deposit of 20%) at a minimal premium and a renewable risk reduction guarantee (to cover any losses that might be incurred by the lender on the sale in execution of a property) at the same premium rate. All of these costs, including bank service charges, were to be amortised over the period of the loan.¹³⁸ [¹³⁸ Pretorius F, *Explanatory Memorandum on the Urban Foundation and Mortgage Lenders Associations' Loan Guarantee Initiative*, 1 July 1990]

The loan guarantees were to become payable to the bank or building society concerned if there was a loss on the sale in execution of the property arising from a default in repayments by the borrower. In order that the short-term insurance industry be able to underwrite these guarantees, the loan guarantee fund was set up to provide a R20m reinsurance facility, which would absorb the first R10m of losses in the first two years of loans being made available to home buyers.¹³⁹ [¹³⁹ Ibid]

Group Credit Company

The UF founded the Group Credit Company in 1989 to assist people to obtain housing through a group finance scheme which would operate on a similar basis to a stokvel. Funds were to be lent to a group of people who would not be able to obtain a mortgage bond as individuals. The group was to provide the deposit for the purchase of housing and take responsibility for repayment of a loan, each person drawing from the loan the amount he or she needed for the purchase of their house. If one person were to default on repayment of his or her share of the loan, the entire group would lose its deposit. This system was therefore intended, through reliance on group pressure, to ensure that bonds were repaid. By 6 July 1991 the Group Credit Company had assisted 130 groups with an average of 16 members per group to buy houses, and had advanced a total of R5,5m in loans.¹⁴⁰ [¹⁴⁰ *The Argus* 6 May 1991]

Collateralised housing investment paper (CHIPS)

Together with the UAL Merchant Bank and the UF, the IDT devised a funding scheme aimed at raising R500m for financing low-cost housing through group loans. The scheme was established to attract investment from private financial institutions who would normally not invest in low-income housing owing to the risks involved. Investors were to be provided with a collateralised housing investment paper (CHIPS), backed by a portfolio of fixed interest rate securities and other external securities which would be managed by the UAL Merchant Bank. Risks were to be minimised by ensuring a fixed interest rate of 16,5% on loans, by spreading funds across a wide base of small loans to different borrowers (loans were not to exceed R12 500), and by providing group loans.

By August 1991 a number of organisations including the AECI Pension Fund, Fedlife, Metropolitan Life, Old Mutual, Sanlam, Southern Life Association and Syfrets had invested a total of R120m in the scheme.¹⁴¹ [¹⁴¹ Pretorius F J *CHIPS Funding for Low Cost Housing*, Independent Development Trust, 1 July 1991]

Housing finance schemes using private retirement funds

In November 1990 the government agreed to lift two legal constraints on the use of pension and provident funds for housing that were contained in the Pensions Funds Act of 1956 and the Usury Act of 1968.

In the same month the Perm announced a salary-linked home finance scheme, in terms of which a borrower would be able to obtain 100% finance for his or her house and agree to repay a certain proportion of his or her salary over the following 20 years. The instalments to be repaid would be based on an average of 17,5% of the borrower's gross salary over a 20-year period. In the first year the repayments would be about 25% of gross salary and repayments would decrease to around 10% of gross salary in the twentieth year. Under conventional home-loan schemes the borrower was able to obtain a housing loan to the value of 17 times his or her monthly salary. However, under the Perm scheme an individual would be able to borrow up to 42 times what he or she was earning.¹⁴² [¹⁴² *Update Sixteen*, 1991, p15]

To qualify for this type of loan the individual had to earn R800 or more per month and be employed by a company approved by the Perm. The borrower had to be an established member of a pension or provident fund and be able to repay the bond by the age of 55 years. Collateral security for the finance would be the borrower's retirement fund withdrawal rights and repayments would be secured through direct salary deductions, with stop orders administered by the employer. The scheme aimed to make use of the UF's loan guarantee fund.¹⁴³ [¹⁴³ *Ibid*] In September 1991 the Perm was still awaiting exemption from the Usury Act and certain sections of the Pension Funds Act before it could initiate lending under this scheme.¹⁴⁴ [¹⁴⁴ Information supplied telephonically by Mr Adrian Perrin of the Perm, 18 September 1991]

Hostels

According to *Business Day*, in August 1991 there were about 400 000 beds in 220 hostels countrywide, with approximately 1m people occupying them.¹⁴⁵ [¹⁴⁵ *Business Day* 2 August 1991]

In September 1990 the state president, Mr F W de Klerk, requested the minister of national health, Dr Rina Venter, to investigate the social problems associated with hostels. Subsequently the government decided that poor conditions in hostels needed to be improved in co-operation with hostel dwellers and neighbouring communities. The task of upgrading single-sex hostels into family dwelling units was assigned to the Department of Planning, Provincial Affairs and National Housing.¹⁴⁶ [¹⁴⁶ *Engineering News* 16 August 1991]

The decision to convert single-sex hostels into family units met with mixed reaction. The press and information secretary of the Inkatha Freedom Party, Ms Suzanne Vos, said that hostels should be upgraded, but that those living in them should not be left without accommodation.¹⁴⁷ [¹⁴⁷ *The Weekly Mail* 14 June 1991]

According to a research officer for the National Union of Metalworkers of South Africa, Mr Geoff Schreiner, many hostel dwellers did not want their families to live with them. He said that a

number of the men wished their families to remain in the rural areas to tend to their farms.¹⁴⁸ [¹⁴⁸ *The Natal Witness* 21 June 1991]

The housing director of the Johannesburg City Council, Mr Ken Cunningham-Scott, said that a survey by the council of its hostel dwellers had shown that most employees preferred the dormitory system. He said that only 30% of hostel dwellers would prefer family housing.¹⁴⁹ [¹⁴⁹ *Business Day* 12 February 1991] Members of households in areas near the hostels expressed an opposing view, saying that conversion of the hostels into family dwellings would reduce the violence in the townships (see also chapter on *Political Developments*).¹⁵⁰ [¹⁵⁰ *Sowetan* 23 May 1991]

In 1990, 4 032 family housing units were created from single-sex hostels.¹⁵¹ [¹⁵¹ Department of Planning, Provincial Affairs and National Housing, *Annual Report*, 1990] By May 1991 the Johannesburg City Council and the town councils of Dobsonville (west Rand), Soweto and Tembisa (east Rand) had invited tenders for the upgrading and sale of hostels, with the possibility of their conversion into family dwellings.¹⁵² [¹⁵² *Engineering News* 17 May 1991]

In August 1991 the minister of economic co-ordination and public enterprises, Dr Dawie de Villiers, announced that of the R1bn which the government was to allocate to socio-economic projects (see also chapter on *The Economy*), R31m had been allocated to the upgrading of hostels. Hostels in the Cape were to receive R16m; those in Natal, R4m; hostels in the Orange Free State, R2m; and those in the Transvaal, R8m.¹⁵³ [¹⁵³ *Business Day* 2 September 1991] A spokesman for the Transvaal Provincial Administration, Mr Piet Wilken, said that 13 single-sex hostels in the Transvaal were to be converted into family dwelling units.

By August 1991, 912 concrete bunks had been knocked out of 14 hostels under the control of the Johannesburg City Council. In each dormitory 24 bunks were replaced by ten single beds. Hostel dwellers who were displaced by these alterations were moved to vacant dormitories or to other hostels of their choice.¹⁵⁴ [¹⁵⁴ *The Weekly Mail* 16 August 1991]

Rent boycotts

In March 1991 the minister of planning, provincial affairs and national housing, Mr Hernus Kriel, said in Parliament that as at 31 December 1990 an amount of R1,15bn was owed to African local authorities in respect of rent and service charges (see also chapter on *Political Developments*).¹⁵⁵ [¹⁵⁵ *Hansard* (A) 4 q col 270, 1 March 1991] In the Transvaal an average of 33% of rent and service charges had been collected

by March 1991.¹⁵⁶ [¹⁵⁶ *The Star* 28 March 1991] The following table compares the total amount owed in rent and service charges as at 31 December 1989 and 31 December 1990:

Total rent and service arrears: 1989 and 1990

1989

1990

Increase in

Rm

Rm

amount owing

Cape province

82

109

30%

Natal

4

4

0%

Orange Free State

35

40

14%

Transvaal

641

997

56%

Total

764

1 150

51%

As a result of the rent and service boycotts a number of townships had certain services (including sewerage and electricity) discontinued in 1990 and 1991. Mr Kriel said in Parliament in March and April 1991 that six townships in the Cape, 16 in the Orange Free State and seven in the Transvaal had had certain services cut off as at mid-March 1991.¹⁵⁷ [¹⁵⁷ *Hansard* (A) 12 q cols 1108-1110, 22 April 1991; *Hansard* (A) 9 q cols 813-817, 27 March 1991] A number of other townships subsequently had services discontinued. All the townships comprising the Lekoa City Council (Vaal Triangle)—Boiphatong, Bophelong, Refenkgotso, Sebokeng, Sharpeville and Zamdela—had their electricity supply cut off in June 1991, as did Atteridgeville (Pretoria).¹⁵⁸ [¹⁵⁸ *Business Day* 9 June 1991] In Silobela, near Carolina (eastern Transvaal), sewerage, refuse removal and water supplies were discontinued in February 1991. The Carolina Town Council restored the water supply in May 1991, two weeks after the Transvaal Provincial Administration had paid Sibolela's water arrears (see also chapter on *Political Developments*)

Infrastructure

Energy

In 1991 Eskom estimated that between 60% and 70% of the South African population (including the ten homelands) did not have access to electricity.¹⁶⁰ [¹⁶⁰ *Engineering News* 26 July 1991] The following table summarises estimates given by Mr Kriel in Parliament in March 1991 of the proportion of housing units in 271 townships in South Africa (excluding the 'independent' homelands) which had no electricity as at

February 1991:161 [161 *Hansard* (A) 7 q cols 616-622, 19 March 1991]

Township households without electricity: February 1991

Proportion of households without electricity

Number of townships

0%

7

1-9%

1

10-19%

3

20-29%

2

30-39%

14

40-49%

18

50-59%

6

69-69%

12

70-79%

65

80-89%

13

90-99%

89

100%

41

Total

271

Of 271 townships nationwide, only seven were fully electrified (all of which were in the Cape province) and 41 townships had no electricity.

A spokesman for Eskom said in July 1991 that it had sufficient capacity to supply the entire country (including the ten homelands). The main constraint on extending electricity supply to all was the high cost of distribution, especially the provision of infrastructure. Eskom said that it would be 'virtually impossible' to reach everyone through the present electricity grid and that it was supporting research into alternative forms of generation.¹⁶² [¹⁶² *Engineering News* 26 July 1991] The acknowledgement that electrification might not be a viable option in all areas of South Africa and that alternative energy sources might have to be used, indicated a change in position from Eskom's stated goal in 1987 of providing 'electricity for all' by the year 2000 (see *1988/89 Survey* p215).

In July 1991 Eskom and the Development Bank of Southern Africa (DBSA) stated in a *Memorandum of Understanding* that electricity would be provided 'on the basis of affordability, willingness and ability to pay, and Financial v

The Star reported in May 1991 that the cost per kilometre of erecting a power line was R20 000. Since 40% of the South African population lived in rural areas in 1991 and many townships established in the homelands were far from the electricity grid, the cost of supply to people in these areas was

prohibitive.¹⁶⁴ [¹⁶⁴ *The Star* 29 May 1991]

The infrastructure specialist for energy of the DBSA, Mr Deon Stassen, said in September 1991 that a comprehensive energy strategy needed to be formulated in co-operation with all relevant organisations. He added that it should accommodate plans for the use of alternative energy sources, such as biogas digesters, and solar and wind power in rural areas, and full electrification in urban areas. He advocated the use of solar power in the period before electricity was laid on to a particular urban area.¹⁶⁵ [¹⁶⁵ Interview with the infrastructure specialist for energy of the Development Bank of Southern Africa, Mr Deon Stassen, Midrand, 13 September 1991]

The acting chief executive of the National Energy Commission, Mr Robert Scott, said in February 1991 that wood constituted 13% of South Africa's net energy consumption.¹⁶⁶ [¹⁶⁶ *Business Day* 26 February 1991] Mr Stassen said that in rural areas alone wood accounted for 80% of the fuel consumed. It was reported in *Business Day* in February 1991 that nuclear power generated some 6% of the electricity output of South Africa.¹⁶⁷ [¹⁶⁷ *Ibid* 26 February 1991]

In April 1991 the minister of economic co-ordination and public enterprises, Dr Dawie de Villiers, said that Eskom was involved in 119 projects that would supply electricity to an additional 710 487 households.¹⁶⁸ [¹⁶⁸ *The Citizen* 26 April 1991]

The budget energy controller (BEC), a system providing for the use of electricity by means of a prepaid magnetic card inserted into a meter box installed in the home, came into widespread use during the period under review. Eskom was reported to be using the BEC in all new township developments where it was responsible for the installation of electricity.¹⁶⁹ [¹⁶⁹ *Update Seventeen*, 1991, p8] The Durban City Council announced in June 1991 that it planned to electrify every home within its boundaries, including shacks, within the following five years, using the BEC.¹⁷⁰ [¹⁷⁰ *The Natal Mercury* 13 June 1991] It was estimated that in 1990 about 50 000 BEC meters were supplied and that in 1991 there would be a national demand for more than 100 000.¹⁷¹ [¹⁷¹ *Business Day* 26 February 1991]

In July 1991 the DBSA and Eskom signed an agreement committing both organisations to co-operation in electricity development in South Africa (including the ten homelands). The agreement was based on the premise that 'integrated development of southern Africa depends to a large extent on energy and infrastructure development, of which electricity is an important and integral part'.¹⁷² [¹⁷² Eskom and the Development Bank of South Africa, *Electricity Development in Southern Africa, Memorandum of Understanding*, July 1991] In terms of the accord, Eskom's capital base and commercial and technical skills would be combined with the DBSA's development skills and its ability to mobilise concessionary finance to

facilitate the development of electrification, projects nationwide.¹⁷³ [¹⁷³ *Ibid*] The first project entered into by both organisations involved a loan by the DBSA of R17m to the KaNgwane Electricity Supply Corporation, which was a project run jointly by Eskom and the KaNgwane administration.¹⁷⁴ [¹⁷⁴ Interview with the infrastructure specialist for energy of the DBSA, Mr Deon Stassen, Midrand, 13 September 1991]

Water and sewerage

The managing engineer of the Department of Water Affairs, Dr Paul Roberts, said in June 1991 that urbanisation had two positive effects on the distribution of water. It was much cheaper, he said, to distribute water in urban areas, owing to the higher concentration of people in such areas. Treatment of effluent was also easier, Dr Roberts argued. He added, however, that in informal settlements in urban areas, where there were few, if any, adequate services, pollution of water supplies tended to increase and health conditions to deteriorate.¹⁷⁵ [¹⁷⁵ *Engineering News* 7 June 1991]

According to Mr Mike Muller of the infrastructure development group at the DBSA, information about the number of people supplied with potable water and sanitation services was unavailable. He said, however, that piped water was usually available in some form in urban areas—either through a full house connection, a yard connection or standpipes in the street. In rural and peri-urban areas, while some basic provision often existed, water was often of a substandard quality and often was available only at an excessive distance.¹⁷⁶ [¹⁷⁶ Muller A M, ‘One city - one country? Institutional options for water supply and sanitation in a changing South Africa’, paper presented at the Biennial Conference of the Water Institute of South Africa, 14 May 1991]

The Black Sash said in January 1991 that many water sources in South Africa were being contaminated by pollution and that World Health Organisation safety standards for drinking water were not being met in many of South Africa’s rivers owing to a combination of industrialisation and inadequate government protection of rivers.¹⁷⁷ [¹⁷⁷ *Sash* January 1991]

With respect to sewerage, Mr Muller said that although sites in urban areas were often served by water-borne sewerage, the fact that sites were overpopulated meant that the system was inadequate. In rural and peri-urban areas often only sanitation in the form of pit latrines existed. Mr Muller said that an ‘optimistic estimate’ would be that 50% of people in rural areas had an inadequate water supply and 75% had inadequate sanitation. He said that he assumed that services in urban areas were adequate insofar as water and sanitation were lacking only in newly developed areas.¹⁷⁸ [¹⁷⁸ Muller A M, ‘One city - one country? Institutional options for water supply and sanitation in a changing South Africa’, paper presented at the Biennial Conference of the Water Institute of South Africa, 14 May 1991]

In February 1991 the Umgeni Water Board embarked on a project to supply some rural communities in KwaZulu with potable water and effective sanitation by 2005. The project was expected to benefit about 1m people and to cover three areas: Ndwedwe (north-west of Durban), Umbumbulu (south of Durban) and Vulindlela (Pietermaritzburg). Funds for the project were to be provided by the Umgeni Water Board, with an additional R15m supplied by the Independent Development Trust (IDT). By August 1991, as part of this project, the Umgeni Water Board had begun work on infrastructure at Sweetwaters and Ximba (both near Pietermaritzburg) and in the Umgeni Valley (between Durban and Pietermaritzburg) which would provide 112 000 people with drinking water and improved sanitation. The corporate planning manager of the Umgeni Water Board, Mr Adrian Wilson, said that extensive construction of improved, ventilated pit latrines, which could cost as little as R400 each, formed part of the plan. The rehabilitation of the Umgeni river system, which supplied the Durban and Pietermaritzburg areas with water, was linked to this project.¹⁷⁹ [¹⁷⁹ *Engineering News* 23 August 1991]

In April 1991 a scheme supplying drinking water to 23 000 people at Qadi/Nyuswa (KwaZulu) was unveiled. The project, which was initiated in 1986, was funded by the KwaZulu Department of Works, the IDT, the Umgeni Water Board and World Vision.¹⁸⁰ [¹⁸⁰ *The Natal Witness* 29 April 1991]

According to a survey conducted by National Utility Services (NUS) in 1990, the cost of water in South Africa's main urban centres increased by an average of 15% during the year ending in June 1990. The marketing director of NUS, Mr Peter Cornelius, said that if this rate of increase was maintained.. the cost of water would double in the next four to five years. He added that although the cost of water in South Africa was low in comparison with other areas in the world, such increases ensured that 'we are gradually creeping up in the league of international water cost'.¹⁸¹ [¹⁸¹ Rand Water Board, *Annual Report, 1990*, p35]

Home ownership

The following table gives a breakdown by province of the number of government housing units for Africans sold and the number unsold as at June 1991:¹⁸² [¹⁸² *Housing in Southern Africa*, August 1991]

State sale of African houses: July 1987- June 1991

Number

Proportion

Balance

Province

sold

sold

available

Cape

23 301

33

46 702

Natal

6 389

60

4 220

Orange Free State

10 856

51

10 402

Transvaal

86 027

37

146 396

Total

125 573

38

207 720

Purchase prices for four-roomed houses in African townships ranged from R700 to R1 500. According to Mr Jasper Walsh MP (Democratic Party), at least some of these houses should be given free of charge to their tenants since many residents had paid up to four times the value of their houses in rental.¹⁸³ [¹⁸³ *Business Day* 26 February 1991]

In July 1991 the **Upgrading of Land Tenure Rights Act** was promulgated. This act converted all 99-year leasehold tenure in townships for which a register had been opened to freehold rights and consequently extended home ownership to an additional 1,3m people (see *Legislation*

Urban Facilities

Policy

In June 1990 the **Discriminatory Legislation regarding Public Amenities Repeal Act** was passed. It came into effect on 15 October 1990. The act repealed the Reservation of Separate Amenities Act of 1953, which had reserved specific public facilities for particular race groups.¹⁸⁴ [¹⁸⁴ *RSA Policy Review*, vol 3 no 8, September 1990]

The government subsequently came under severe criticism for not making discrimination in admission to public facilities illegal. The Democratic Party spokesman on local government, Mr Tony Leon, argued in December 1990 that every discriminatory law that was repealed should be replaced by a law which outlawed discrimination.¹⁸⁵ [¹⁸⁵ *Sowetan* 11 December 1991] The Legal Resources Centre in Johannesburg said that because the new act did not explicitly state that discrimination could not take place, it was necessary to rely on common law which was not clear on what constituted discrimination.¹⁸⁶ [¹⁸⁶ *Business Day* 22 April 1991] The minister of planning, provincial affairs and national housing, Mr Hernus Kriel, said that if local authorities continued to discriminate, they would lose any court cases regarding discrimination and be responsible for legal costs incurred.¹⁸⁷ [¹⁸⁷ *RSA Policy Review*, vol 3 no 8, September 1990]

In May 1991 the **Local Government Ordinance Amendment Act (Transvaal)** was passed. It aimed, inter alia, to repeal petty apartheid legislation in the Transvaal. It repealed legislation which had allowed municipalities to segregate graveyards, laundries, lavatories, lifts, restaurants and other facilities. In the second reading debate on the bill, Mr Leon argued that it did not go far enough in prohibiting discrimination. He said that individuals were not given a ‘positive right not to be discriminated against’. Mr Leon added that the legislation did not oblige municipalities to integrate facilities, and that councils could circumvent the new legislation as they had the repeal of the Reservation of Separate Amenities Act. Mr Hendrik Bekker MP (National Party) replied that he thought that the matter was addressed adequately by common law. Mr Derek Christophers MP (NP) added that while the NP wanted to end apartheid, it did not want to ‘antagonise everybody in sight’.¹⁸⁸ [¹⁸⁸ *Hansard* (A) 7 cols 3099-3106, 18 March 1991]

The repeal of the Reservation of Separate Amenities Act was rejected by the Conservative Party (CP). In October 1990 the CP spokesman on local government and housing, Mr Pikkie Coetzee, said that while the party would not advise councils under its control to continue enforcing separate amenities, they would be encouraged to find other means of ensuring that only ratepayers used their amenities. Subsequent action on the part of CP-controlled town councils to maintain segregation of facilities included the demand for large deposits from non-residents who wished to use municipal libraries, season tickets for the use of swimming pools (which would be given only to ratepayers) and in some cases the closing of public amenities.¹⁸⁹ [¹⁸⁹ *The Citizen* 4 October 1990]

An investigation into the segregation of municipal facilities in the Transvaal was conducted by *The Star* in March 1991. It focused on clinics, hospitals, libraries and swimming pools. Of 45 towns surveyed, 17 showed blatant discrimination through the display of petty apartheid signs and the refusal to allow black people to use amenities, 22 exercised ‘backdoor’ discrimination through charging non-residents and township dwellers notably higher fees (in Piet Retief (eastern Transvaal) non-residents were required to pay R500 to use the municipal library while residents could use it free of charge), and five towns showed no discrimination at all. *The Star* said that this did not mean that facilities in towns in the last category were open to anyone who wanted to use them, but that the same standards for admission were applied regardless of race. These towns were Bedfordview and Benoni (both east Rand), Johannesburg, Pietersburg (northern Transvaal), Randburg (Johannesburg) and Warmbaths (northern Transvaal).¹⁹⁰ [¹⁹⁰ *The Star* 4 March 1991]

There were numerous reports during the period under review of attempts to maintain segregation. In Ermelo (eastern Transvaal) three African youths were beaten up in October 1990 while using the ‘whites-only’ pool.¹⁹¹ [¹⁹¹ *The Weekly Mail* 25 October 1991] In May 1991 the Makalani Bird Park in Hartebeespoort (central Transvaal) stopped admitting black people owing to boycotts and threats of violence by whites.¹⁹² [¹⁹² *The Star* 7 May 1991] In Vereeniging (southern Transvaal) non-residents had to pay R50 to use the library but pools and local resorts were open to all races.¹⁹³ [¹⁹³ *Ibid* 4 March 1991]

A survey was conducted in October 1990 by a lecturer in the Department of Geography at the University of Pretoria, Mr André Horn, to ascertain the views of residents of the Pretoria metropolitan area on the opening of amenities to all races. A sample of 728 people of all race groups was interviewed, of whom 51 % were white. Only 58% of the white people surveyed supported the opening of public amenities to all races. Mr Horn found that attitudes to desegregated facilities had not changed significantly since a similar survey was conducted at the beginning of 1990. Some 82% of white people in the higher-income bracket were found to be in favour of desegregation, while about 48% of those in the middle- and lower-income groups were in favour of it.¹⁹⁴ [¹⁹⁴ Horn A P, Hattmgh P S, Smit C F, *Points of View of the Residents of the Pretoria Metropolitan Area on the Opening of Amenities and Deracialising of the City*, University of Pretoria, 1991]

Court action

The Springs Town Council (east Rand) closed down its two public swimming pools in October 1990 rather than open them to all races. The Legal Resources Centre (LRC) in Johannesburg subsequently took legal action against the council on behalf of black residents of the area. In the first case dealing with public amenities after the repeal of the Reservation of Separate Amenities Act, Mr Justice H Daniels ruled in the Witwatersrand Local Division of the Supreme Court in Johannesburg that the council had closed its pools with ulterior motives based on political beliefs and he ordered that they be reopened.¹⁹⁵ [¹⁹⁵ *The Star* 30 November 1990] The town council lodged an appeal against the ruling, and in October 1991 the parties were awaiting a decision by the Transvaal Provincial Division of the Supreme Court.¹⁹⁶ [¹⁹⁶ Telephonic interview with a spokesman of the Legal Resources Centre (Johannesburg), 30 October 1991] It was reported in June 1991 that Africans were not using the pools for fear of attacks by right-wing whites.¹⁹⁷ [¹⁹⁷ *City Press* 9 June 1991]

In May 1991 the Vryheid Town Council (northern Natal) was taken to court by the LRC in Durban because its clients were refused access to the town library on the grounds that they were not residents of the town. The LRC said that barring access to the Vryheid library would effectively prevent African people in this area from obtaining access to any library as there were no libraries in the neighbouring townships. The case was settled out of court, and the LRC clients were admitted to the library. The council subsequently established a ceiling of 7 500 members for the library. According to the LRC there were already 7 000 members by September 1991.¹⁹⁸ [¹⁹⁸ *Ibid* 2 June 1991; telephonic interview with a spokesman of the Legal Resources Centre in Durban, 24 September 1991]

The LRC also took action against the Ladysmith Town Council (Natal) in July 1991 because library tariffs of R100 for non-residents and R50 for residents, together with a ceiling of 7 500 members, had been introduced. After legal action the council abolished the tariff applicable to residents of the town,

which included Indian and coloured people, and reduced the tariff for non-residents to R50. According to the LRC, all Natal public libraries were subsidised by the province. The province permitted local authorities to charge non-residents of a town a fee based on the running costs of the library if they wished to use its facilities. The LRC said that tariffs charged would be fair only if they did not exceed this amount.¹⁹⁹ [¹⁹⁹ Interview with a spokesman of the Legal Resources Centre in Durban, 24 September 1991]

Provision of amenities

A comparison in August 1991 of the number of public libraries, community halls and swimming pools in Cape Town, Durban and Johannesburg with those in neighbouring black townships revealed great disparities in the provision of facilities. The following table shows these disparities:²⁰⁰ [²⁰⁰ IR Information Surveys, *SA Township Annual*, 1991; telephonic interviews with officials of the Durban, Cape Town and Johannesburg city councils, August 1991]

Public amenities in various cities and townships: 1991

Population

Libraries

Community halls

Swimming pools

Cape

Cape Town

206 949 ^a

18 ^b

9

12

Khayelisha

300 000

1

2

0

Mitchell's Plain

400 000

3

9

12

Natal

Chatsworth

162 652

5

3

2

Durban

204 474 a

22 b

— c

20

Umlazi

400 000

1

3

1

Transvaal

Alexandra

200 000

1

2

2

Greater Soweto

2 500 000

6

16

7

Johannesburg ^e

453 000 ^a

27 ^b

22

29

Sandton

142 198 a

5 b

3

0 d

a

Population figures pertain to the white population only

b

Municipal libraries only

c

There were no municipal community halls in Durban, but at least four that could be hired on a private basis

d

While there were no public swimming pools, many homes in Sandton had private pools

e

The total population of Johannesburg was 803 000 in June 1990. Only amenities in the previously white group areas of Johann

It was reported in the *South African Township Annual* for 1991 that the demand for housing in Soweto had affected the provision of further amenities in that informal settlers had taken over areas set aside for such facilities. In many of the 39 townships surveyed by the *South African Township Annual* public amenities were found to be both inadequate and in poor condition. For example, it was said of Osizweni, near Newcastle (Natal), that a sports complex which comprised netball courts, soccer fields and tennis courts had been destroyed by vandalism and had never been rebuilt The only sports facilities in

Osizweni were in school grounds.²⁰¹ [201 IR Information Surveys, *SA Township Annual*, 1991]

Transport

Policy

In March 1991 the minister of transport and of public works and land affairs, Mr George Bartlett, said that political and socio-economic changes had necessitated a change in passenger transport policy. He said that ideally there should be an integrated, multimodal passenger transport system that would serve the needs of all people. Objectives that had been set for the attainment of this goal were the promotion of safety and reliability in public transport, the satisfaction of consumer needs, and the deregulation, privatisation and devolution of authority where possible.²⁰² [²⁰² *The Star* 19 March 1991]

In May 1991 the draft Passenger Transport Bill was withdrawn (see *1989/90 Survey* p73). The draft bill had been intended to provide for the control of passenger transport by the regional services councils (RSCs) and for the establishment of a subsidy fund which would provide finance based on contracts with operators, rather than based on a fixed amount per commuter. Critics of the bill said that it would be unworkable because it sought to transfer responsibility for transport to the RSCs, which were reluctant to accept such responsibility and were seen as being apartheid structures. However, in October 1991 the acting director general of transport, Dr Louw Dreyer, said that in terms of the legislation pertaining to RSCs the responsibility for planning, co-ordination and subsidisation of transport could be transferred to them. He said that the matter was being discussed with the RSCs, which had been advised that they would have to make funds available for bus transport from 1 July 1992.²⁰³ [²⁰³ *Urban Focus*, vol 2 no 5, May 1991; *Business Day* 29 May 1991; information supplied by the acting director general of Transport, Dr Louw Dreyer, 31 October 1991]

The minister of transport, Dr Piet Welgemoed, said in August 1991 that the following issues had to be addressed:

- the financing, extension and upgrading of the road network;
- the provision of affordable, effective and comfortable public transport;
- the implementation of a policy of deregulation; and
- improved traffic safety.²⁰⁴ [²⁰⁴ *The Citizen* 6 August 1991]

Roads

A study prepared for the Southern African Bitumen and Tar Association (SABITA) by the Council for Scientific and Industrial Research and published in May 1991 argued that the need for good roads and for safe and reliable transport was among the most important basic needs of the African community. In

poorer communities the need for improved roads was more pressing than the need for transport, the study argued. It concluded by saying that provision of roads would have numerous benefits for such communities, including facilitating the provision and improvement of basic services, education, health care, housing and jobs.²⁰⁵ [205 Van der Reis A P, Moss F, Loubser R, Miller P K, Wilmot C G, *Social Development Issues: The Role of Road Transport*, South African Bitumen and Tar Association, May 1991, pi]

In 1990 the road budget was R2,66bn and in 1991, R2,1bn. Of the total amount budgeted the national road fund was allocated R627m in 1990 and R558m in 1991.²⁰⁶ [206 *Business Day* 22 April 1991] At a conference in Pretoria in August 1991 the director general of transport, Mr Ronnie Meyer, said that the proportion of the transport budget which was spent on roads had decreased from 73% in 1975 to 41% in 1990 and that the emphasis had shifted from road development to maintenance of the road system. He added that in 1975 a total of R3bn had been spent on roads, but by 1990 expenditure had declined to about R1,8bn.²⁰⁷ [207 *The Citizen* 6 August 1991]

Since government priorities had shifted to the provision of education, health and housing, less had been channelled into roads. The head of public affairs of the Automobile Association of South Africa, Mr Rob Scholtz, said in February 1991 that the solution to the road funding crisis would be to revert to the previous funding system where funds raised from the fuel levy had been spent entirely on roads.²⁰⁸ [208 *Financial Mail* 8 February 1991, *Business Day* 11 December 1990] This view was supported by the South African Chamber of Business, which said that an independent utility should be appointed to control road expenditure with funds deriving from a fuel levy rather than from toll roads.²⁰⁹ [209 *Business Day* 20 May 1991]

The administrator of the Transvaal, Mr Danie Hough, said in March 1991 that construction of new roads and maintenance of existing roads had been cut back owing to lack of funds. He said that roads were deteriorating at an alarming rate and in such a way that many would be unusable within the next five to ten years.²¹⁰ [210 *The Citizen* 27 March 1991] The administrator of Natal, Mr Con Botha, said in the same month that road maintenance in 1991 would be severely constrained by the 10% reduction in funding between 1990/91 and 1991/92. He said that about 40km of roads in Natal would have to be returned to gravel because foundations had failed and a further 550km were in need of repair. It would be possible to repair only about 150km of roads in the 1991/92 financial year, Mr Botha reported.²¹¹ [211 *Ibid*]

The executive director of SABITA, Mr Piet Myburgh, said in April 1991 that over the following ten years an additional R1bn per year would be required for maintaining and repairing a deteriorating road network. He added that rural roads alone needed about R20bn to redress road maintenance backlogs. According to the executive director of the South African Federation of Civil Engineering Contractors, Mr Kees Lagaay, an immediate injection of R500m would make a meaningful contribution to upgrading

the country's roads.²¹² [²¹² *Business Day* 22 April 1991]

The deputy director general of transport, Mr Malcolm Mitchell, said in the same month that R2,5bn would be needed each year to maintain roads in their present condition, which was close to what had been allocated in the budget in 1990/91 and 1991/92. This would, however, leave little room for improvement of the network, Mr Mitchell said. He believed that more tolls would be necessary if the country was to have adequate finance for road development.²¹³ [²¹³ *Ibid*]

In October 1990 the government announced that tolls could be introduced on all major freeways to pay for their maintenance. After opposition from members of the public and organisations such as the Automobile Association of South Africa, the Democratic Party and the South African Roads Federation to the imposing of tolls on roads that had already been paid for out of general taxation, this plan was shelved.²¹⁴ [²¹⁴ *Eastern Province Herald* 11 November 1990] However, in August 1991 Mr Meyer announced that the government planned to expand the toll-road network in order to ensure that South African roads were well maintained and that they could be expanded. He said that agreement would have to be reached with Toll Road Concessionaires (Tolcon) and Toll Highway Development (Tollway) before a new toll-road policy could be drawn up and legislation would have to be passed to remove legal obstacles to the expansion of the toll-road network.²¹⁵ [²¹⁵ *Business Day* 29 August 1991]

A professor of transport studies at the Rand Afrikaans University, Professor Jackie Walters, said in August 1991 that the cost of collecting tolls was very high and the only existing road which had sufficient traffic to make tolls profitable was the Ben Schoeman highway between Johannesburg and Pretoria.²¹⁶ [²¹⁶ *Ibid*; *Financial Mail* 8 February 1991]

The total costs incurred by Tolcon in operating three toll plazas on the N3 from Heidelberg (southern Transvaal) to Pietermaritzburg (Natal) for the 12-month period ending 30 June 1991 amounted to R45m. Tolls collected over the same period amounted to R44m and the government paid over an additional amount of R44m. Construction costs incurred during this period came to R153m. These were financed through loans raised on the money market.²¹⁷ [²¹⁷ *Hansard* (A) 7 q cols 744-746, 22 March 1991]

In August 1991 the government announced that the Department of Transport would receive R204m of the R1bn raised from the sale of strategic oil reserves. Mr Mitchell said that the funds would be spent on 60 projects, most of which would involve upgrading secondary roads. Some 500km of road would be reconditioned, he said. The road projects were in all four provinces as well as in Gazankulu, KwaZulu and Venda.²¹⁸ [²¹⁸ *Engineering News* 6 September 1991]

The taxi industry

A survey conducted by the directorate of transport systems planning of the Department of Transport showed that the kombitaxi industry's share of African commuter transport had increased substantially, from 29% in 1987 to 44% in 1990. The following table indicates the market share of each of the modes of commuter transport in 1987 and 1990:²¹⁹ [²¹⁹ *Business Day* 31 July 1991]

Main modes of commuter transport: 1987 and 1990

Mode of transport

1987

1990

Bus

29%

24%

Car

14%

9%

Taxi

29%

44%

Train

21%

16%

Walk

7%

5%

Other

—

2%

Total

100%

100%

The rise of the kombitaxi industry was such that it was reported in 1991 that small but increasing numbers of white people were using them for transport. The public affairs spokesman of the Southern Africa Black Taxi Association (SABTA), Mr Fanyana Shiburi, said in May 1991 that on the Johannesburg-Pretoria route, on which about 300 taxis operated daily, about 5% of passengers were white. He added that in areas where municipal bus services had been terminated, there had been an increase in the numbers of white people using kombitaxis.²²⁰ [²²⁰ *Eastern Province Herald* 27 May 1991] In Durban a number of taxidriviers canvassed by *The Natal Witness* in the same month reported that white people were consistent users of their service.²²¹ [²²¹ *The Natal Witness* 28 May 1991]

A senior policy analyst at the Development Bank of Southern Africa, Mr Mike Muller, said in August 1991 that although the kombitaxi industry was often hailed as a triumph of the free market system, its rise was largely attributable to gross interference in the market for labour and land and the resultant scattered distribution of people without concern for rational transport provision.²²² [²²² *Business Day* 6 August 1991]

Estimates of the number of kombitaxis varied. A private consultant with the Department of Transport, Dr Johan Bosman, estimated in 1991 that there were between 46 000 and 60 000 kombitaxis in operation. Another consultant with the department, Dr J Groenewald, estimated that there were about 105 000 taxis. At the Annual Transportation Convention in August 1989, two researchers, Mrs Nesta Morris and Mr Mark Freeman, had estimated that there were between 55 000 and 70 000 black kombitaxis.²²³ [²²³ McCaul C, *No Easy Ride*, South African Institute of Race Relations, Johannesburg, 1990, pp16-19]

SABTA and the Southern African Long Distance Transport Association (SALDTA) were the two major black taxi federations in 1991.²²⁴ [²²⁴ *City Press* 10 March 1991] SABTA, which was formed in 1979, claimed in May 1991 to have a total of 68 910 members and to enjoy about 58% of the black taxi market.²²⁵ [²²⁵ *Business Day* 27 May 1991] The vice chairman of the National African Federated Transport Organisation, Mr Simon Mathysen, said in November 1991 that SALDTA had a membership of 28

Problems faced by the kombitaxi industry

Declining profitability

In December 1990 SABTA announced that the total earnings of its members had declined from R1,8bn in 1989 to R900m in 1990 (a decline of 50%).²²⁷ [²²⁷ *Business Day* 7 December 1991]

A transport consultant, Mr Paul Browning, said in October 1991 that monthly income per vehicle owned accruing to taxi owners had decreased from an average of between R2 500 and R3 500 in 1989 to between R1 500 and R2 500 in 1990 and 1991. He said that owning a taxi was no longer the 'money spinner' that it had been in the early 1980s.²²⁸ [²²⁸ Telephonic interview with a transport consultant, Mr Paul Browning, 9 October 1991] The increases in the cost of fuel and spare parts and the cost of buying new minibuses were among the reasons given for the loss in earnings.²²⁹ [²²⁹ *Sowetan* 26 March 1991]

Mr Browning said in March 1991 that people could not afford higher fares and many had returned to using buses and trains. He said that boycotts, stayaways and unrest had also contributed to the slump in profits.²³⁰ [²³⁰ *Ibid*]

Mrs Pat Miller, who had previously been head of 'People's Transport 2000', a division of the Council for Scientific and Industrial Research which studied the taxi industry, said in August 1991 that the industry was facing unfair competition in the form of subsidised bus and rail transport. She believed that the deregulation of the taxi industry could succeed only in a truly free-market system.²³¹ [²³¹ Interview with Mrs Pat Miller, 23 August 1991]

Taxi warfare

One of the major problems highlighted at SABTA's seventh annual conference in September 1991 was the issue of taxi warfare.²³² [²³² *Sowetan* 27 September 1991]

In the western Cape a taxi war, which had begun in 1989 (see *1989/90 Survey* p87) increased in intensity

during 1991. The conflict began because of competition for lucrative routes between the Western Cape Black Taxi Association (WEBTA) and the Langa/Guguletu/Nyanga (Lagunya) Taxi Association. It escalated to include shack dwellers in Khayelitsha and Crossroads (both near Cape Town), with numerous shacks being burned. Between March 1991 and 17 September 1991 at least 32 people were killed in the conflict. *South* reported in July 1991 that as many as 67 people might have lost their lives in the fighting. Damage to taxis amounted to R1m.²³³ [²³³ *The Argus* 12 March 1991, 20 March 1991, 21 March 1991, 4 July 1991, 3 August 1991, 14 September 1991; *South* 14 March 1991, 11 July 1991, 13 June 1991, 5 September 1991; *Cape Times* 19 March 1991, 8 June 1991, 11 June 1991, 24 July 1991, 16 September 1991; *Sunday Times* 24 March 1991; *City Press* 7 May 1991; *The Star* 31 May 1991; *Eastern Province Herald* 1 August 1991; *Citizen* 13 August 1991, 3 September 1991, 14 September 1991, 17 September 1991]

In March 1991 residents of the townships where the fighting was occurring boycotted taxis in an attempt to encourage the taxidriviers to stop fighting. An agreement was reached between the two associations on 1 April 1991, but on 9 April WEBTA withdrew from the agreement on the grounds that it favoured the Lagunya Taxi Association.²³⁴ [²³⁴ *The Weekly Mail* 20 September 1991] As at September 1991 no solution had been found to the conflict and allegations of police complicity with WEBTA had been made by the Lagunya Taxi Association and the African National Congress. A police spokesman. Major Gys Boonzaaier, denied that there was any police bias. Mr Jan van Eck MP (Democratic Party), who witnessed some of the fighting, said, 'The taxi war is being used by people who are settling other political scores. There is a definite attempt to destabilise townships by operating under the cloak of the taxi war.'²³⁵ [²³⁵ *South* 5 September 1991]

There were a number of violent clashes between rival taxi associations on the east Rand during the period under review. In 1990 more than 45 people were killed in fighting between the Kato-Katlehong and Bosatu taxi associations.²³⁶ [²³⁶ *Sunday Times* 7 July 1991] In June 1991 the Kato-Katlehong Taxi Association obtained a Supreme Court order which prevented members of the associations from intimidating each other and ordering that the Kato-Katlehong Taxi Association be allowed to operate unhindered between Katlehong and Germiston (both on the east Rand).²³⁷ [²³⁷ *Sowetan* 27 June 1991] However, in July 1991 a taxidriver was shot and wounded in Katlehong.²³⁸ [²³⁸ *Sunday Times* 7 July 1991]

It was reported in *The Star* in August 1991 that two drivers had been killed and four injured in clashes between the Brakpan and Vosloorus taxi associations. In Springs houses were burned and two people were injured in Fighting between the Springs Taxi Association and a breakaway group called the Sinamuva Taxi Association in July 1991.²³⁹ [²³⁹ *Sowetan* 31 July 1991, *The Star* 1 August 1991]

Uncontrolled growth

The marketing manager of SABTA, Mr Jabu Mabuza, said in August 1991 that violence was ‘gripping the industry’ because there were too many taxi permits and too few taxi ranks. He added that stricter regulation was needed to restore order and he called for the establishment of a control board which would have the power to withdraw permits and to impound vehicles.²⁴⁰ [²⁴⁰ *Business Day* 9 August 1991]

Attempts by city councils to provide more taxi ranks met with limited success. In 1987 the Durban City Council built a bus and taxi terminal but taxidriviers did not use it. The council ascribed this to lack of consultation with the taxi operators. In Pretoria, after consultation with the local taxi associations, a new rank was completed in 1990 to alleviate congestion in the city centre. At the time of writing taxidriviers were still not using it as its location was perceived as inconvenient.²⁴¹ [²⁴¹ *Update Seventeen*, 1991, p16]

In 1991 the Johannesburg City Council embarked on a three-year scheme with the aim of eliminating 30 street taxi ranks. The council intended to build six terminals at a total cost of R1,6bn. The first terminal, for which plans were drawn up in consultation with SABTA, was completed in August 1991. The public affairs spokesman of SABTA, Mr Fanyana Shiburi, said that SABTA would like to see these terminals being used as filter depots for street ranks. Ideally, he said, there should be between three and five taxis at each rank, with more being summoned by radio as these left to transport passengers. According to Mr Shiburi, this arrangement would make the taxi system more manageable but not eliminate the need for street ranks.²⁴² [²⁴² *Ibid*]

Taxi safety

Figures supplied by the National Road Safety Council (NRSC) in March 1991 showed that the minibus accident rate per 100m kilometres was lower than that for passenger cars and buses in 1988 and 1989, and that this rate declined by 27% in 1989. (‘Minibuses’ included vehicles for private use as well as kombitaxis.) The following table compares the accident rate per 100m kilometres of different classes of vehicle in 1988 and 1989:²⁴³ [²⁴³ *Update Sixteen*, 1991, p21]

Accidents per 100m Kilometres: 1988 and 1989

Vehicle type

1988

1989

Buses

1 006

648

Minibuses

915

671

Passenger cars

1 018

944

All vehicles^a

766

762

a

Including light commercial vehicles

Fatality rates were higher for minibuses than for other vehicles. In 1988, 13 people were killed in minibus accidents for every 100m kilometres travelled, compared with six for all vehicles. In 1989 the ratio was 11 for minibuses to six for all vehicles.²⁴⁴ [²⁴⁴ Ibid]

In a study of kombitaxi collisions conducted by the Council for Scientific and Industrial Research (CSIR) in 1990, the following findings were made:

- in 52% of kombitaxi collisions speeding played a role;
- in 32% of collisions, the vehicle had been overloaded;
- in 74% of cases collision resulted because of a traffic offence;
- an error of judgement was a contributory factor in 79% of collisions; and

- in only 2% of cases was the blood alcohol content of the driver 0,08g per 100ml or higher.²⁴⁵ [245 South African Roads Board, 'Contribution of Human Factors to Combi-taxi Collisions', PR90/159, Pretoria, 1991, p5]

The division of roads and transport technology of the CSIR conducted further research in 1990 into human factors contributing to taxi collisions. The study revealed that taxidrivers were subject to numerous pressures which contributed to unsafe driving. Some of the findings of a survey of 202 taxidrivers were that:

- drivers were generally aware of the importance of road safety. However, many drivers would speed or overload their vehicles if requested by passengers to do so, or if they wished to obtain more fares and make more trips;
- some 37% of respondents felt that they had insufficient funds to maintain the vehicle properly;
- many of the drivers had irregular driving schedules and drove for long hours. Half of the respondents said that they drove seven days a week and a third worked between midnight and 6am; and
- about 73% of the respondents were worried that they could lose their job

In August 1989 the Taxi Safety Action Group was established, comprising representatives of the Automobile Association of South Africa, the CSIR, the NRSC, SABTA, the Southern African Long Distance Taxi Association, the South African Police and other organisations, with the aim of co-ordinating safety efforts in the taxi industry. During the period under review it drew up a code of practice for the safe operation of taxis, as well as devising training courses for drivers and producing videos on all aspects of vehicle safety.²⁴⁷ [247 *Enterprise* March 1991]

Project Spear was set up by SABTA in 1990 to provide driver training, and by March 1991 agreements had been reached with 16 accredited driver training centres to provide training at 45 venues countrywide. The project was initially poorly supported as taxi owners were not prepared to give their drivers leave or to pay the R300 fee for the two-day course, nor were drivers willing to take unpaid leave and pay the course fee themselves. Sponsorship was sought from private companies and the fee for the course was reduced to R75.²⁴⁸ [248 *Update Sixteen*, 1991, p21]

Bus and train transport

The following table shows average monthly commuting costs by bus, taxi and train in 1989 and 1990 as calculated by the National Passenger Panel of the Department of Transport.²⁴⁹ [249 *Finance Week* 30 May

1991]

Monthly commuting costs

1989

1990

Increase

R

R

Bus

46

65

41%

Taxi

54

64

19%

Train

48

70

46%

The cost of rail and bus transport increased substantially compared to taxi transport and whereas in 1989 trains and buses were cheaper than taxis, by 1990 they were more expensive

The bus industry

In a special survey of the bus industry in February 1991 *South African Transport* reported. 'In spite of the government's current stated onslaught on the barriers to social upliftment of the poorer sections of the community, conditions have deteriorated to such an extent that the very existence of the bus industry is now at stake.'²⁵⁰ [²⁵⁰ *Update Sixteen*, 1991, p21]

It became increasingly difficult during the period under review to make a profit in the bus industry. The chief executive of the Southern African Bus Operators' Association (SABOA), Professor Jackie Walters, said in February 1991 that the maximum increase which could be made in bus fares without triggering stonings and mass protest was 20%.²⁵¹ [²⁵¹ *Ibid*] Bus subsidies had not kept pace with the increased costs in the industry as indicated by the following table:²⁵² [²⁵² *Ibid*; telephonic interview with Dr Louw Dreyer of the Department of Transport, 31 October 1991]

Bus subsidies: 1983/84-1989/90

Nominal amount

Real amount ^a

Real increase (decrease)

Rm

Rm

Rm

1983/84

165

214

—

1984/85

209

243

14%

1985/86

271

271

12%

1986/87

362

305

13%

1987/88

415

301

(1%)

1988/89

476

306

2%

1989/90

540

303

(1%)

1990/91

626

308

(2%)

1991/92

645

276^b

(10%)

a

At 1985 prices

b

The consumer price index used to calculate the value of the rand in 1991 was the Standard Bank projected figure for the year of 233,3 with 1985 as 100

The outgoing chairman of SABOA, Mr Albino Carleo, highlighted the difficulties faced by the bus industry in his chairman's report for 1990. He said that:

- the rate of inflation in the bus industry was 21%, with increases in fuel costs contributing substantially to this figure;
- retrenchment, unemployment and unrest had brought about a 9% decline in passenger volumes, which were standing at a new low in 1990; and

- the government's low subsidy allocation for 1990/91 had reduced confidence in the industry and had failed to keep up with high input costs.²⁵³ [²⁵³ *Journal of the Pietermaritzburg Chamber of Commerce* September 1991]

As a result of financial difficulties many bus companies had to rationalise services or close down. Among the services affected were:

- bus services run by the municipalities of Benoni (east Rand) and Nigel (far east Rand), which were halted in 1991;²⁵⁴ [²⁵⁴ *The Weekly Mail TO* May 1991]
- Bophuthatswana Transport Holdings, which had to close some of its depots in the same year;
- services run by the Boksburg and Brakpan town councils (both east Rand) to neighbouring townships, which were terminated in 1991;
- the Intertown Passenger Service between Pinetown and Durban, which carried 4 000 passengers daily, and which ceased operations in September 1991;²⁵⁵ [²⁵⁵ *Sowetan* 27 September 1991] and
- the service run by Port Elizabeth Tramways, which ran 400 buses and transported 90 000 passengers daily. Among the reasons cited for the company's closure was political unrest. A total of 115 vehicles had been destroyed in recent years in political violence, and passenger loads had fluctuated to as low as 25% of norm

The deputy director of KwaZulu Transport (KZT), Mr Chris Peckett, announced in June 1991 that the Department of Transport would continue to subsidise the company until June 1992, but that after this date the company would have to obtain finance from other sources. It was reported that KZT had sustained losses of R350 000 per month, and that it faced closure. KZT had cut back its fleet from 850 buses in 1988 to about 650 in 1991. In May 1991 operations within a 20km radius of Pietermaritzburg were curtailed.²⁵⁷ [²⁵⁷ *Sowetan* 30 April 1991, *The Weekly Mail* 30 May 1991] In June 1991 an ad-hoc committee consisting of representatives of the African National Congress, the Durban Chamber of Commerce, the Durban City Council, the Inkatha Freedom Party and trade unions was formed to find a means of keeping the company in operation after June 1992.²⁵⁸ [²⁵⁸ *The Natal Witness* 22 June 1991]

In the mid 1980s Putco transported almost 1m passengers per day, making 356m passenger trips annually. By 1991 it was transporting only 320 000 people daily. Putco cut back its fleet from 3 500 buses in 1987 to 2 000 in 1991 and its labour force from 10 400 to 6 000 people.²⁵⁹ [²⁵⁹ *Financial Mail* 22 February 1991]

In August 1991, after discussions with the Department of Transport, the Industrial Development Corporation and trade unions, Putco announced that its operations would be put out for tender. It was announced that the Department of Transport would oversee this process and that any organisation or person with sufficient funds would be able to tender for a route.²⁶⁰ [²⁶⁰ *Update Seventeen*, 1991, p17; *New Nation* 4 May 1990, *The Star* 15 September 1990, *Business Day* 26 May 1991, *Sowetan* 26 May 1991, 30 April 1991; *The Citizen* 23 August 1991]

Rail transport

Rail safety

Between January and July 1991 there were 21 violent incidents on trains on the Reef, in which 16 people were killed and 89 injured (see also chapter on *Political Developments*).²⁶¹ [²⁶¹ *The Star* 2 August 1991]

In order to protect commuters the South African Rail Commuter Corporation (SARCC) instigated a five-year plan which was to cost R250m, to tighten security at stations nationwide. The corporation stated that it would:

- establish police units on platforms;
- install access control systems;
- erect razor wire fencing around stations;
- provide better lighting at stations; and
- provide train drivers with communication links to sophisticated operations centres which would be able to react quickly should any trouble arise.²⁶² [²⁶² *Business Day* 27 June 1991]

By June 1991 all five mainline stations in Soweto had been upgraded. The corporation said in June 1991 that it planned to upgrade 95 stations countrywide by the end of 1991 and a total of 355 by the end of 1995.²⁶³ [²⁶³ *Ibid*] In order to provide finance for this project, commuter fares were increased by 9% in November 1990 and 10% in April 1991.²⁶⁴ [²⁶⁴ *The Citizen* 13 February 1991]

Key Projections

- The Urban Foundation predicted that by the year 2000 about 51% of the population would be living in urban areas, and that by 2010 this figure would be 60%.
- It said that between 1990 and the year 2000 migration from rural areas would account for approximately a third of urban population growth.
- According to the Urban Foundation, if the South African population continued to increase at a rate of 2,8% each year, by the year 2000 an additional 9m people would need housing.
- The foundation pointed out that between 1991 and 1995, 174 000 houses would have to be built annually to provide for those without housing and for the increasing population.

LAND AND AGRICULTURE

Key Points

- The White Paper on Land Reform, published in March 1991, recommended the repeal of racially discriminatory legislation with respect to land and proposed a strategy for the development of rural areas.
- The Abolition of Racially Based Land Measures Act, which was promulgated in June 1991, repealed the Black Land Act of 1913, the Development Trust and Land Act of 1936 and all other provisions regulating the ownership of land according to race.
- The Upgrading of Land Tenure Rights Act, which was also promulgated in June 1991, converted inferior forms of rural and urban African land tenure into full freehold ownership.
- Although the Land and Agricultural Bank of South Africa (Land Bank) was able to grant loans to farmers of all races, no Africans received loans from the bank between 1986 and 1990.
- In 1990 three coloured people, six Indians and 3 153 whites received loans from the Land Bank.
- White agricultural output in March 1991 was valued at R3bn.
- In 1990/91 white farmers received a larger allocation of government spending than farmers of any other race group.
- In 1991, 81% of land in the white-designated area was suitable for farming but only 16% was potentially arable.

- In the homelands 93% of the land was suitable for farming but only 12% was potentially arable.
- According to the *Abstract of Agricultural Statistics* for 1991, between 1968 and 1988 the number of employees on farms in South Africa (excluding the ten homelands) declined by 30%.
- In 1965 agriculture contributed 9% to gross domestic product, whereas by 1988 it contributed only 6%.
- From the beginning of 1991 the six agricultural colleges under the control of the Department of Agricultural Development (white own affairs) admitted students on a non-discriminatory basis.

Land

Distribution of land

No recent figures for land ownership in South Africa are available. However, the distribution of privately owned land in South Africa (excluding the ten homelands) in 1978, excluding land used for housing, was as follows:¹ [¹ *Black Development in South Africa*, Benbo, 1976; Cooper D, 'Ownership and Control of Agriculture in South Africa', in Suckling J, and Landeg W (eds) *After Apartheid: Renewal of the South African Economy*, Centre for Southern African Studies, York, 1988, p47]

Private ownership of land in South Africa outside the homelands: 1978

Number of landowners

Total area (ha)

Area owned (ha)

Area rented (ha)

African ^a

N/A

157 000

157 000

N/A

Coloured and Indian

2 487

515 000

230 000

285 000

White

65 972

77 000 000

63 000 000

14 000 000

a

Figure for Africans refer to 'black spots' where some Africans had freehold rights outside the homelands

N/A—Not available

In 1991, while there was some privately owned land in the homelands, most of the land was communally owned and fell within the tribal system of land tenure. Figures for privately owned land in the homelands were unavailable.

The executive director of the Free Market Foundation, Mr Leon Louw, said in June 1991 that the notion that Africans owned only 13% of the land in South Africa was incorrect. 'The 13% is a reference to land area and makes no reference to the more important criteria, ie value.' The 13% referred only to the ten homelands but excluded the homeland consolidation areas, which were areas of land purchased by the South African Development Trust (SADT) for incorporation into the homelands, he said. Mr Louw pointed out that most of this land had been transferred to the homeland authorities although it was registered as SADT land. Therefore, he said, if this land was included then the 13% owned by Africans should be increased to approximately 20%.² [2] Telefax from the executive director of the Free Market

Foundation, Mr Leon Louw, 21 June 1991¹

The 13% usually quoted as owned by Africans excluded African areas outside the homelands such as townships and 'black spots' (ie isolated areas of land sold to Africans before the promulgation of the Black Land Act of 1913). A small area of land was held by Africans through nominees and intermediaries in 'white' areas. A distinction needed to be made between 'occupied' land and 'owned' land, Mr Louw said.³ [³ Ibid¹] Mr Louw believed that 'black spots' did not constitute genuine freehold ownership of land. He said that for practical purposes, however, Africans owned almost no land in South Africa as the largest proportion of homeland land was owned either by the homeland administrations or the SADT. Furthermore, he said:

- township land was owned by the government, through the SADT and various municipalities or urban co
- the most common form of ownership, ie quitrents and deeds of grant, did not constitute ownership in the true sense of the word, as the properties could not be freely sold, let, mortgaged, consolidated, subdivided or speculated with; and
- 'black spots' were also not held under genuine freehold title as under the Group Areas Act of 1966 black 'landowners' in 'black spots' were unable to sell, mortgage, let, speculate in or consolidate their land.⁴ [⁴ Ibid¹] Black Land Act of 1913 and the Development Trust and Land Act of 1936

The Black Land Act of 1913 and the Development Trust and Land Act of 1936

The Black Land Act of 1913 and the Development Trust and Land Act of 1936 restricted the acquisition of land by Africans except in 'scheduled black areas' and provided for the establishment of the SADT, to be administered by the state president as trustee, with the power of delegation to the minister of public works and land affairs. The SADT was established for the settlement, support, benefit, and material and moral welfare of Africans in South Africa. The Development Trust and Land Act also provided for the SADT to gradually acquire more land in each of the provinces for African settlement.⁵ [⁵ Festenstein M and Pickard-Cambridge C, *Land and Race*, South African Institute of Race Relations, Johannesburg, pp73-74]

Between 1913 and 1990 the total amount of land acquired for African settlement was 17 608 615ha, most of which was incorporated into the 'independent' and non-independent homelands. Some 1 250 000ha, situated outside the homelands, was owned by the SADT.⁶ [⁶ *White Paper on Land Reform* p4]

Policy

The *White Paper on Land Reform*, tabled in Parliament in March 1991, set out the government's proposals for the repeal of racially discriminatory legislation with respect to rural and urban land and the formulation of a strategy for the development of rural areas. Five items of legislation were proposed and three addressed rural land issues: the Abolition of Racially Based Land Measures Bill, the Upgrading of Land Tenure Rights Bill and the Rural Development Bill. The first two bills were enacted in July 1991 and the Rural Development Bill was at the stage of joint committee evaluation at the end of the 1991 parliamentary session. In November 1991 the Rural Development Bill was withdrawn by the government.⁷ [⁷ *The Star* 12 November 1991]

The policy objectives of the government's *White Paper on Land Reform* were:

- to provide the whole population with access to land, as well as to encourage support measures by the private and public sector aimed at making land more accessible to all;
- to upgrade the quality and security of title in land by upgrading land rights, rationalising land registration systems and gradually converting the tribal land system to a system of individual ownership; and
- to utilise land as a national asset. This would be achieved through the maintenance of the commercial production capacity of agricultural land and the provision of access to agricultural assistance, the active promotion of rural development, the accelerated provision of sufficient land for urbanisation and conservation, and the preservation of land for future generations.

The basic principle of the white paper was that of private ownership of agricultural land which the government considered to form the basis of an 'established and successful agricultural industry'. While the government accepted the continuation of the system of communal land tenure, the white paper said that it would not promote the extension of this system, but would prefer to enable tribes to convert the land to individual tenure.

The white paper also set out the government's policy on the restoration of land to individuals and communities which had been deprived of their land by the policy of forced removals. The government believed that such moves would be disruptive to the 'country's pace of development to the detriment of all'. Furthermore, 'squatting' which took the form of trespassing on, and taking over of the property of another, was 'most strongly condemned by the government'. Both the Less Formal Township Establishment Bill (see chapter on *Housing and Urbanisation*) and the Rural Development Bill contained provisions to protect agricultural land against unplanned and disorderly settlement and to create suitable settlement opportunities.

The government said in the white paper that it recognised the need to develop subsistence economy areas to their full potential, as it feared that factors such as the abolition of influx control, the concentration of economic opportunities in the urban areas and the fact that security of property

ownership was now possible in the urban areas could result in rapid urbanisation. Therefore, it would be necessary to develop agriculture-related industries and services in small towns and surrounding rural areas, in order to create employment and settlement opportunities there.

Reaction to the White Paper on Land Reform

The general proposals on land reform contained in the white paper met with varied and widespread reaction.

The African National Congress (ANC) said that the white paper perpetuated racist perceptions and practices and maintained a situation where there was one set of standards and practices for whites and one for Africans. The ANC said that the white paper was an attempt to codify land dispossession under the cover of free-market proposals and maintained that land reform should mean land redistribution.

This suggestion was rejected by the government.⁸ [⁸ *The Citizen* 13 March 1991]

In May 1991 the ANC welcomed the government's decision to establish an advisory commission on land allocation. An ANC spokesman said that the government had clearly made some compromise in respect of the white paper.⁹ [⁹ *Ibid* 21 May 1991]

However, the organisation proposed that land should be acquired by the government for redistribution without disrupting farming productivity.¹⁰ [¹⁰ *The Star* 1 March 1991]

This land should be acquired following compensation to the owners and then be made available for private ownership.¹¹ [¹¹ *Ibid* 18 June 1991]

In November 1990, commenting on the intended repeal of the land acts, the chairman of the Black Consciousness Movement of Azania, Mr Mosibudi Mangena, said that the organisation believed 'land seizure and other, methods' were the only way to redress the present imbalance in land ownership.¹² [¹² *Sowetan* 5 November 1990]

He added that his organisation's formula for seizing land from private owners and redistributing it still needed to be worked out.¹³ [¹³ *Ibid*]

In March 1991, commenting on the white paper, the leader of the Conservative Party (CP), Dr Andries Treurnicht, said that the 'white nation' was prepared to lay down its life in defence of its land. He said that whites were justified in using 'necessary means' to fight the government's land proposals. He added that the issue was not whether the government was expropriating farmers' land, but that the white man no longer had a political say in his own land.¹⁴ [¹⁴ *The Citizen* 22 March 1991]

In April 1991 the CP walked out of the parliamentary select committee on land reform legislation, in protest against the commitment by the state president, Mr F W de Klerk, to repeal all apartheid laws by June 1991.¹⁵ [¹⁵ *Business Day* 26 April 1991]

The Inkatha Freedom Party welcomed the repeal of the land laws. However, it stated that the government's land reform proposals had not done enough for the redistribution of land and the encouragement of African commercial farming.¹⁶ [¹⁶ *The Argus* 1 July 1991]

The leader of the Labour Party (LP), the Rev Allan Hendrickse, said that the government was morally obliged to return land to victims of forced removals such as the Fingos. He also stated that the government should provide the same financial support that white farmers had received, to those communities wanting to return to their land.¹⁷ [¹⁷ *The Star* 16 April 1991] Mr Peter Napier MP (LP) said that farmland which was communally owned by coloured people should be surveyed and sold or leased to individual farmers to prevent it being lost from coloured people's ownership under a new land policy.¹⁸ [¹⁸ *The Citizen* 17 April 1991]

The Pan-Africanist Congress (PAC) welcomed the proposals of the white paper and said that they were consistent with the repeal of the land laws. However, the PAC's secretary for foreign affairs, Mrs Patricia de Lille, maintained that the white paper was 'not enough'. She said that the PAC stood for the redistribution of land and that provincial and tribal land should be made available free of charge.¹⁹ [¹⁹ *Ibid* 13 March 1991]

The South African Agricultural Union said that in light of land reform the interests of present landowners should be protected effectively. The union said that it was opposed to any artificial redistribution of agricultural land, such as confiscation, expropriation or nationalisation. It was also opposed to communal agriculture.²⁰ [²⁰ *Ibid* 16 November 1990]

In May 1991 the Transvaal Agricultural Union (TAU) stated that it regarded the repeal of the Black Land Act and the Development Trust and Land Act as a 'declaration of war'. The union said that the repeal would pave the way for traditionally white farming land to be transferred to blacks.²¹ [²¹ *Ibid* 18 May 1991] According to the TAU, the repeal of these acts would enable the government to deprive farmers who had bought land which had become available because of forced removals, of their rights of ownership.²² [²² *The Star* 21 May 1991, *Business Day* 22 May 1991]

Delegates to the congress of the Orange Free State Agricultural Union in Bloemfontein in June 1991 threatened not to allow Africans to buy 'traditionally white agricultural land' in the province.²³ [²³ *The Citizen* 14 June 1991]

In April 1991 the South African Council of Churches (SACC) said the proposals in the white paper lacked credibility since they had been drawn up without consultation with the people who had been affected by forced removals and the dispossession of land. The SACC welcomed the scrapping of the

Black Land Act, the Development Trust and Land Act and the Group Areas Act of 1966. The council added, however, that all the bills, with the exception of the Abolition of Racially Based Land Measures Bill, were flawed in that they sought to circumvent the equitable redistribution of land and they would have a 'profound racially discriminatory effect'. The SACC suggested that the government should consult widely so as to allow maximum participation in determining future policies on land and that it should accept publicly the principle of restitution and establish a land claims commission.²⁴ [²⁴ *Sowetan* 23 April 1991]

The Transvaal Rural Action Committee stated that the government's land reform would benefit only a small economic elite. The committee said that the legislation took no account of the land rights of millions of South Africans who had been dispossessed of their citizenship by the creation of the homelands.²⁵ [²⁵ *Ibid* 14 March 1991]

The Urban Foundation urged the government to scrap all the supplementary bills on land reform. Instead, it proposed the formulation of a national rural and urban development policy. It also stated that land registration and ownership systems should be developed through consultation.²⁶ [²⁶ *The Citizen* 16 May 1991] The foundation welcomed the formation of the advisory commission on land allocation as a step forward, but said it would not resolve the issues of dispossession and restitution.²⁷ [²⁷ *Business Day* 30 May 1991]

In May 1991 the minister of planning, provincial affairs and national housing, Mr HERNUS KRIEL, pointed out that total restitution would be impossible because it would involve moving large numbers of people across the country—a costly process that the government could ill afford. He also argued that it would be impossible to find an adequate cut-off date beyond which there would be reasonable restitution, since in his view land disputes started 'long before' Jan van Riebeeck's arrival in 1652.²⁸ [²⁸ *The Weekly Mail* 24 May 1991] Nevertheless, in May 1991 the government proposed an amendment to the Abolition of Racially Based Land Measures Bill, which would make provision for a land commission to advise the government on restitution claims from people disadvantaged by race laws.²⁹ [²⁹ *The Star* 21 May 1991, *Business Day* 22 May 1991]

In August 1991 representatives of 19 communities which had been subject to forced removals said that the advisory commission on land allocation was inadequate in that it had advisory powers only and was not able to restore land to claimants; it did not include representatives of the affected communities; and it had no jurisdiction in the homelands, into which many communities had been forcibly incorporated. The representatives added that they wanted their land back, and that if the land had been sold to white farmers, these farmers should be compensated fairly and the land returned to the original owners.³⁰ [³⁰

The Star 16 September 1991¹

The head of research and development for the National Maize Producers' Organisation, Dr Kit le Clus, said in October 1991 that the government did not have the credibility to handle land disputes. He said that communities' rights to land should be decided in court. A representative of the National Land Committee (NLC), Ms Joanne Yawitch, said that a land court would have several advantages over the advisory commission: it would be perceived to be open and fair, it would operate according to clearly established criteria and procedures, and it would have powers to make decisions and ensure that they were enforced.³¹ [³¹ *Sowetan* 3 October 1991]

The NLC said, however, that although it was unhappy with the terms of reference of the commission, its status would be improved if the following demands were met:

- people who had the confidence of African communities should be included in the membership;
- present and past government officials should be excluded from membership so as to ensure the commission's independence; and
- all affected communities should have the right to place their claims before the commission.

The government said that it would consider these proposals when finalising membership of the commission.³² [³² *The Star* 3 October 1991]

Abolition of Racially Based Land Measures Act

The Abolition of Racially Based Land Measures Act was promulgated on 28 June 1991 and provided for the unconditional repeal of the Black Land Act, the Development Trust and Land Act, the Group Areas Act, the Black Communities Development Act of 1984 and all other provisions regulating the acquisition and exercise of land rights according to race (see also chapter on *Housing and Urbanisation*). A total of 189 sections and acts that had supported racial discrimination in respect of land legislation regarding rural areas under the administration of the House of Representatives and the non-independent homelands were also repealed by the act.³³ [³³ *White Paper on Land Reform*, 12 March 1991; *The Citizen* 13 March 1991]

The promulgation of the Abolition of Racially Based Land Measures Act did not affect the legal status of the non-independent homelands, their geographical definitions or their administrative structures. In terms of the new act the constitutional concept of own affairs would continue until a new constitution was negotiated.³⁴ [³⁴ *White Paper on Land Reform* p3]

The act proposed that the SADT be phased out by the systematic integration of its services, assets and staff into other government departments.³⁵ [³⁵ *Government Gazette*, no 13341, 28 June 1991]

The act also provided for the creation of an advisory commission on land allocation to make recommendations regarding state-owned land that had not been allocated or developed, as well as on rural land that could be acquired by the state for purposes of settlement. The commission was to investigate claims for restitution and make recommendations on the allocation of this land with special regard to those people dispossessed of their land in terms of discriminatory land legislation. In effect, this provision meant that the victims of forced removals could apply to the commission for restitution of such land.³⁶ [³⁶ *The Weekly Mail* 24 May 1991]

Upgrading of Land Tenure Rights Act

On 5 July 1991 the Upgrading of Land Tenure Rights Act was passed (see also chapter on *Housing and urbanisation*). It enabled land registration to be rationalised and various inferior forms of rural and urban African tenure, including leasehold, deed of grant and quitrent, to be converted into full ownership (ie freehold). With specific regard to rural areas, rights to the occupation of land which had been granted in terms of the Irrigation Schemes Control Regulations of 1963, the Black Areas Land Regulations of 1969, and the Rural Areas Act (House of Representatives) of 1987 could be converted to full ownership. Rights to the occupation of tribal land granted under traditional custom or tribal custom could also be converted to full ownership. Submission of a certificate of ownership to the relevant deeds office would be required before conversion could take place.³⁷ [³⁷ *Government Gazette*, no 13358, 1991]

Mr Errol Moorcroft MP (Democratic Party) said that the act showed that the government accepted that Africans were first-class citizens with all the rights that such status implied. He added that the legislation was the first significant act of reparation introduced by the government. Mr Moorcroft believed that the act would be the basis of wealth creation as previously economically disadvantaged Africans would have the opportunity to accumulate capital through land ownership.³⁸ [³⁸ *The Citizen* 11 June 1991]

Mr Jan Hoon MP (Conservative Party) said that the act was concerned only with the protection of land rights for Africans and offered none for whites. He claimed that the rights of whites within their own geographical and community boundaries were being taken away. Each nation should have the right to organise land rights according to its own values and traditions, Mr Hoon said.³⁹ [³⁹ *Ibid*]

Rural Development Bill

The Rural Development Bill made provision for the establishment of a National Rural Development Corporation (NRDC), to fill the vacuum caused by the phasing out of the SADT. The bill also provided

for the utilisation of state land for agricultural settlement. Race would not play a role in the allocation of farming units which would be made on the basis of probationary leases of no longer than three years and subsequent leases of no longer than 15 years. During this time the lessee would have the option of buying the farming unit at a price determined by regulation.⁴⁰ [⁴⁰ *White Paper on Land Reform*]

The bill would not affect existing ownership of tribal lands.⁴¹ [⁴¹ *Ibid* p24] The white paper recommended that only 'indigenous tribes' should be able to use land on a communal basis in and outside the homelands. However, a tribe would have to apply for ministerial permission to acquire land on a communal basis. Potential communal users would be required to state their intentions in respect of land usage, the number of people in the community who would be farming and the quantity of livestock that would be grazing on the land. If the minister approved of the use of the land for communal agricultural purposes, the Subdivision of Agricultural Land Act of 1970 would not be applicable.⁴² [⁴² *Ibid*] The land would have to be surveyed and the farming units would be allocated to members of the tribe according to a plan, under the supervision of the minister of public works and land affairs.⁴³ [⁴³ *Ibid*] The white paper said that such permission was unlikely to be granted where high potential agricultural land was concerned.⁴⁴ [⁴⁴ *Ibid* p22]

The NLC pointed out in August 1991 that although the SADT had control of approximately 474 000ha of land which could be used by the government for agricultural settlement, 200 000ha (42%) of this land were being leased to white tenants. In addition, an unspecified number of occupants had formal permission to occupy portions of the remaining 274 000ha. The permission to occupy had been granted through an inferior form of land tenure formerly used in the homelands. The NLC said that other people occupied SADT land through a system of informal purchases and lease transactions, which had been in operation for decades and which did not adhere to the regulations.

According to the NLC, forced removal of people had resulted in their settlement on SADT land in the homelands. However, only in a limited number of cases did such people have legal documents to prove that the land had been leased to them by a homeland authority.⁴⁵ [⁴⁵ Telephonic interview with a representative of the National Land Committee, Ms Aninka Claasens, 8 August 1991] The NLC said that the lack of legal documentation to prove ownership meant that the rights of removed communities to the land they had been moved to would cease with the new land laws and there would be no legal means of protecting them.

The Department of Development Aid confirmed in June 1991 that the SADT was to purchase an additional 100 000ha of land for incorporation into the non-independent homelands.⁴⁶ [⁴⁶ *The Citizen* 19 June 1991] The reason given for this purchase was the need to complete development projects.⁴⁷ [⁴⁷ *White Paper on Land Reform* A2.11p4]

In its submission to the joint committee which was studying the bill, the NLC said that the Rural Development Bill failed to acknowledge the many different forms of land tenure in existence by prescribing only two forms, that of individual ownership and of tribal tenure. Provision was made for the collective acquisition of land on a tribal basis only and alternative methods for the joint purchase of land were not considered. The NLC said that the disintegration of tribal structures in many areas showed that the bill lacked legitimacy.⁴⁸ [⁴⁸ *National Land Committee Submission* p18, 19]

The Urban Foundation believed that the NRDC and the settlement schemes proposed in the bill could not address the complex issues of rural development and land reform. According to the foundation, the bill did not clarify how a rural development strategy would be formulated and there was no reference to community participation in either the composition of the NRDC or in its activities. Furthermore, the foundation believed that the proposed settlement schemes had major shortcomings, such as absence of any provision for infrastructural provision and upgrading, and small town development, and the substitution of participatory decision-making with 'ministerial discretion and official dictate'.⁴⁹ [⁴⁹ Urban Foundation, *Land Reform: An analysis and a challenge*, 20 May 1991]

The South African Agricultural Union and the Transvaal Agricultural Union said that the provisions of the bill relating to, among others, the utilisation of state land for agricultural settlement, would transform viable agricultural land into 'squatter areas'.⁵⁰ [⁵⁰ *Business Day* 12 November 1991]

Other criticisms of the Rural Development Bill submitted to the parliamentary select committee on land reform legislation included the following:

- the SADT, which was regarded by Africans as being responsible for forced removals, was simply given a new name; and
- rural communities regarded occupation of traditional land as a human right and would resist proposals that traditional land be transferred to private ownership.⁵¹ [⁵¹ *Ibid*]

As a result of submissions to the parliamentary select committee by the African National Congress, the Centre for Applied Legal Studies at the University of the Witwatersrand, the National Land Committee, the Urban Foundation and other groups, the Rural Development Bill was scrapped in November 1991.⁵² [⁵² *The Star* 12 November 1991]

Finance

To secure a loan from the Land and Agriculture Bank of South Africa (the Land Bank) a farmer had to

offer collateral in the form of other farm property. In addition the bank expected an applicant to have sufficient working capital to ensure the financial success of the farming venture.⁵³ [53 Land and Agricultural Bank of South Africa, *Annual report*, 1990, p24]

The Land Bank Act of 1912 did not discriminate against Africans, coloured people or Indians in terms of the loans which could be extended to farmers. However, between 1986 and 1990 only one African farmer applied for a loan and the application was not successful.

The table below outlines Land Bank financing to the various race groups from 1986-1990 (with no loans being granted to Africans over this period):⁵⁴ [54 Letter from the general manager of the Land and Agricultural Bank of South Africa, 5 June 1991]

Land bank financing to the various race groups: 1986-1990^a

	Coloured
	Indian
	White
	Year
	Number of loans
	Amounts granted (R)
	Number of loans
	Amount granted (R)
	Number of loans
	Amount granted
	1986
	1
	7 800

15

1 650 300

3 941

461 852 425

1987

20

217 400

9

527 400

3 292

446 059 520

1988

21

451 700

6

771 000

3 156

509 147 300

1989

7

263 300

4

614 000

3 484

639 095 558

1990

3

55 000

6

528 000

3 153

598 091 394

Total

52

995 200

40

4 090 700

17 026

2 654 246 197

a

These figures include loans for land purchases as well as for agricultural , machinery and livestock

In the homelands most agricultural land is communally owned. The communal land system functions on a one-person one-plot basis. If a farmer wants to acquire additional farming land, he cannot use his communal land allocation as collateral for a loan from a bank, because he does not own the

Availability of land for purchase

According to the White Paper on Land Reform the 474 000ha held by the South African Development Trust (SADT) which was set aside for small farmer schemes were the only land available for purchase.

This land was available only for purchase on a full ownership basis.⁵⁶ [⁵⁶ *White Paper on Land Reform* p14]

A number of white owners were willing to sell their farms to black farmers provided that the purchasers had the finance, as in the case of the former secretary of the Afrikaner Weerstandsbeweging, Mr Bill Ruthven, who sold his farm near Delmas (central Transvaal) in May 1991 to an African businessman,

Mr Charles Moloi, for R360 000.⁵⁷ [⁵⁷ *Sowetan* 10 July 1991]

In June 1990 the National African Federated Chamber of Commerce and Industry announced that it was to establish a special fund for African farmers to acquire land at affordable prices.

The criteria for a loan from the commercial banks were the same as for the Land Bank, in that ownership of land was a prerequisite as collateral.

In March 1991 it was reported that a British House of Commons foreign affairs committee on southern Africa had recommended that Britain assist any well constructed land redistribution programme in South Africa, in the same way that it had helped Zimbabwe.⁵⁸ [⁵⁸ *Business Day* 4 March 1991]

The Development Bank of Southern Africa did not have a loan scheme for the purchase of agricultural land. However, in August 1991 it was considering the introduction of such a scheme.⁵⁹ [⁵⁹ Telephonic interview with Zeida de Villiers, 19 August 1991]

Forms of land tenure

Agricultural land in South Africa can be divided into three categories:

- freehold land in the commercial agricultural areas and in the homelands;
- tribal land in the homelands; and

- South African Development Trust land.

Freehold land in the commercial agricultural areas could be acquired by means of patents or grants from the government, or through private grants by deed. Security of tenure rests in land titles which have been sanctioned by law and recorded in a deeds register, according to the Deeds Registry Act of 1937.⁶⁰ [60 Vink N, *Systems of Land Tenure: Implications for Development in Southern Africa* Development Bank of Southern Africa, Report no 6, April 1986, p37]

Property rights could be vested in an individual or in various combinations of people. This could be done either by fee simple or by various contractual arrangements such as leasing, mortgaging or hypothecating.⁶¹ [61 Ibid p15]

Between 1960 and 1990, 3 522 900 African people were evicted from 'black spots'. The people living in these communities had bought their land from whites under freehold title prior to the passing of the 1913 and 1936 land acts.⁶² [62 Ibid p33]

Land which was held by Africans under this form of freehold tenure provided the greatest possible security of tenure but restricted access to land to those who gained it by inheritance, marriage or the ability to pay for it.⁶³ [63 Vink N, *Systems of Land Tenure: Implications for Development in Southern Africa* Development Bank of Southern Africa, Report no 6, April 1986, p39] The private tenure system was impersonal but flexible and allowed land to be used to the best advantage by the most productive users.⁶⁴ [64 Ibid p36] Although the land was held under freehold the government expropriated many of these pieces of land during this period in order to remove African communities from the white-designated areas (see *Removals* below).⁶⁵ [65 Ibid p33]

The white paper of March 1991 encouraged freehold land tenure as the most suitable.

Tribal land, under the control of the South African Development Trust (SADT) since 1936, was occupied by tribes in the scheduled areas. Of the 'independent' homelands, the Ciskei, the Transkei, and Venda had the same land tenure policies as the non-independent homelands but Bophuthatswana devised its own land tenure legislation.⁶⁶ [66 Ibid p37] In Bophuthatswana agricultural land was regulated by the Land Control Act of 1979, while tribal land was controlled by the same legislation as that of the non-independent homelands. The Land Control Amendment Act of 1980, together with the Allocation of Agricultural Lands Act of 1983, set up a structure whereby a farmer could purchase new land incorporated into Bophuthatswana under certain conditions. The laws concerning tribal land remained unchanged.⁶⁷ [67 Ibid pp37-38]

The Rural Development Bill (see above) did not affect existing ownership of tribal land.⁶⁸ [⁶⁸ *White Paper on Land Reform* p24]

According to the Development Trust and Land Act of 1936, **trust land** denoted land in the released areas, most of which was allocated to the SADT. This land had been assigned to tribes for use under similar conditions to those of tribal land. However, control over land allocation was vested in the trustee, who was the state president and could delegate his powers as trustee to the relevant minister, who could in turn delegate administrative powers to his department.⁶⁹ [⁶⁹ Vink N, *Systems of Land Tenure: Implications for Development in Southern Africa* Development Bank of Southern Africa, Report no 6, April 1986, p33]

Communal tenure referred to commonage, which included land in a tribal area not reserved for residential or arable purposes and which was available for purposes such as grazing livestock by the lawful residents of the area. This form of tenure was designed to comply with traditional tenure. One respect in which it differed markedly from tradition, however, was in the powers abrogated by the state in the place of traditional leaders. These powers were especially broad with regard to control over farmers on irrigation schemes. An advantage of the traditional communal system of land tenure was guaranteed subsistence, the nonexistence of absentee landlords and the absence of speculation in land. A disadvantage of the traditional communal land tenure system was that an absence of a market in land prevented the reallocation of land to users best suited to maximise productivity. In addition it had the effect of inhibiting capital formation in agriculture.⁷⁰ [⁷⁰ *Ibid* p23]

Communal tenure was discouraged in the Rural Development Bill (see above).

Land Disputes

Removals

According to the Transvaal Rural Action Committee, although there were no removals as a result of the consolidation of the homelands in 1990 and 1991, there were removals of labour tenants from white-owned farms.⁷¹ [⁷¹ Telephonic interview with Mr Ken Margo, a TRAC official, 23 August 1991]

In April 1991, 64 coloured families who had lived in the village of Orania (northern Cape) for the previous 23 years were moved more than 100km to Warrenton.⁷² [⁷² *The Citizen* 5 April 1991] They had been employed by the Department of Water Affairs, building the dams and canals for the Orange River irrigation scheme.⁷³ [⁷³ *Ibid* 8 April 1991] The move was organised by a company, Orania Management Services, which had bought Orania on behalf of a right-wing white group, the Afrikaner Vryheidstigting (AV). An emergency fund administered by the House of Representatives paid for the removal of the

coloured families and for their living expenses for three months while they sought employment.⁷⁴ [⁷⁴ Ibid 6 April 1991] After the removal of the coloured families regulations were to be introduced in Orania prohibiting blacks from entering the town.⁷⁵ [⁷⁵ Ibid 12 March 1991]

It was reported that the AV would not compensate the House of Representatives or the affected families for the removal unless formal claims were made against it.⁷⁶ [⁷⁶ Ibid 6 April 1991]

Reoccupation of land

In December 1990 about 20 elderly African men and women went back to their homes at Machaviestad near Potchefstroom (western Transvaal) from where they had been forcibly removed in 1971 (see 1971 *Survey*, pp116-118).⁷⁷ [⁷⁷ *The Weekly Mail* 24 January 1991] Also in December a group of about 45 families, who had been evicted from the farm Roosboom near Ladysmith (Natal) in 1975, reoccupied the area despite warnings from the South African Defence Force that they would not be allowed to do so.⁷⁸ [⁷⁸ Ibid 24 January 1991]

In January 1991 approximately 700 African people from Thornhill (Ciskei) settled on two South African Development Trust-owned farms in the Queenstown district (eastern Cape) in 'South Africa' but were driven off at gunpoint by members of the Ciskei Defence Force, although the South African government had promised the farms to the Thomhill community when they were moved from Herschel in 1976 (see 1976 *Survey*, p247).⁷⁹ [⁷⁹ *The Daily Dispatch* 21 January 1991]

In May 1991 a group of 112 people went back to reclaim land at Goedgevonden (western Transvaal) from which they had been evicted in 1978. The land had subsequently been leased by the Department of Agriculture to a white farmer.⁸⁰ [⁸⁰ *Sowetan* 3 July 1991] On 11 May about 1 000 white farmers tried to evict forcibly the returnees, but were prevented from doing so by the police, who shot and wounded two white farmers. The shooting outraged right wingers who said that it marked the start of an Afrikaner revolution against the government (see also chapter on *Political Developments*).⁸¹ [⁸¹ Ibid] Three farmers subsequently appeared in the Ventersdorp magistrate's court in July 1991 on public violence charges relating to the alleged attack on 11 May on the African families. The case was postponed to 24 September 1991.⁸² [⁸² *The Citizen* 11 July 1991]

In June 1991 the Transvaal Provincial Division of the Supreme Court in Pretoria ordered the returnees to vacate the land. However, an appeal against the ruling was lodged and until it was heard the group was allowed to remain on the farm.⁸³ [⁸³ *Sowetan* 17 July 1991]

In April 1991 representatives of 13 communities from all over South Africa who had been forcibly removed from their land in the 1970s and 1980s met the joint committee on land reform. The representatives asked the committee to examine every case of land dispossession.⁸⁴ [⁸⁴ *The Star* 18 April 1991]

In May 1991 Africans from Charlestown near Volksrust (Natal), Criemen in the Klipriver district (Natal), and Macleantown near East London (eastern Cape) were prevented by the police from reoccupying their land.⁸⁵ [⁸⁵ *Sowetan* 3 May 1991]

Also in May the government agreed to the establishment of an advisory commission on land allocation, which would hear cases of land dispossession and if the claims were considered credible, government-owned land would be made available to the communities which had been removed.⁸⁶ [⁸⁶ *Eastern Province Herald* 6 May 1991]

Agriculture

The declining contribution of agriculture to gross domestic product (GDP) was reflected in figures provided by the Central Statistical Service in August 1990. Whereas in 1965 agriculture had contributed 9% to the GDP at current prices, by 1988 it was contributing only 6%. The declining role of agriculture was also reflected in a decline in employment on farms (see *Farmers and farmworkers* below) and in declining farmworker wages in real terms in the 1970s and 1980s (see chapter on *Employment*)⁸⁷ [⁸⁷ Central Statistical Service, *South African Statistics 1990*, August 1990].

Policy

The *White Paper on the Agricultural Policy of the Republic of South Africa*, which was published in 1984, pointed out there was no further scope for horizontal expansion in agriculture. Consequently, the white paper said, the country's future agricultural development would have to depend on vertical expansion, where fewer farmers produced more on less land to feed more people.⁸⁸ [⁸⁸ *White Paper on the Agricultural Policy of the Republic of South Africa*, WPM-84, May 1984]

The white paper acknowledged the value of the part-time and tenant farmers. However, it indicated a preference for the maximum number of financially sound owner and occupant farmers. The white paper said that an improvement in the quality of labour in agriculture (both farmers and labourers) was essential to promote productivity. It said that since the government advocated a free-market system in agriculture, the control board system needed to be applied with care to ensure the government did not distort production, marketing and price structures. It added that agriculture was a valuable earner of foreign exchange, and that this situation

should be maintained and promoted.⁸⁹ [⁸⁹ *Ibid*]

The minister of agriculture, Mr Jacob de Villiers, said in March 1991 that white agricultural debt stood at R17bn. He declared that the government would no longer offer blanket subsidies and ‘generous’ aid to help unproductive white farmers. Mr De Villiers added that his department had ‘no problems’ with giving assistance to farmers who suffered because of crop failures, drought or natural disasters, but the department would not help where expenditure could have been avoided through better planning or higher productivity.⁹⁰ [⁹⁰ *Saturday Star* 9 March 1991]

The minister of agricultural development in the House of Assembly, Dr Kraai van Niekerk, said in Parliament in May 1991 that while the white paper on agricultural policy continued to form the basis of agricultural policy in South Africa, this policy would have to be adapted according to changing circumstances. Dr Van Niekerk said that the consolidation of the 14 departments of agriculture which would deal with the requirements of small- and large-scale farmers more efficiently, was ‘in the pipeline’. Furthermore, agricultural colleges had been opened to all races, he said. The Department of Development Aid would also establish a communication structure involving the Department of Agriculture, the Department of Agricultural Development in the House of Assembly and the administrations of the non-independent homelands.⁹¹ [⁹¹ *Hansard* (A) 18 cols 10336-10337, 24 May 1991]

Dr Van Niekerk also said that it was the policy of the government to protect South African agriculture by means of tariff protection against the availability of cheap imported agricultural products.⁹² [⁹² *Hansard* (A) 18 col 10339, 24 May 1991]

He also emphasised that in order to create opportunities for everyone in South Africa, assistance to small farmers was important.⁹³ [⁹³ *Hansard* (A) 18 col 10460, 24 May 1991]

According to the White Paper on Land Reform, the government was to give attention to developing the agricultural potential of areas where subsistence farming practices predominated in order to increase agricultural output and provide for more effective utilisation of the land.⁹⁴ [⁹⁴ *White Paper on Land Reform* C2.2 p12]

However, submissions made to the joint standing committee on land reform legislation by organisations such as the Centre for Applied Legal Studies at the University of the Witwatersrand and the Urban Foundation criticised the absence of community involvement in the formulation of a rural development strategy. The Urban Foundation believed that the settlement schemes proposed could not resolve the problem of rural development, as the provision of infrastructure and upgrading, among other things had been omitted.⁹⁵ [⁹⁵ Urban Foundation *Land reform: An analysis and a challenge*, 20 May 1991]

Structure of agriculture

The value of various agricultural products in South Africa (excluding 'independent' homelands) in the 1979/80, 1984/85 and 1989/90 financial years is given below:^{96 [96} *Abstract of Agricultural Statistics 1991,*
p84]

Value of individual agricultural products: 1979/80-1989/90

1979/89

1984/85

1989/90

R (000)

R (000)

R (000)

Animal products

2 059 465

4 436 270

8 651 263

Field crops

2 936 434

4 748 883

6 935 933

Horticultural products

934 428

1 781 245

3 944 373

Total

5 930 327

10 966 398

19 531 569

The sector of agriculture which showed the greatest increase in terms of nominal value between 1979/80 and 1989/90 was horticultural products, whose value increased by 322% over this period. The value of animal products increased by 320% over the same period. In contrast, field crops showed an increase in value of only 136% between 1979/80 and 1989/90, which amounted to a decrease of 40% in real terms. These trends indicate the declining importance of field crops in the 1980s in terms of their contribution to agricultural

Finance

The following amounts were allocated to agriculture in the 1990/91 and 1991/92 financial years:⁹⁷ [⁹⁷ Various estimates of revenue and expenditure for 1990/91 and 1991/92]

Expenditure on agriculture:1990/91-1991/92

1990/91

1991/92

R

R

Department of agriculture

302 014 000

253 770 000

House of Assembly

665 621 000

673 948 000

House of delegates

7 668 000

3 502 000

House of representatives

33 649 000

39 195 000

Homelands ^a

Bophuthatswana

181 758 754

N/A

Ciskei

52 744 000

N/A

Gazankulu

35 332 200

N/A

KaNgwane

17 920 420

N/A

KwaNdebele

13 086 000

N/A

KwaZulu

69 684 000

N/A

Lebowa

101 664 947

N/A

QwaQwa

11 810 000

N/A

Transkei

211 050 000

N/A

Venda

37 624 731

N/A

Total

1 741 627 052

N/A

a

Including forestry but not fauna and flora and nature conservation

N/

Use of land

The following table shows the distribution of rural land in South Africa (excluding the ten homelands) in 1981 and the proportions available in various areas for farming and for cultivation:⁹⁸ [98 McKenzie, Weiner, Vink, *Land Use, Agricultural Productivity and Farming Systems in Southern Africa*, Draft Working Paper, Development Bank of Southern Africa, undated]

Allocation of land in the white-designated area: 1981^a

Total area

Proportion

Proportion

Development region^b

(ha)

farmland

arable^c

A Western Cape

21 886 836

86%

7%

B Karoo

27 362 994

83%

2%

C Orange Free State

12 679 074

93%

33%

D Eastern Cape

11 938 284

92%

5%

E Natal

5 826 900

74%

37%

F Eastern Transvaal

8 289 564

57%

37%

G Northern Transvaal

7 820 664

66%

17%

H PWV d

2 353 807

50%

36%

J Western Transvaal

4 115 200

87%

43%

Total

102 273 323

81%

16%

a

Between 1981 and 1991 the land allocation in the white-designated areas changed marginally

b

Excluding the ten homelands

c

Farmland which was not arable was usually used for pastoral farming, ie to raise livestock

d

PWV—Pretoria/Witwatersran

Allocation of land in the homelands: 1981^a

Total area

Proportion

Proportion

(ha)

farmland

arable^c

Bophuthatswana

4 050 900

98%

12%

Ciskei

815 930

98%

8%

Gazankulu

656 531

83%

13%

KaNgwane

482 269

73%

23%

KwaNdebele

285 650

75%

15%

KwaZulu

3 607 320

91%

12%

Lebowa

2 183 331

94%

15%

QwaQwa

65 514

92%

11%

Transkei

4 365 264

96%

9%

Venda

680 000

94%

11%

Total

17 192 709

93%

12%

a

Between 1981 and 1991 the land allocation in the homelands changed marginally

b

farmland which was not arable was usually used for pastoral farming, ie to rai

Farmers and farmworkers

The number of farm employees (including domestic workers) employed on farms in South Africa in August of each of the following years is given below:⁹⁹ [⁹⁹ *Abstract of Agricultural Statistics 1991* p4]

Farm employees: 1968-1988

Asian and

Total all

Year

African

Coloured

White

races

1968

1 387 200

237 000

16 100

1 640 300

1973

1 239 400

216 100

12 600

1 468 100

1978

1 064 500

213 600

14 800

1 292 900

1983

911 700

206 210

13 800

1 131 710

1988

906 7000

222 800

15 200

1 144 700

Between 1968 and 1988 the number of farm employees declined by 30%. However, while the number of Asian, coloured and white employees on farms declined by 6%, the number of Africans employed on farms dropped by 34%, or nearly 500 000 people, between 1968 and 1988. The sharp decline in the number of African employees meant that Africans constituted 85% of all farm employees in 1968 but only 79% in 1988.

Farmworkers are excluded from protective legislation covering other workers. In 1991 the National Manpower Commission recommended that they be included under such legislation (see chapter on

Labour Relations for details).

In 1987 the International Labour Organisation estimated that there were more than 60 000 African child farm labourers, mainly in the 8- to 14-year age gro

The Johannesburg Child and Welfare Society completed a study in 1991 of 246 African and coloured children aged between eight and 15, who worked as collectors of scrap iron, delivery boys, domestics, farm labourers and vegetable sellers in and around Johannesburg. The study found that wages ranged from no pay to R150 a month for an average of 200 working hours a month. The executive director of the society, Dr Adele Thomas, said in August 1991 that child labour was the most prevalent form of child abuse and also perpetuated the poverty cycle.¹⁰¹ [¹⁰¹ *Business Day* 23 August 1991]

Agricultural training

Selection for full-time admission to the six agricultural colleges under the control of the Department of Agricultural Development in the House of Assembly was made on a non-discriminatory basis from the beginning of 1991.¹⁰² [¹⁰² *Hansard* (A) 12 q cols 1167, 23 April 1991] New admissions to agricultural training colleges in 1991 were as follows:

Admissions to agricultural training college: 1991

Number of

College

Area

Students

Lowveld

Eastern Transvaal

83

Potcheftsroom

Highveld

155

Grootfontein

Karoo

132

Cedera

Natal

113

Glen

Orange Free State

150

Elsenburg

Western Cape

181

During 1990 the Department of Education and Training concluded an investigation into a more cost-effective model for practical vocational training in agriculture (see also chapter on *Education*). The department was to attempt to obtain co-operation and funding from the private sector in order to provide more efficient agricultural education to rural communities.¹⁰³ [¹⁰³ Department of Education and Training and Training, *Annual report 1990*]

The *Back to the Land* programme aimed to train people in the basics of agriculture and to make farming an attractive activity. In December 1990, 15 people started a year-long free training programme which was aimed at people aged 18 years or older who had passed standard 8. The project operated on land subleased by the Ananda Marga Mission near Orange Farm (southern Transvaal).¹⁰⁴ [¹⁰⁴ *Sowetan* 26 November 1990]

On 28 June 1991 the deputy minister of foreign affairs, Mr Leon Wessels, announced that a new

agricultural training centre was to be established at Roodeplaat (Pretoria) and that it would be open to people from all over Afr

Rural Environment

National parks

The Weekly Mail said in August 1991 that Africans perceived national parks as removing Africans from their land and preventing them from obtaining access to their source of food ie game, in order to make way for the protection of fauna and flora for the pleasure of mainly white tourists.

It pointed out that political change in South Africa could lead to popular demands for nature reserves to be expropriated and the land redistributed to rural people.

The Weekly Mail said that a crucial aspect of conservation was teaching rural people that national parks could be of benefit to them. It pointed to new conservation policies which emphasised the involvement of the community in the preservation of the national parks. These included discouraging poaching while providing economic benefits in the form of employment and cheap game meat and helping to build schools and clinics for rural communities.¹⁰⁶ [¹⁰⁶ *The Weekly Mail* 22 August 1991]

It was reported in April 1991 that the KaNgwane Parks Board considered hunting a crucial method of generating tourism in parks in the homeland. The board saw tourism as a means of providing jobs and revenue for social upliftment programmes for the communities living next to the parks. It was also involved in carrying out regular culling of animals to ensure the most rational use of resources in the reserves. An example given was the Mthethomusha Game Reserve, which had been developed on land donated to the KaNgwane Parks Board by Chief Charles Bongani Mpakenias, leader of the Mpakeni clan. The reserve was administered jointly by the parks board and a tribal trust company which represented the interests of the Mpakeni people. Profits from tourism were split between the parks board and the trust company.¹⁰⁷ [¹⁰⁷ *Ibid* 5 April 1991]

It was reported in June 1991 that a Zulu prince, Nkosi Matendelana Mbatha and his community were reaping the benefits of their conservation area, which was 900ha of land along the White Mfolozi River (KwaZulu). The conservation programme involved the reintroduction of a number of species of game such as duikers, impala, kudu, mountain reedbuck, steenbuck and zebra, and earned the local community much needed cash from the sale of horns, meat and skins. Culling also enabled the meat to be sold to the community at low prices.¹⁰⁸ [¹⁰⁸ *Sunday Tribune* 9 June 1991]

The director of the KwaZulu Bureau of Natural Resources (BNR), Mr Nick Steele, said in July 1991 that his organisation was one of the first conservation bodies to attempt to include the community in

conservation projects. The BNR was engaged in 'progressive conservation' which took cognisance of the needs of the community. Mr Steele said that in the Kosi Bay area of Maputaland, which was to be set aside as a natural reserve, the KwaZulu administration would allow local people access to the reserve along traditional pathways and the use of some of its natural resources.¹⁰⁹ [¹⁰⁹ *The Star* 17 July 1991]

On 16 August 1991 the minister of national education and of environment affairs, Mr Louis Pienaar, gazetted a proclamation declaring 162 445ha of desert in the far northwestern Cape province a national park. This was believed to be the first national park in the white-designated area co-managed by conservationists and local people. The proclamation marked the end of nearly two decades of negotiations, which culminated in a contract binding the National Parks Board and Richtersveld residents to the joint management of the park for 24 years. Richtersveld residents were to be paid rent for the use of their land. In return for the loss of their grazing rights approximately 60 000ha of state land were to be made available to the stock farmers of the northern richtersveld.¹¹⁰ [¹¹⁰ *The Citizen* 17 August 1991]

Afforestation

The executive director of the Wildlife Society of Southern Africa, Mr Tony Ferrar, said in February 1991 that the society was concerned that the Department of Forestry could issue afforestation permits to itself. However, the Forestry Council was quoted as saying that the forestry industry was taking reasonable measures to conserve the environment without inhibiting the development of commercial forests.¹¹¹ [¹¹¹ *The Star* 12 February 1991]

Large forestry companies such as HL & H Mining Timber, Mondi Forests and Sappi Forests were reported to have appointed conservation officers and included conservation policies in their codes of practice. These companies had also banned the use of harmful hormonal herbicides in their operations and conducted research into the cloning of production trees in order to increase production and lower the water consumption of forests.¹¹² [¹¹² *Business Day* 5 June 1991]

In May 1991 it was reported that the Department of Forestry had produced a map entitled 'Priority areas for new afforestation' which the timber industry had accepted as a guide as to where future plantations would be allowed. However, the Durban-based director of conservation for the Wildlife Society of Southern Africa, Mr Keith Cooper, said the proposed afforestation would 'compress rural communities into smaller and smaller areas'.¹¹³ [¹¹³ *The Star* 22 May 1991] He pointed out that the society had called for a moratorium on the development of new forests until a study had been done by the government into the impact of afforestation on crops, human beings, water and wildlife.¹¹⁴ [¹¹⁴ *Ibid* 22 May 1991]

Mine dumps

In August 1990 a committee chaired by the minister of agricultural development in the House of Assembly, Dr Kraai van Niekerk, was appointed to investigate the long-term effects of high-recovery coal mining on agriculture in the eastern highveld. The investigation showed that important coal deposits underlay half of the 4,8m hectares in the area, of which 1,2m hectares were agricultural land. It was estimated that all but 4% of the surface subjected to high-recovery underground mining could be returned to pre-mining use (see also chapter on *Health and Welfare*). Prior to the planting of vegetation on the top and sides of mine dumps (which had begun in the 1960s) rainwater carried metallic substances from the dumps into the groundwater and into streams.¹¹⁵ [¹¹⁵ *Business Day* 5 June 1991]

The general manager of safety and technical services for the Chamber of Mines of South Africa, Mr Johan Greeff, said in June 1991 that criticism about air and water pollution caused by mine dumps had been unwarranted since the 1960s, as much had been done since then to redress the situation.¹¹⁶ [¹¹⁶ *Ibid*] Criticism was levelled at the impact of open-cast coal mining on the quality of air, soil and water in the eastern Transvaal highveld where a large quantity of coal was mined and burned to generate 80% of South Africa's electricity. However, to offset such environmental pollution a sum of R50m a year was to be spent on rehabilitating land disturbed by opencast mines.¹¹⁷ [¹¹⁷ *Ibid*]

Dune mining

In May 1991 the chairman of the Transkei's Military Council, Major General Bantu Holomisa, confirmed that Rand Mines planned to strip indigenous trees and vegetation in the Nxaxo and Kobangaba forests on the southern Transkei coast to facilitate the mining of dunes for titanium. It was believed that the establishment of a mine would attract other industrial development and provide jobs for at least 600 people for 30 years. General Holomisa stressed that his administration would conduct full environmental impact studies before allowing the mine to open. He said that conservationists opposed to the dune mining scheme had displayed a disregard for the welfare of his people.¹¹⁸ [¹¹⁸ *The Weekly Mail* 22 March 1991] As an alternative some conservation bodies, including the Wildlife Society of Southern Africa, suggested the creation of a nature reserve in the same area, which would attract tourist trade and industry.¹¹⁹ [¹¹⁹ *Ibid*]

In August 1991 villagers living on the Transkei coast said that plans to stripmine indigenous dune forests were going ahead, despite reports that claimed the project had been shelved. The villagers were reported to have vowed to 'fight to the last man' to avoid being removed from their ancestral land to make way for the construction of a new mining township, and to be considering taking legal action to prevent dune mining. A representative of the villagers, Mr Zakhele Kekana, said that when the villagers approached the Transkei administration to reconsider the removal of their villages for the dune mining project, they were told the project would go ahead whether they liked it or not.¹²⁰ [¹²⁰ *Ibid* 1 August 1991]

Richards Bay Minerals was reported in June 1991 to be conducting an environmental impact study into the effect of expanding the mining of dunes at St Lucia (northern Natal coast) for heavy minerals such as ilmenite, rube and zircon. The company argued that the dunes and vegetation could be restored after mining. It said that grassland could be replaced within three years and natural forest within 12 years. At the request of the KwaZulu administration many of the dunes already mined have been planted with casuarina trees, which provide charcoal. The local African community at St Lucia was believed to support the dune mining proposal because it would bring jobs and development to the area.¹²¹ [¹²¹ *Business Day* 19 June 1991, *Sunday Tribune* 23 June 1991]

Richards Bay Minerals maintained that expansion of dune mining at St Lucia would cost R1,2bn, more than 90% of which would be spent in South Africa. The company said that expansion would create 650 long-term jobs and stimulate other economic activity during the plant construction period. It would also earn vast amounts of foreign exchange for South Africa.¹²² [¹²² *Sunday Tribune* 23 June 1991]

Soil erosion

Overgrazing was a major contributing factor to soil erosion. It was reported in May 1991 that a survey by the South African Institute of Agricultural Extension had indicated that six out of ten cattle farmers overestimated the grazing capacity of their farms. One in four farmers overestimated grazing capacity by as much as 50%.¹²³ [¹²³ *The Star* 29 May 1991]

The chairman of the gold and uranium division of the Anglo American Corporation of South Africa, Mr Clem Sunter, said in the same month that for every tonne of wheat grown, South Africa lost 20 tonnes of soil.¹²⁴ [¹²⁴ *Ibid* 1 May 1991] He pointed out that the mean rate of soil formation in Africa was less than 0,1 tonnes per hectare per year, while the current rate of loss was 30 times the rate of soil formation.¹²⁵ [¹²⁵ Huntley, Siegfried, Sunter C, *South African Environments into the 21st Century*, Hinman and Tousseau, Tafelberg. 1989, p38]

Also in May 1991 a professor of soil science at the University of Pretoria, Professor Michiel Laker, said that generally homeland agricultural resources were in a state of serious degradation, owing to an excessive human population. The Tomlinson Report of March 1956 (see 1955/56 *Survey* pp139, 241) stated that only land with an incline of less than 12 degrees was suitable for cultivation. However, Professor Laker said, the instability of soils meant that even land which sloped far less steeply should not be cultivated. He believed that ignorance of this fact had produced a gross overestimate of the agricultural carrying capacity of the homelands. Professor Laker maintained that few countries needed soil scientists as badly as South Africa, yet South Africa was training only a handful a year. The University of Pretoria, a major university for soil science, had produced no graduates in soil science in

1990.¹²⁶ [¹²⁶ *Leadership May 1991*]

In June 1991 the Department of Environment Affairs warned that South Africa lost 300m tonnes of soil a year through soil erosion.¹²⁷ [¹²⁷ *Business Day 5 June 1991, The Star 29 May 1991*] The department said that:

- soil erosion was caused by development damaging wetlands and catchment areas;¹²⁸ [¹²⁸ *The Star 5 June 1991*]
- canalisation of water in urban areas increased the velocity of the water downstream, which created washaways and facilitated soil erosion;
- bush encroachment had made 3m hectares of bushveld in the north-western Karoo (Cape province) useless for farming or grazing by domestic livestock. The Karoo was believed to have advanced by 70km in the previous 20 years;¹²⁹ [¹²⁹ Huntley, Siegfried, Sunter C, *South African Environments into the 21st Century*, Hinman and Tousseau, Tafelberg, 1989, p40] and
- Only 10% of South Africa's once lush savannah was considered undamaged by erosion.¹³⁰ [¹³⁰ *Ibid; The Star 5 June 1991*]

THE ECONOMY

Key Points

- Real economic growth in 1990 was -0,9%. The Bureau for Economic Research at the University of Stellenbosch estimated a rate of 0,5% or less in 1991, top South African businessmen predicting close to zero growth for the year.
- The inflation rate for 1990 was 14,4%, compared with 14,7% the year before. A rate of 15,2% was projected for 1991 by *Econovision*.
- The annual rate of increase in the producer price index was 12,3% in 1990, compared with 15,2% in 1989. *Econovision's* estimate for 1991 was 11,6%.
- The prime overdraft rate in 1990 was 21%. In April 1991 it dropped to 20%, but it increased to 20,25% in October.

- The surplus on the current account of the balance of payments in 1990 was R5,8bn, compared with R3,1bn in 1989. The South African Reserve Bank estimated that the 1991 figure would be R6bn or more.
- Net capital outflow in 1990 was R2,9bn, compared with R4,3bn in 1989 and R1,4bn between January and September 1991.
- Total net foreign exchange reserves rose by R2,9bn in 1990, compared with a decline of R1,2bn the previous year. A rise of R3bn was forecast by *Econovision* for 1991.
- The average price of gold was \$384 per fine ounce in 1990, compared with \$382 in 1989. *Econovision* projected an average of \$362 for 1991.
- The nominal external value of the commercial rand was 38,6 American cents in 1990, compared with 38,1 in 1989. *Econovision* projected an exchange rate of 36,1 American cents for 1991.
- Real prime rate in 1990 was 5,56%, the highest since 1984. In September 1991 it was 4%.
- According to the South African Chamber of Business, the business confidence index dropped from 95,7 in 1989 to 92,3 in 1990 to an average of 87,9 between January and November 1991.
- Real gross domestic product (GDP) per head in 1989 (at R3 320) was 11% lower than in 1975 (at R3 740). Real GDP per head has declined since 1987 by an average of 1,5% a year.

Macro-economic picture

Growth rate

According to the Central Statistical Service (CSS), real economic growth as measured by gross domestic product (GDP) at constant 1985 market prices was -0,9% in 1990, compared with increases of 2,1% in 1989 and 4,1% in 1988. The CSS attributed this decrease in growth to declines in the agricultural, mining and manufacturing sectors.¹ [¹ Central Statistical Service (CSS), *Gross domestic product at constant 1985 prices - fourth quarter 1990*, Statistical News Release, P0441, February 1991] GDP per capita fell by about 3% in 1990 after having been unchanged in 1989.² [² Department of Finance, *Budget Review*, 20 March 1991]

The CSS also provided the following figures for GDP at constant 1985 market prices: 1988, R131bn; 1989, R134bn; and 1990, R132bn. The following table gives GDP at 1985 prices at five-year intervals

from 1950 to 1989. (Figures include the 'independent' homelands, and Namibia is included until 1984.)³
 [3 CSS, *South African Statistics 1990*]

Real gross domestic product at factor incomes: 1950-1989

Year

GDP

GDP per capita

Rm

R

1950

28 391

2 035

1955

35 935

2 287

1960

43 844

2 477

1965

59 920

3 028

1970

77 774

3 410

1975

94 813

3 740

1980

108 294

3 555

1985

112 447

3 336

1989

121 790

3 320

Real GDP per capita in 1989 was thus 11% lower than in 1975. The 1991 *Budget Review*, published by the Department of Finance, forecast a further fall in GDP in 1991. This projection was based on the expected slowdown in world economic growth, unfavourable domestic agricultural prospects, a fall in international commodity prices and a lower gold price. However, the Department of Finance said that declining foreign debt ratios, increases in gold and foreign reserves, a more stable exchange rate, and improved political and economic relations with overseas trading partners and international agencies such as the International Monetary Fund meant improved long-term prospects for economic growth.⁴ [4

Department of Finance, *Budget Review*, 20 March 1991, pl.11-1.12.] In the third quarter of 1991 the economy grew by 0,5%, primarily because of growth in the agricultural sector, thus ending seven consecutive quarters of contraction. First National Bank believed that economic recovery was being fuelled by government spending and strong performances in the export and agricultural

The governor of the South African Reserve Bank, Dr Chris Stals, said at an economics conference in Italy in April 1991 that South Africa would plunge into ungovernability by 1996 if the annual growth rate remained at around 1% while the population increased by 2,5% each year. Furthermore, he said, a high growth rate could not be achieved until certain conditions had been met. In his view these were that the political uncertainty which inhibited business confidence both locally and internationally should disappear, that social unrest should be addressed and that international sanctions should be lifted.⁶ [6 Valentine S, 'Breaking the deadlock'. *Democracy in Action*, April/May 1991, pi] Dr Stals also argued that the low growth rate could be the 'third force' which encouraged violence in the townships (see chapter on *Political Developments*).⁷ [7 *Business Day* 11 April 1991]

At the same conference, Dr Japie Jacobs, the special adviser to the minister of finance, said that a growth rate of at least 4% was needed to maintain the status quo in employment without the loss of more jobs.⁸ [8 Valentine S, 'Breaking the deadlock', p4]

Dr Stals said in October 1991 that real GDP could increase by between 1% and 2% in 1992.⁹ [9 *Business Day* 1 November 1991] Dr Jacobs said in the same month that net savings available for productive investment and the financing of socio-economic infrastructure were inadequate to finance a growth rate higher than 2,5% a year.¹⁰ [10 *The Star* 29 October 1991]

The Bureau for Economic Research (BER) at the University of Stellenbosch forecast in April 1991 that the growth rate for 1991 would not exceed 0,5% in real terms.¹¹ [11 University of Stellenbosch, Bureau for Economic Research, *Economic Prospects*, vol 6 no 1, 1991] A publication by the Bureau of Market Research of the University of South Africa reported in February 1991 that executives of the top 100 industrial companies listed on the Johannesburg Stock Exchange predicted a growth rate of close to zero for 1991.¹² [12 *The Natal Witness* 7 February 1991]

The chief economist of Sanlam, Mr Johan Louw, said in May 1991 that although 1991 would probably show no growth, conditions were currently being created for higher economic growth in 1992. He predicted that in the period from 1992 to 1994 the country could attain an average growth rate of 3% a year because of the easing of sanctions and possible readmission to international financial markets.¹³ [13 *The Citizen* 24 May 1991] The BER predicted a growth rate of 2,6% in 1992.¹⁴ [14 *Saturday Star* 25 May 1991]

In a discussion document on wages and employment published in May 1991 the African National Congress stated that South Africa would need a growth rate of 9% every year until 2010 in order to

provide jobs for all the people entering the labour market.¹⁵ [¹⁵ *Business Day* 21 May 1991] The chairman of the Anglo American Corporation of South Africa, Mr Julian Ogilvie Thompson, said in July 1991 that he believed that six years of annual growth at 5% would create jobs in the formal and informal economy for 2,5m people, as well as generate an additional R55bn in revenue for social investment.¹⁶ [¹⁶ Anglo American Corporation of South Africa, chairman's statement, 1991]

Employment

During the latter part of the 1980s the ability of the formal economy to create additional employment opportunities deteriorated. According to the reserve bank, the rate of increase in total non-agricultural employment slowed from 1,5% in 1988 to 0,7% in 1989. In 1990 non-agricultural employment declined by 0,4%. Furthermore, the labour absorption capacity of the economy declined from an average of 97% in the 1960s to only 22% in the 1980s and 7% between 1985 and 1990.¹⁷ [¹⁷ South African Reserve Bank, *Quarterly Bulletin*, September 1991]

Balance of payments

The surplus on the current account of the balance of payments for 1990 was R5,8bn. This was the third largest current account surplus since the 1986 and 1987 surpluses of R6,1bn and R6bn respectively. According to the South African Reserve Bank, the cumulative current account surplus from 1985 to 1990 amounted to R28,8bn or 2,6% of nominal GDP over the six-year period. The current account surplus in the second quarter of 1991 was R6,2bn, compared with R3,6bn in the same period in 1990.¹⁸ [¹⁸ *Ibid*] Sanlam expected that the surplus on the current account in 1991 would be between R4bn and R5bn.¹⁹ [¹⁹ Sanlam, *Economic Survey*, August 1991] Amalgamated Banks of South Africa expected the surplus to be about R5bn in 1991 and R4bn in 1992.²⁰ [²⁰ Amalgamated Banks of South Africa, *Quarterly Economic Monitor*, October 1991]

According to Bankorp, the next domestic economic upswing, which was expected to start around mid 1992, would bring an increase in fixed investment spending. If net private saving continued to be fully absorbed by government borrowing at that stage, it would result in a balance of payments deficit, falling foreign exchange reserves and strong upward pressure on interest rates.²¹ [²¹ Bankorp, *Econovision*, May 1991]

The net capital outflow for 1990 was R2,9bn, in comparison with net outflows of R4,3bn in 1989 and R6,2bn in 1988.²² [²² *Quarterly Bulletin*, March 1991] The chief economist of Southern Life, Mr Mike Daley, said in April 1991 that South Africa could record capital inflows in 1991 for the first time in

years.²³ [²³ *The Star* 24 April 1991]

The reserve bank reported in March 1991 that total net foreign exchange reserves rose by R2,9bn in 1990. In 1989 net gold and foreign exchange reserves had declined by R1,2bn and in 1988 by R3,5bn.²⁴ [²⁴ *Quarterly Bulletin*, March 1991] At the end of June 1991 total gross gold and foreign exchange reserves amounted to R8,7bn.²⁵ [²⁵ *Ibid*, September 1991]

South Africa's foreign debt at the end of 1989 was US\$20,6bn (R52,5bn),²⁶ [²⁶ *Ibid*, March 1991, pS-78] compared with foreign debt of \$21,2bn in 1988 and \$22,6bn in 1987. In 1990 South Africa's foreign debt had been reduced to \$ 16,4bn (R49,7bn).²⁷ [²⁷ South African Reserve Bank, Annual Economic Report 1991] The third interim debt arrangements agreement with creditor banks took effect on 1 July 1990. In terms of this agreement a further 3,5% (\$3bn) of the remaining balance of the debt was to be repaid by the end of February 1991. Furthermore, the debt standstill was extended from July 1990 to December 1993.²⁸ [²⁸ Department of Finance, *Budget Review*, 20 March 1991] According to *United Economic Monitor*, foreign debt repayments for 1991 would not be more than \$ 1,6bn. Foreign debt repayments could amount to around \$2bn, but roll-overs could halve these repayments.²⁹ [²⁹ *United Economic Monitor*, no 2, 1991, p10]

In February 1991 the minister of finance, Mr Barend du Plessis, stated that South Africa's foreign debt as a proportion of one year's exports was considerably less than 80%, whereas in other comparable countries of the western world it was more than 250%.³⁰ [³⁰ *Hansard* (joint sitting) 3 col 1459, 21 February 1991]

The gold price

The average United States (US) dollar price of gold was \$384 per fine ounce in 1990, compared with an average price of \$382 in 1989. The average gold price for 1991 (up to 14 November 1991) was \$362 per fine ounce, while gold was fixed in London at \$356 on 14 November 1991.³¹ [³¹ *Business Day* 15 November 1991] The average London gold price from 1965 to 1990 is shown below:³² [³² Figures supplied by the Economics Department of the South African Reserve Bank, 21 June 1991]

Average London gold price: 1965-1990

Year

Price in America

Price in South

dollars

Africa rands ^a

1965

N/A

157,79

1970

35,94

137,27

1975

161,06

401,56

1980

613,07

918,68

1985

317,29

710,63

1990

383,58

487,41

a

The rand price of gold is expressed in real terms with 1985 as the base year

N/A—Not available

Bankorp economists believed that South Africa should expect a temporary decline in the gold price to \$300 per fine ounce in 1992 and 1993, which could seriously undermine prospects for growth.³³ [³³ Bankorp, *Econovision*, May 1991, p7]

According to the 1991 gold survey released by Gold Fields Mineral Services, South African mines suffered high cost increases in 1990 and a sustained drop in the gold price in real terms.³⁴ [³⁴ *Business Day* 22 May 1991]

According to the outgoing president of the Chamber of Mines of South Africa, Mr Clive Knobbs, 1990 was one of the ‘most critical years’ that the South African mining industry had ever had to endure. He said, however, that the declining state of the industry was not a new phenomenon.³⁵ [³⁵ Mr Clive Knobbs, president of the Chamber of Mines of South Africa, presidential address to the 101st annual general meeting of the Chamber of Mines, 18 June 1991] South African gold production as a proportion of gold production in the western world declined throughout the 1980s. Total South African gold production declined from 608 tonnes in 1989 to 605 tonnes in 1990. South African gold production peaked in 1971 at 976 tonnes.³⁶ [³⁶ Chamber of Mines of South Africa, *Statistical Tables*, 1990, p16] It was reported in February 1991 that if 26 marginal mines were to be closed down. South Africa’s total gold output could drop by about 140 tonnes.³⁷ [³⁷ *Sunday Star* 24 February 1991]

Between 1990 and 1991 the gold industry was forced to reduce its labour force by about 50 000. Mr Knobbs said in June 1991 that the possible closure of ten gold mines (which recorded working losses of R75m in 1990) would mean the loss of substantial foreign exchange, the contraction of South Africa’s GDP by an estimated R3,5bn and the loss of 88 000 jobs with the likelihood of an additional 48 000 jobs being lost in service or mining-related industries.³⁸ [³⁸ Mr Clive Knobbs, presidential address to the 101st annual general meeting of the Chamber of Mines, 18 June 1991]

In reply to a question in Parliament in March 1991, the minister of mineral and energy affairs and public enterprises, Dr Dawid de Villiers, said that 14% of South Africa's gold production in 1990 was mined at a loss, which was double the amount mined in 1989 at

Exchange rate

The nominal value of the commercial rand in American cents and the effective exchange rate of the commercial rand against six major currencies from 1970 to 1990 were as follows:⁴⁰ [40 University of Stellenbosch, Bureau for Economic Research, *Trends*, vol 14 no I, March 1991]

Exchange rates: 1970-1990

Year

Value of the rand in American cents

Effective exchange rate ^a

1970

140

131

1971

140

130

1972

129

116

1973

144

123

1974

147

128

1975

135

119

1976

115

108

1977

115

108

1978

115

102

1979

119

100

1980

129

107

1981

114

102

1982

92

88

1983

90

89

1984

68

72

1985

45

49

1986

44

42

1987

49

44

1988

44

37

1989

38

32

1990

39

31

a

Weighted average exchange rate of the rand against the six most important world currencies (British pound, French franc, German mark, Japanese yen, Swiss franc and American dollar) with 1979 index as 100

According to the reserve bank, the effective exchange rate of the commercial rand was 0,7% higher on 28 February 1991 than at its lowest level ever, on 18 September 1989, owing to the rand's appreciation vis-à-vis the US dollar but its depreciation against most other currencies.⁴¹ [⁴¹ *Quarterly Bulletin*, March 1991, pp22-23] The commercial rand trading average for 1990 was 38,6 American cents, lower than the December 1990 figure of 39,5 cents but higher than the average for 1989 of 38,1 cents. Bankorp predicted in May 1991 that the rand would depreciate to an average of 36,6 cents in 1991 and 34,7 cents in 1992.⁴² [⁴² Bankorp, *Econovision* May 1991]

The Financial rand strengthened slightly from 27,9 American cents in 1989 to 29,5 American cents in 1990.⁴³ [⁴³ *Quarterly Bulletin* .March 1991] In August 1991 the financial rand was worth 30,8 American

cents and the commercial rand 34,8 American cents.⁴⁴ [⁴⁴ South African Reserve Bank, *Monthly Release of Selected Statistics*, September 1991] On 14 November 1991 the commercial rand was 35,8 American cents and the financial rand was

The improved position of the financial rand in 1990 was attributed by the reserve bank to the 'improved foreign perceptions of South Africa's socio-political future and prospects of a relaxation of economic sanctions'.⁴⁶ [⁴⁶ *Quarterly Bulletin*, March 1991, p23] During his visit to Europe in April 1991, the state president, Mr F W de Klerk, told British industrialists that as soon as the US lifted sanctions and relations with the International Monetary Fund and the World Bank were normalised. South Africa would revise its policy on the financial rand and exchange controls.⁴⁷ [⁴⁷ *Saturday Star* 27 April 1991]

Inflation rate

The average inflation rate for 1990 as measured by the consumer price index (CPI) was 14,4%, in comparison with an inflation rate of 14,7% in 1989. The inflation rates for the lower-, middle- and higher-income groups in 1990 were as follows: 14,9%, 14,5% and 14,2% respectively.⁴⁸ [⁴⁸ CSS, *Consumer price index - December 1990*, Statistical News Release, P0141.1, 23 January 1991] The year-on-year inflation rates for the lower-, middle- and higher-income groups for March 1991 were 13,2%, 14,4% and 14,5% respectively.⁴⁹ [⁴⁹ CSS, *Consumer price index - March 1991*, Statistical News Release, P0141.1, 23 April 1991]

The year-on-year increase in the food price index for July 1991 was 18,5% for the lower-income group, 17,3% for the middle-income group and 16,5% for the higher-income group.⁵⁰ [⁵⁰ CSS, *Consumer price index - July 1991*, Statistical News Release, P0141.1, 29 August 1991]

The following table shows the fluctuations in the inflation rate, as measured by the CPI, from 1980 to 1990:⁵¹ [⁵¹ CSS, *South African Statistics 1990*]

Inflation rate: 1980-1990

1980

13,8%

1981

15,2%

1982

14,7%

1983

12,4%

1984

11,5%

1985

16,3%

1986

18,6%

1987

16,1%

1988

12,9%

1989

14,7%

1990

14,4%

The annual rate of increase in the production price index (PPI) was 12,3% in 1990, in comparison with

15,2% in 1989 and 13,2% in 1988.⁵² [⁵² *Quarterly Bulletin*, March 1991, pp17-18] The year-on-year increase in the PPI for July 1991 was 12,1%. This was 0,9 percentage points higher than the annual rate of change for Ju

According to the 1991 *Budget Review*, between 1970 and 1989 the South African CPI rose three times as fast as the weighted average index of consumer prices of South Africa's leading trading partners.⁵⁴ [⁵⁴ Department of Finance, *Budget Review*, 20 March 1991, p11] In March 1991 the minister of finance, Mr Barend du Plessis, emphasised that the continuing high inflation rate was a threat to international competitiveness and the creation of a favourable investment climate.⁵⁵ [⁵⁵ *Hansard* (joint sitting) 7 col 3294, 20 March 1991] In October 1991 Dr Stals said that the persistent high inflation rate required the retention of a relatively restrictive monetary policy.⁵⁶ [⁵⁶ *Business Day* 1 November 1991]

The chief economist of Econometrix, Dr Azar Jammine, said in 1990 that from 1946 to 1971 South Africa's average annual inflation rate was 3,1%; from 1972 to 1979, 11,6%; and from 1980 to 1989, 14,7%.⁵⁷ [⁵⁷ Jammine A, 'Monetary and Fiscal Policy', in McGregor A (ed), *McGregor's Economic Alternatives*, Juta, Ksnwyn, 1990, pl03]

The Bureau for Economic Research anticipated in April 1991 that value added tax (VAT) would exert upward pressure on the inflation rate in 1992 as businesses were expected to use the new tax as a justification for increasing prices.⁵⁸ [⁵⁸ University of Stellenbosch, Bureau for Economic Research, *Economic Prospects*, vol 6 no 1 1991, p43] Bankorp predicted an inflation rate of 10% by early 1993, once the initial negative impact of VAT had been overcome.⁵⁹ [⁵⁹ Bankorp, *Econovision*, August 1991]

Interest rates

Interest rates in South Africa between 1970 and 1991 are given below.⁶⁰ [⁶⁰ Figures provided by the Economics Department of the South African Reserve Bank, 13 September 1991]

Interest rates:1970-1991

Prime overdraft

Real interest

Year end

Bank rate ^a

rate ^a

rate ^c

1970

5,5%

8,5%

4,30%

1971

6,5%

9,0%

1,95%

1972

6,0%

8,5%

1,09%

1973

5,5%

8,0%

-1,73%

1974

8,0%

12,0%

-1,87%

1975

9,0%

12,0%

0,62%

1976

9,0%

12,5%

0,92%

1977

8,5%

12,5%

2,03%

1978

7,0%

11,5%

0,14%

1979

7,0%
9,5%
-3,96%
1980
13,5%
9,5%
-5,38%
1981
13,5%
17,0%
2,69%
1982
17,8%
18,0%
3,68%
1983
20,8%
20,0%
8,14%
1984

13,0%
24,0%
9,51%
1985
9,5%
16,5%
-1,67%
1986
9,5%
12,0%
-5,14%
1987
14,5%
12,5%
-1,94%
1988
18,0%
18,0%
4,85%
1989

18,0%

21,0%

4,90%

1990

17,0%

21,0%

5,56%

1991^d

20,0%

N/A

a

Rate at which the reserve bank lends money to banks.

b

Lowest rate charged by banks on overdraft

c

Actual prime overdraft rate once inflation is taken into account

d

Figures for August

The South African Reserve Bank announced in March 1991 that as from 11 March 1991, bank rate would be reduced from 18% to 17%. The governor of the reserve bank, Dr Chris Stals, said, however, that lower interest rates would be announced only if there was visible evidence of a real decline in the rates of increase in the PPI and the CPI.⁶¹ [⁶¹ *Quarterly Bulletin*, March 1991] Economists at United Bank

expected the prime overdraft rate to be 19% by the end of 1991 and 16% to 17% towards the end of 1992.⁶² [⁶² *Economic Monitor*, Third Quarter, 1991]

Johannesburg Stock Exchange

The Johannesburg Stock Exchange (JSE) Actuaries Overall Index started in January 1990 at 3 194,8 but fell to 2 719,7 in December 1990—a decline of 15%.⁶³ [⁶³ Information provided by the Johannesburg Stock Exchange, 26 September 1991] On 3 October 1991 the index closed at 3 372.⁶⁴ [⁶⁴ *The Star* 4 October 1991]

Share trading activity on the JSE for the year 1990, at R23,9bn, represented an increase of 15% on the total turnover of R20,7bn in 1989.⁶⁵ [⁶⁵ 1989/90 *Survey*, p268] Some 2,6bn shares were traded in 1990, in comparison with 2,8bn in 1989.

During 1990, 24 new companies obtained listings on the JSE. The total number of listed companies in 1990 was 793, compared with 839 in 1989.⁶⁶ [⁶⁶ Information provided by Johannesburg Stock Exchange, 26 September 1991]

The reserve bank reported in its annual economic report for 1991 that the largest decline in share prices since the JSE crash of October 1987 (see *1987/88 Survey* pp408-409) was recorded over a two-month period in September and October 1990, and was ascribed to an increase in long-term interest rates and inability of the gold price to exceed \$400 after the Iraqi invasion of Kuwait.⁶⁷ [⁶⁷ South African Reserve Bank, Annual Economic Report, 1991, pp40-42]

Business confidence

The South African Chamber of Business (SACOB) business confidence index for 1990 was 92,3, compared with indices of 95,7 in 1989, 97,5 in 1988, 95,5 in 1987 and 84,3 in 1986. In October 1991 the index was 88 compared with 90 in October 1990, a decline of 2%.⁶⁸ [⁶⁸ South African Chamber of Business (SACOB), *Business Confidence Index*, October 1991]

The chief economist of SACOB, Dr Ben van Rensburg, said in May 1991 that ‘although the business mood remains vulnerable, it is now also being bolstered by the progressive normalisation of South Africa’s external economic relations’.⁶⁹ [⁶⁹ *Business Day* 8 May 1991] However, as long as the political climate continued to be vulnerable, he believed that the business mood would be ‘hostage to developments on the political front’.⁷⁰ [⁷⁰ SACOB, *Business Confidence Index*, July 1991]

Sequestrations and liquidations

According to the Central Statistical Service, 3 041 private individuals and partnerships were declared insolvent in 1990, in comparison with 2 658 in 1989. (The figure for insolvencies in 1989 quoted in the 1989/90 *Survey* was lower than the figure given here, as it was a preliminary estimate.) In 1990, 1 590 companies and close corporations were liquidated, compared with 1573 in 1989.⁷¹ [71 CSS, *Statistics of Liquidations and Insolvencies*, Statistical News Release, 6 May 1991]

Investment

Gross domestic fixed investment (GDFI) (at constant 1985 prices) for various years from 1960 to 1990 was as follows:⁷² [72 South African Reserve Bank, *South Africa's National Accounts, 1946-1990*, June 1991]

Gross domestic fixed investment at constant 1985 prices

Year

GDFI

Annual increase/

Rm

(decrease)

1960

8 691

—

1965

14 074

18%

1970

19 185

14%

1975

27 683

10%

1980

30 487

17%

1985

28 715

(7%)

1986

23 493

(18%)

1987

22 929

(2%)

1988

24 977

9%

1989

26 330

5%

1990

25 961

(1%)

The reserve bank's annual economic report for 1991 stated that GDFI as a proportion of gross domestic product (GDP) had declined from 27% in 1982 to 20% in 1990.⁷³ [⁷³ South African Reserve Bank, Annual Economic Report, 1991, p13] In May 1991 Bankorp projected a shrinkage in fixed investment of 3,9% in 1991 and no growth in 1992, primarily because of destocking and the shortage of domestic saving. Fixed investment was necessary to sustain economic growth and job creation. However, according to economists at Bankorp, there was not enough saving in 1991 to finance new fixed investment.⁷⁴ [⁷⁴ Bankorp, *Econovision*, May 1991]

The ratio of gross domestic saving to GDP decreased from 25% in 1985 to 22% in 1990. The reserve bank ascribed the low level of private sector saving to the low growth of company earnings, the rising number of company liquidations and socio-economic conditions which discouraged companies from ploughing back large amounts of surplus funds int

Trade

South African exports (including gold) totalled R60,6bn in 1990, which represented an increase of only 3,1% on exports in 1989. The low increase indicated South Africa's weakening export position in 1990, particularly in commodities such as agricultural products and base metals. This was primarily attributed to the low gold price and exchange rate as well as the global recession. Total imports declined by 1,1% between 1989 and 1990, to R44,2bn. The total trade surplus in 1990 was R16,4bn or 17% more than the trade surplus in 1989.⁷⁶ [⁷⁶ Natal Chamber of Industries, *Chamber News*, no 4, 25 February 1991]

West Germany remained South Africa's top trading partner in 1990, with bilateral trade of \$4,8bn. Trade with Japan in 1990 was \$3,3bn. Total trade with the United Kingdom amounted to \$3,9bn in

1990, while trade with the United States (US) totalled \$3,4bn in the same year.⁷⁷ [⁷⁷ *Financial Mail* 22 March 1991]

According to the minister of trade and industry and tourism, Mr Kent Durr, 60% of the gross national product (GNP) of South Africa in 1990 was generated by imports and exports. This made South Africa one of the most open economies in the world, he said.⁷⁸ [⁷⁸ *Hansard* (A) 6 col 2845, 13 March 1991]

A study by the South African Foreign Trade Organisation (SAFTO) in 1991 argued that the lack of competitive pricing for South Africa's products on world markets, rather than sanctions, was the major obstacle to export growth. The chief executive of SAFTO, Mr Wim Holtes, said in May 1991 that he believed that South Africa's real earnings from exports would remain static in 1991 but grow by about 3% in 1992. He said that this projection was based on the expected economic improvement in the West and the strengthening of commodity prices. Mr Holtes also expected the removal of sanctions, greater commitment to exports and the slackening off of local demand to encourage export growth in 1992.⁷⁹ [⁷⁹ *Business Day* 6 May 1991]

In 1989 African countries imported R3bn worth of goods from South Africa. In 1990, following the reform initiatives of the state president, Mr F W de Klerk, exports to Africa soared to R5,5bn.⁸⁰ [⁸⁰ *SACOB Review*, First Quarter, 1991] The deputy director general of SACOB, Mr Ron Haywood, said in January 1991 that the 'potential mutual benefits [of economic co-operation with Africa] are immense, not only in trade volumes but also from pooling hi-tech know-how and all sorts of services, from power grids and water systems to medical and agricultural services'.⁸¹ [⁸¹ *The Star* 11 January 1991]

The deputy director general of foreign affairs, Mr Rusty Evans, said in March 1991 that total trade with Africa could increase to R10bn in 1991.⁸² [⁸² *Business Day* 15 March 1991]

Although the Organisation of African Unity (OAU) decided at a meeting of African leaders held in Abuja (Nigeria) in June 1991 to retain sanctions, many African countries developed trade and diplomatic relations with South Africa during 1991. The visit to Kenya by Mr De Klerk in the same month was expected to establish the groundwork for increased trade with that country. During his visit, Mr De Klerk proposed that Africa be divided into a network of four trade blocs, with Egypt, Kenya, Nigeria and South Africa as the leaders of the four trading regions.⁸³ [⁸³ *Sowetan* 10 June 1991]

According to the Department of Foreign Affairs, the only African states with which South Africa did not trade in 1990 were Djibouti and Equatorial Guinea.⁸⁴ [⁸⁴ *The Citizen* 8 June 1991] However, in June 1991 the minister of foreign affairs, Mr R F (Pik) Botha, said that Libya was the only country with which

South Africa did not trade.⁸⁵ [⁸⁵ *The Star* 10 June 1991]

In the same month Mr Botha revealed that Zimbabwe had requested 'most favoured nation' status in a renewed trade pact with South Africa. In 1990 trade between the two countries amounted to R1bn.⁸⁶ [⁸⁶ *Business Day* 7 June 1991]

In 1991 representatives from Angola, Burundi, Cape Verde, the Congo, Gabon, Ghana, Guinea-Bissau, Ivory Coast, Madagascar, Mozambique, Nigeria, Rwanda, Senegal, Togo and Zaire, as well as a delegation from the African Development Bank, visited South Africa.⁸⁷ [⁸⁷ Ibid 6 March 1991, *The Star* 25 March 1991] Representatives of 14 African states met South African officials in Swaziland in March 1991 to discuss the possibility of a sub-Saharan preferential trade bloc.⁸⁸ [⁸⁸ *The Citizen* 26 February 1991, *The Star* 19 March 1991]

Economic sanctions

The economic sanctions imposed on South Africa fell into two broad categories: trade, and financial sanctions. According to the chairman of the Anglo American Corporation of South Africa (Anglo), Mr Julian Ogilvie Thompson, trade and financial sanctions since 1985 had compelled South Africa to restrict its growth rate to 2% a year or less, in order to finance international debt repayments amounting to R21bn. He maintained that resumption of trade credits and capital inflows could raise the growth rate to between 4% and 5%.⁸⁹ [⁸⁹ Anglo American Corporation of South Africa, chairman's statement, 1990, p6]

According to the Investor Responsibility Research Center (IRRC), 137 US companies still had direct investment or employee ties in South Africa or Namibia in March 1991 while 177 had non-equity links. Between January 1986 and March 1990, 154 US companies withdrew from South Africa, while a further 23 companies withdrew direct investments between March 1990 and March 1991.⁹⁰ [⁹⁰ Investor Responsibility Research Center, *US Business in South Africa 1990-*, South Africa Review Service, *US Business Directory Update*, March 1991]

In May 1991 there were 462 non-American international companies with direct investment or employees in South Africa, compared with 433 in November 1990, while 147 international companies had non-equity links, compared with 134 in November 1990. Furthermore, 153 non-American international companies had disinvested between January 1984 and November 1990. The year of disinvestment of an additional 28 companies was unknown.⁹¹ [⁹¹ Investor Responsibility Research Center, *International Business in South Africa 1990-*, South Africa Review Service, *International Directory Update*, May 1991] Hungary, Poland and Romania established trade links with South Africa in late 1990 and Bulgaria sent a trade

mission to South Africa in November 1990.⁹² [⁹² *South Africa Foundation Review*, November 1990; December 1990] Czechoslovakia announced in February 1991 that it had lifted sanctions against South Africa.⁹³ [⁹³ *The Citizen* 1 February 1991]

At the summit of the European Community (EC) in Rome (Italy) in December 1990, the 12 member states lifted the voluntary ban on new investment in South Africa which they had imposed in 1986. In April 1991 the foreign ministers of the EC decided at a meeting in Luxembourg to lift the trade ban on Krugerrands, and on iron and steel imports.⁹⁴ [⁹⁴ *Ibid* 16 April 1991, *Business Day* 16 April 1991] At the meeting the United Kingdom recommended that the international community should also consider lifting the sports boycott and the crude oil embargo which had been adopted by the EC in 1985.⁹⁵ [⁹⁵ *The Citizen* 16 April 1991] While all 12 member governments approved the lifting of these sanctions, the Danish government's coalition partners blocked passage of legislation to allow the lifting of sanctions, effectively preventing the EC from implementing the decision.⁹⁶ [⁹⁶ *Business Day* 30 April 1991] However, an EC office was opened in Pretoria in February 1991.⁹⁷ [⁹⁷ *The Citizen* 19 February 1991]

The deputy director of economic information in the Department of Finance, Mr Fred Brown, said in February 1991 that 50 South African companies had registered as consultants with the International Bank for Reconstruction and Development (World Bank) so that they could tender for business on bank-financed projects in southern Africa, worth about R3,5bn each year.⁹⁸ [⁹⁸ *Business Day* 25 February 1991] The managing director of the International Monetary Fund (IMF), Mr Michel Camdessus, met South African government and reserve bank officials in February 1991. The governor of the reserve bank, Dr Chris Stals, said afterwards that while South Africa would probably not qualify for IMF loans because it had no balance of payments problems, lenders will feel much more comfortable with their exposure in South Africa if they know we have such a backstop facility [and] that we can go back to the IMF like any other country and apply for assistance if we do run into a balance of payments problem'.⁹⁹ [⁹⁹ *The Citizen* 19 February 1991]

At a summit meeting in Lusaka (Zambia) in May 1991 the frontline states urged continued sanctions against South Africa until apartheid was eliminated and appealed to African countries to refrain from establishing trade missions until all discriminatory legislation was repealed.¹⁰⁰ [¹⁰⁰ *The Star* 13 May 1991]

However, the OAU relaxed its stance on sanctions at its summit meeting in Abuja (Nigeria) in June 1991 when it resolved that 'should the South African government adopt measures which lead to positive, profound and irreversible change towards the abolition of apartheid, we commit ourselves to review the question of sanctions with a view to readmitting South Africa into the international community'. The

decision on easing sanctions was left to the chairman of the OAU and the president of Nigeria, General Ibrahim Babangida, and the OAU special committee on South Africa.¹⁰¹ [¹⁰¹ *Business Day* 6 June 1991] However, the OAU ad-hoc committee on southern Africa agreed at its meeting in Abuja in July 1991 to maintain sanctions and other forms of pressure on South Africa until apartheid had been completely abolished.¹⁰² [¹⁰² *The Citizen* 31 July 1991]

In July 1991 Title 3 of the Comprehensive Anti-Apartheid Act (CAAA) of 1986 (which imposed economic sanctions against South Africa) was lifted by the president of the US, Mr George Bush, as the South African government had met all five conditions stipulated in the act. The sanctions lifted included embargoes on new US investment in South Africa and the importation into the US of South African agricultural products, iron, products of parastatal organisations, steel, textiles and uranium.¹⁰³ [¹⁰³ *Business Day* 11 July 1991] The Rangel Amendment, which had imposed double taxation on US firms in South Africa, was also terminated with the removal of the CAAA, as required by US legislation.¹⁰⁴ [¹⁰⁴ *The Weekly Mail* 12 July 1991]

While the lifting of sanctions in terms of the CAAA was welcomed by the South African government, the African National Congress said that it regarded it as premature.¹⁰⁵ [¹⁰⁵ *Business Day* 11 July 1991] The chief economist of Anglo, Mr Jim Buys, said that the lifting of the CAAA bans would boost business confidence, but that it would have very little immediate effect on trade flows.¹⁰⁶ [¹⁰⁶ *The Citizen* 11 July 1991] US sanctions which remained in place after July 1991 included the arms embargo, the Gramm Amendment of 1983, which prohibited US representatives from approving IMF loans to South Africa, and the Evans Amendment, which prohibited loans and guarantees from the US Export Import Bank for exports to businesses in South Africa which were not owned by blacks.¹⁰⁷ [¹⁰⁷ *Business Day* 11 July 1991]

A senior analyst at the IRRC, Ms W W Schneidman, said in an article in the *South Africa Foundation Review* in May 1991 that many anti-apartheid laws at local government level in the US would prevent large-scale new US investment in South Africa. 'According to the IRRC's surveys, 85 cities, 22 counties and 26 states currently have some type of sanction in place. These include bans on investing in companies with interests in South Africa, restrictions against using financial institutions that facilitate commercial transactions with South Africa and a prohibition on the purchase of goods of South African origin,' Ms Schneidman said.¹⁰⁸ [¹⁰⁸ Schneidman W W, 'Local sanctions legislation in the United States', *South Africa Foundation Review*, May 1991, ppl-2]

Protocols establishing trade pacts were signed in July 1991 between the Chamber of Commerce and Industry of the Soviet Union, and the Afrikaanse Handelsinstituut, the Chamber of Mines of South Africa, the National African Federated Chamber of Commerce and Industry, the South African Chamber

of Business and SAFTO.¹⁰⁹ [¹⁰⁹ *The Citizen* 24 July 1991]

Monetary policy

The short-term goals of monetary policy were summed up by Dr Stals in August 1990 as being:¹¹⁰ [¹¹⁰ Department of Finance, Budget *Review*, 20 March 1991]

- a reduction in the inflation rate to bring it in line with the average inflation rates of South Africa's trading partners;
- management of the process of money creation so that a sufficient but not excessive quantity of money was provided;
- the maintenance of positive real interest rates;
- the rebuilding of gold and other foreign reserves; and
- the development of a dependable financial infrastructure consisting of sound financial institutions.

In 1989 the seasonally adjusted broad money supply (M3) increased by 22,4%, exceeding the reserve bank's target range of a growth rate of between 14% and 18% during the year. In 1990 the seasonally adjusted growth in M3 was 12%. This was within the target range of 11%-15% for M3 growth for this period, which had been determined by the bank in March 1990.¹¹¹ [¹¹¹ *Quarterly Bulletin*, March 1991]

The restrictive monetary policy which the reserve bank had embarked upon in 1988 required relatively high interest rates (see *1988/89 Survey* p332). The reserve bank said in March 1991 that the decline in M3 in 1990 had not had a significant effect on inflation, although it had contributed to a reduction in underlying inflationary pressures. The bank set a target range of 8%-12% for growth in M3 between the fourth quarter of 1990 and the fourth quarter of 1991. In March 1991 the bank said that the reduced guidelines should be 'conducive to a meaningful reduction in the rate of inflation during 1991, but also provide for modest growth in real economic activities and for some further increase in the country's net gold and foreign exchange reserves'.¹¹² [¹¹² *Ibid*, p39]

A statement issued by Dr Stals in March 1991 emphasised the bank's commitment to a 'policy of financial stability with the predominant objective of protecting the internal and external value of the rand. In compliance with this mission, the current relatively high rate of inflation must be reduced, albeit gradually over the next few years'.¹¹³ [¹¹³ *Ibid*, p37]

The medium- and long-term monetary policy objectives of the reserve bank were defined in March 1991 as being the attainment of:¹¹⁴ [¹¹⁴ Department of Finance, *Budget Review*, 20 March 1991]

- a reasonable return on savings;
- a solution to the foreign debt problem;
- a simplification of the existing system of exchange control; and
- the productive use of all the country's resources.

Fiscal policy

The 1991 *Budget Review*, published in March 1991, announced that in harmony with monetary policy, fiscal policy in the 1991/92 financial year would continue to 'promote a stable economic and financial environment'. The *Review* said that fiscal discipline was a precondition for attaining economic growth and lowering the inflation rate. The publication stated that the relative success of the government's fiscal policy was evident in the fact that state expenditure rose by only 14,1% in 1990, a figure slightly less than the inflation rate. The *Budget Review* added that it was important that fiscal and monetary discipline establish a base for the emergence of a favourable investment climate for both local and overseas capital.¹¹⁵ [¹¹⁵ *Ibid*] In his opening speech to Parliament in February 1991, the state president, Mr F W de Klerk, emphasised that unless the economy redressed the problems of poverty and unemployment, constitutional reforms would be ineffectual. He added that the following conditions were necessary to ensure jobs and growth:¹¹⁶ [¹¹⁶ *Hansard* (joint sitting) 1 cols 16-19, 1 February 1991]

- the encouragement of private sector development;
- a reduction in the state's economic involvement; and
- the orientation of government policy towards the fullest utilisation of national resources. This would include an export-oriented strategy, involving limited protection of domestic industry and aimed at maximum productivity and cost-effectiveness.

The minister of finance, Mr Barend du Plessis, said in his budget speech in March 1991 that 'macro-economic stabilisation policy has to continue to reinforce the longer-term economic restructuring objectives' which had been set out in the 1990 budget speech.¹¹⁷ [¹¹⁷ *Hansard* (joint sitting) 7 col 3295, 20 March 1991] Reform of the tax system was seen as contributing to the realisation of these objectives. The

Budget Review stated that the tax policy would be 'aimed at the promotion of long-term economic growth rather than at contra-cyclical measures'.¹¹⁸ [118 Department of Finance, *Budget Review*, 20 March 1991] Mr Du Plessis said that 'the total tax burden must under no circumstances be higher than that critical ceiling above which economic growth withers'.¹¹⁹ [119 *Hansard* (joint sitting) 7 col 3288, 20 March 1991] The tax reforms announced would place strict controls on the expansion of state spending. Special attention would be given to:¹²⁰ [120 Department of Finance, *Budget Review*, 20 March 1991, p 3.1-3.2]

- the 'adjustment' of the government's share in the provision of services that could more effectively be provided by the private sector;
- the implementation of certain structural adjustments regarding state expenditure, to promote income generation and a better distribution of the benefits of economic growth through the pursuit of equal opportunities for all;
- a shift in state spending to expenditure on social services;
- the attainment of more efficient and stable state spending; and
- the achievement of progress with corporatisation, privatisation, deregulation and the creation of structures that would ensure greater participation in the market economy and a broadening of the tax base.

Mini-budget

Mr Du Plessis tabled an additional appropriation bill (or mini-budget) in Parliament in February 1991, to finance the requirements of the central government and the four provinces for the financial year ending 31 March 1991. The mini-budget for 1991 is given below:¹²¹ [121 Additional Appropriation Bill, B75-91]

Mini-budget: 1991

Rm

General affairs

1 925

House of Assembly

63

House of Delegates

2

House of Representatives

20

Cape provincial administration

371

Natal provincial administration

177

OFS ^a provincial administration

41

Transvaal provincial administration

306

Total ^b

2 904

a

Orange Free State

b

Rounded; figures may, therefore, n

The main budget

The theme of the 1991/92 budget was 'Equity through growth and stability'. Mr Du Plessis stated in his budget speech in Parliament in March 1991 that the government believed that 'the means to securing justice for all lies in the process of purposive even-handed treatment, alike in the political, social and economic fields'. He emphasised that the private sector would have an increasingly important socio-economic role to play, because only it could ensure long-term prosperity.¹²² [¹²² *Hansard* (joint sitting) 7 cols 3287-3292, 20 March 1991] Mr Du Plessis said that the budget aimed to encourage the private sector to stimulate investment and economic growth which would in turn create jobs and contribute to socio-economic upliftment. He recommended that the private sector assist by:¹²³ [¹²³ *Hansard* (joint sitting) 7 cols 3292-3309, 20 March 1991]

- contributing to poverty relief;
- ensuring maximum linkage between relief schemes and work creation activities;
- providing R75m in funding to the Small Business Development Corporation (SBDC) of the corporation's total budget of R 150m: and
- (in the case of savings institutions) investing funds in socio-economic upliftment through the Development Bank of Southern Africa, the Industrial Development Corporation and the SBDC.

The budgeted allocations of expenditure according to functional classification for the 1990/91 and 1991/92 financial years are given in the table below:¹²⁴ [¹²⁴ Department of Finance, *Budget Review*, 20 March 1991]

The national budget ^a

Functional classification

1990/91

1991/92

Rm

Rm

Economic services

Agriculture, forestry and sea fisheries

Subsidies on agricultural products

160

—

Other

1 348

1 522

Construction

—

61

Development bank of South Africa

300

18

Export trade promotion

929

1 412

Fuel and energy

180

139

Manufacturing

768

756

Mining

374

358

Other economic services

864

955

Regional development

942

966

State water schemes and other water services

500

523

Transport and communication

3 528

3 414

Subtotal: ^b Economic Services

9 882

10 062

General services

Foreign affairs

'Independent' homelands

3 348

4 308

Other

611

737

General administration

4 300

5 000

General research

388

401

Subtotal: ^b General Services

8 646

10 440

Protection services

Defence

10 607

9 757

Law court

570

648

Police

3 752

5 102

Prisons

1 099

1 448

Subtotal: ^b Protect

The national budget ^a (continued)

1990/91

1991/92

Rm

Rm

Social Services

Education

Preprimary, primary and secondary

11 540

12 407

Tertiary

2 326

2 539

Health

7 508

8 175

Housing

1 208

1 086

Other

1 100

1 033

Recreation and culture

358

359

Social security and welfare

4 877

5 477

Subtotal: ^b Social services

Unallocatable

Capita expenditure

167

60

Cost of state debt

Cost of raising loans

602

523

Interest on state debt

11 700

12 902

Provincial administration and other

general government bodies and funds

246

483

Remuneration of employees

3 506

2 905

Subtotal: ^b Unallocatable

15 621

16 351

Subtotal: Government enterprises ^c

84

114

Total ^b

79 178

8 99

Financed from non-central

government source

(4 198)

(3 369)

Estimated savings

250

—

Total estimated expenditure ^b

74 731

81 630

a

Figures for 1990/91 are final estimated, while figures 1991/92 are initial estimates.

b

Rounded; figures may, therefore, not add up

c

These include boring services, government printing works, public

The *Budget Review* said that taking into account the revised expenditure level for the 1990/91 financial year of R74,73bn, the estimated deficit before borrowing was R7,35bn or 2,7% of gross domestic product (GDP). This was lower than the figure of 2,8% budgeted in March 1990.¹²⁵ [¹²⁵ *Ibid*, p4.7] The 1990/91 deficit before borrowing compared unfavourably with the deficit before borrowing in 1989/90 (which was 1,5% of GDP) but favourably with the 1988/89 figure (4,4%) and the 1987/88 figure (6%).¹²⁶ [¹²⁶ 1989/90 *Survey*, p276] Mr Du Plessis said that the deficit before borrowing in 1991/92 would constitute 3,4% of estimated GDP if both the supplementary budget proposal and the contingency reserve were to be included. However, he added, R1bn of the deficit would be financed from the selling of strategic stockpiles of oil and from the 1990/91 surplus after borrowing. This was expected to reduce the deficit to 3% of the GDP.¹²⁷ [¹²⁷ *Hansard* (joint sitting) 7 cols 3321-3322, 20 March 1991]

The printed estimate of revenue for 1991/92 provided for a total tax revenue of R76,7bn, 14% higher than the revised estimate for 1990/91.¹²⁸ [¹²⁸ *Ibid* cols 3299-3300, 20 March 1991]

In terms of the budget proposals of March 1991, government spending was to increase by 13,7% in 1991/92. According to Sanlam, this would show practically no change in real terms over expenditure in 1990/91, and consequently have little impact on economic growth. However, Sanlam said that 'the rearrangement of expenditure priorities should contribute to more balanced growth in due course'. It added that the 1991/92 budget emphasised the 'government's commitment to financial discipline, the introduction of essential changes to the system of taxation and the welfare of the disadvantaged'.¹²⁹ [¹²⁹ Sanlam, *Economic Survey*, March 1991]

The *Financial Mail* described the budget as 'both redistributive (at the expense of basically white taxpayers) and stimulatory (through concessions to the corporate, rather than individual, sector)'.¹³⁰ [¹³⁰ *Financial Mail* 22 March 1991] Dr Gad Ariovich, the chief economist of Fergusson Brothers (a stock brokerage), said that the proportion of South Africa's social expenditure was already among the world's highest. However, expenditure on education, health care, housing and social security was used ineffectively and inefficiently which meant that the final outcome was 'not very impressive' by international standards.¹³¹ [¹³¹ *Business Day* 20 March 1991]

In March 1990 a fund of R1bn was set up by the government to eliminate capital backlogs in education and to acquire land for African urbanisation (see 1989/90 *Survey* p278). Only R319m of this fund was utilised in the 1990/91 financial year. The 1991 *Budget Review* stated that the unspent R681m would be fully utilised during 1991/92. In March 1991 an additional R269m was allocated to the fund, to be spent

on capital projects involving education, health, police and the purchasing of land for African housing.¹³²
[¹³² Department of Finance, *Budget Review*, 20 March 1991]

In March 1991 Mr De Klerk, announced the creation of a Department of State Expenditure to control all state spending. The new department would be responsible for all of the socio-economic expenditure announced in the 1991/92 budget, giving it a significant role in the process of developing a new South Africa.¹³³ [¹³³ *The Citizen* 28 March 1991]

Subsidiary budgets

The main budget provided funds for own affairs administrations and for all ten homelands. The votes in the 1991/92 main budget for the three own affairs houses were broken down as follows:¹³⁴ [¹³⁴

Administration: House of Assembly, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1991*, RP6-1990; *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1992*, RP6-1991; Administration: House of Delegates, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1991*, RP12-1990; *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1992*, RP12-1991; Administration: House of Representatives, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1991*, RP9-1990; *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1992*, RP9-1991]

House of Assembly budget ^a

1990/91

1991/91

Rm

Rm

Chairman of the minister's council

4

3

Agricultural development

666

674

Education and culture

5 324

5 846

Local government, housing and works

332

378

Budgetary and auxiliary services

42

50

Improvement of conditions of services

251

435

Welfare

1 088

1 222

Health services

433

512

Total ^b

8 138

9 120

House of Delegates budget ^a

1990/91

1991/92

Rm

Rm

Budgetary and auxiliary services

23

27

Local government, housing and agriculture

168

170

Education and culture

736

894

Health services and welfare

249

293

Improvement of conditions of services

43

75

Total ^b

1 219

1 459

House of Representatives budget ^a

1990/91

1991/92

Rm

Rm

Budgetary and auxiliary services

109

94

Local government, housing and agriculture

307

321

Education and culture

1 873

2 032

Health services and welfare

981

1 143

Improvement of conditions of services

115

211

Total ^b

3 386

3 801

a

Figures for 1990/91 and 1991/92 are initial estimates

b

Rounded; figure

The ten homelands budgeted for total expenditure of nearly R15bn in 1990/91, a 23% increase on 1989/90. Homeland spending is financed partly from internally generated revenue and partly by the central government. At the time of writing, the homeland budgets for 1991/92 were not all available, but the table below compares the homeland budgets of 1989/90 and 1990/91:¹³⁵ [¹³⁵ Various homeland estimates of expenditure for 1989/90 and 1990/91]

Homeland budgets

1989/90

1990/91

Incease

R

R

Bophuthatswana

2 309 219 000

2 791 914 000

21%

Ciskei

1 312 231 000

1 578 616 000

20%

Gazankulu

668 469 000

752 8774 000

13%

KaNgwane

323 273 730

415 402 938

28%

KwaNdebele

298 799 000

353 549 000

18%

KwaZulu

2 415 337 800

2 819 496 900

17%

Lebowa

1 311 582 000

1 515 458 000

16%

QwaQwa

393 775 000

460 985 000

17%

Transkei

2 308 714 000

3 271 738 000

42%

Venda

776 054 800

974 001 400

26%

Total

12 1177 455 330

14 934 035 237

23%

The substantial increase in the Transkei budget in the 1990/91 financial year was due to increase among others in spending on: the military council (130%), transport (89%), prisons (83%), and defence (66%).

Revenue allocated to the various subsidiary legislatures from the national budget 1990/91 was as follows:

Grant from central government to various legislatures: 1990/91 ^a

R

House of Assembly

8 138 338 000

House of Delegates

1 218 634 000

House of Representatives

3 385 869 000

Bophuthatswana

607 374 000

Ciskei

745 000 000

Gazankulu

598 511 000

KaNgwane

323 775 000

KwaNdebele

260 193 000

KwaZulu

2 151 224 000

Lebowa

235 828 100

QwaQwa

241 259 000

Transkei

1 076 000 000

Venda

426 866 000

Total

19 408 866 000

a

These figures do not include all transfer payments from the central government to the homeland legislation. Some of these payments are included in the figure quoted for 'internal revenue

The budget and social equity

In the 1991/92 main budget social spending comprised 42% of total budgeted expenditure. This was an increase in real terms of only 1% over the 1990/91 budget. In his budget speech Mr Du Plessis identified two broad areas of government responsibility:¹³⁶ [¹³⁶ *Hansard* (joint sitting) 7 col 3301, 20 March 1991]

- the provision of social infrastructure and services, such as education, health care and housing; and
- assistance in providing for the most basic needs of the 'outright impoverished'.

However, he added, although 'simultaneous and rapid progress on all fronts of these interrelated fields is the ideal ... it is simply not affordable'. Mr Du Plessis added that 'where applicable ... unaffordably high standards of public provision will have to be adjusted to affordable levels'.¹³⁷ [¹³⁷ *Ibid* 7 col 3299, 20 March 1991]

The following table sets out the proportion of the budget allocated to social spending in various years between 1970/71 and 1991/92:¹³⁸ [¹³⁸ Various *Estimates of the Expenditure to be Defrayed from the State Revenue Account*, Second Print]

Social spending in the budget: 1970/71-1991/92

Year

Total state expenditure ^a

Budgeted expenditure ^b

Proportion allocated to social spending

Real social expenditure ^c

Real annual increase

Proportional real annual increase

Rm

Rm

1970/71

1 958

406

20,7%

2 171

N/A

N/A

1975/76

6 921

1 253

18,1%

4 262

N/A

N/A

1980/81

13 385

1 421

10,6%

2 737

N/A

N/A

1985/85

30 471

10 212

33,5%

10 212

N/A

N/A

1986/87

37 104

12 345

33,3%

10 409

197

1,9%

1987/88

45 036

17 208

38,2%

12 497

2 088

20,1%

1988/89

51 806

19 900

18,4%

12 805

308

2,5%

1989/90

61 535

24 203

39,3%

13 582

777

6,1%

1990/91

71 431

28 917

40,5%

14 189

607

4,5%

1991/92^d

79 655

33 515

42,0%

14 368^e

179

1,0%

a

Total expenditure excludes amounts in the foreign affairs vote which are allocated to the 'independent' homelands.

b

Social expenditure: education, health, housing, other, recreation and culture, social security and welfare services

c

1985 is used as the base year.

d

The figure given for 1991/92 is the sum of the printed estimate, the supplementary proposal and the additional

amount, excluding the amount in the foreign affairs vote allocated to the 'independent' homelands. Figures for all other years are final estimates.

e

The consumer price index used to calculate the value of the rand in 1991 is the Standard Bank's project figure for 1991 of 233,26, wit

Since 1986 education has comprised approximately 50% of social expenditure, while health has comprised about 25%. Government social security and welfare spending gradually increased as a proportion of social spending from 13,7% in the 1987/88 budget to 16,3% in 1991/92. The amount spent on housing has diminished since 1986, when the amount allocated was 7,5% of social spending. In 1991/92, housing comprised 4,9% of social spending, an increase of 0,7% over the figure for 1990/91.

Of the R2bn granted to the Independent Development Trust in July 1990, R1,3bn had already been allocated to housing, education and health by April 1991.¹³⁹ [¹³⁹ *Hansard* (R) II q cols 1031-1032, 15 April 1991]

Alternative views on the budget

In March 1991 the African National Congress (ANC) described the 1991/92 budget as an 'uncaring budget' which favoured the rich. Social spending on housing, special aid programmes and pensions was inadequate and the introduction of value added tax (VAT) at 12% would cause the poor extreme hardship, the ANC said.¹⁴⁰ [¹⁴⁰ *Business Day* 22 March 1991] It criticised the lack of special provision for electrification and land reform, and said that the amount allocated to education would be hampered by the multiplicity of education departments. In its statement the ANC blamed 'inadequate social expenditure' on 'ongoing apartheid priorities' rather than insufficient overall revenue.¹⁴¹ [¹⁴¹ *Sowetan* 22 March 1991]

In the April 1991 issue of *Mayibuye*, the ANC proposed an alternative budget. It said that if the economy was to grow at 3% a year and if the government's share of GDP was to increase to 35% over a five-year period through a broadening of the tax base, the government could have an additional amount of R40bn to spend over the same period. If this amount was spent on only the poorest half of the population, R2 400 could be allocated to each person per year. The ANC estimated that savings on apartheid expenditures could amount to a further R4bn a year. It proposed that the additional revenue be allocated as follows:¹⁴² [¹⁴² *Mayibuye* April 1991]

- a capital subsidy of R14,4bn to build 1,2m new houses;

- R5bn to upgrade 250 townships at R20m a township;
- R5bn to fund an employment training scheme;
- R6,5bn to establish 150 000 small farmers;
- R300m to provide work for 1m people in developing rural infrastructure;
- R300m to fund primary health clinics;
- R550m to train 1m community-based trainers to facilitate adult literacy;
- R7,5bn to build schools and to train teachers;
- R2,5bn to provide a national school feeding scheme;
- R2,5bn to fund a feeding scheme for pregnant mothers;
- R11bn to equalise pensions; and
- R3,2bn to facilitate industrial restructuring and encourage exports.

The Democratic Party (DP) also presented an alternative to the government's budget in March 1991. The DP budget proposal for 1991/92 allowed for an increase of only 14% over expenditure in 1990/91.

The DP recommended that:¹⁴³ [¹⁴³ *Financial Mail* 22 March 1991]

- total revenue from VAT not exceed that of general sales tax (GST) and be introduced at a lower rate than GST;
- the import surcharge be repealed;
- a state lottery be introduced with the objective of raising R500m in 1991/92 for socio-economic projects;
- the ministers' councils and own affairs departments be replaced with unitary departments. The DP estimated that this measure would save R690m;
- the Bureau for Information be abolished. It was estimated that this would save R47m;

- defence spending be reduced by 20%, saving R2,3bn;
- public sector salary increases be pegged at 12% rather than 14%, saving R320m;
- ideologically based decentralisation schemes be scrapped, saving R189m; and
- agricultural spending, including wheat and maize subsidies, be cut, saving R160m.

The DP proposed that spending should be increased by the following amounts in the following areas: constitutional development services, R16m; education, R854m; feeding schemes, R400m; foreign affairs, R106m; health care, R551m; housing, R500m; land reform, R100m; local government, R100m; pensions, R1,27bn (to allow for immediate parity); police, R127m (to increase police salaries and the size of the force); and water affairs, R100m (to provide an adequate water supply in both urban and rural areas).

A spokesman for the Pan-Africanist Congress (PAC), Mr Barney Desai, said in reaction to the 1991/92 budget that the PAC regarded the government as illegitimate. Hence it did not 'expect, nor was grateful for, any largesse from that source through the budget'.¹⁴⁴ [¹⁴⁴ *Sowetan* 22 March 1991]

The finance spokesman of the Conservative Party, Mr Casper Uys, said that South African households would be in a weaker position as a result of the budget, as no incentives had been given to encourage saving. He added that the economy would be 'smothered if the have-nots tried to lift themselves on the necks of the haves'.¹⁴⁵ [¹⁴⁵ *Business Day* 9 April 1991]

Homeland financing

According to their own estimates of revenue, the homelands were to derive the following amounts from their own revenue, loans and the central government in the 1990/91 financial year:¹⁴⁶ [¹⁴⁶ Republic of Bophuthatswana, *Estimate of the Expenditure to be Defrayed from the Revenue Account During the Year Ending 31 March 1991*, Republic of Ciskei, *Estimates of Expenditure to be Defrayed from the Ciskei Revenue Fund During the Year Ending 31 March 1991*, *Estimate of Expenditure to be Defrayed from the Revenue Fund of the Gaxankulu Government Service During the Year Ending 31 March 1991*; *Estimate of Expenditure to be Defrayed from the Revenue fund of the KaNgwane Government During the Year Ending 31 March 1991*; *Estimates of Expenditure to be Defrayed from the Revenue Fund of the KwaNdebele Government Service During the Year Ending 31 March 1991*; *Estimate of Expenditure to be Defrayed from the Revenue Fund of the KwaZulu*

Government Service During the Year Ending 31 March 1991; Lebowa Estimate of the Revenue to be Collected and Expenditure to be Defrayed During the Year Ending 31 March 1991; Estimates of Expenditure to be Defrayed from the Revenue Fund of QwaQwa During the Financial Year Ending 31 March 1991, Republic of Transkei, Estimates of Expenditure to be Defrayed from the Transkei Revenue Fund During the Year Ending 31 March 1991, and Republic of Venda, Estimates of Expenditure to be Defrayed from the Revenue Fund of the Venda Government During the Financial Year Ending 31 March 1991

Estimated sources of homeland revenue: 1990/891

From central government ^a

From Loans ^b

From internal revenue ^a

R

R

R

Bophuthatswana

607 374 000

201 263 000

1 971 800 000

Ciskei

745 000 000 ^c

N/A

300 000 000

Gazankulu

598 511 000

29 995 300

125 000 000

KaNgwane

323 775 000

19 960 500

84 249 000

KwaNdebele

260 193 000

38 100 000

54 579 000

KwaZulu

2 151 224 000

80 446 900

584 000 000

Lebowa

235 828 100

N/A

260 613 000

QwaQwa

241 259 000

46 100 000

170 000 000

Transkei

1 076 000 000

N/A

1 573 541 000

Venda

426 866 000

62 792 000

256 278 360

Total

6 666 030 100

478 657 700

5 380 060 360

a

The homelands generally include under the of internal revenue various transfer payment from the central government, so that figures in the column showing revenue from the central government do not in most cases reflect the full amount provided. For example Bophuthatswana's internal revenue figure includes its custom union payment of R717m from the central government. The Ciskei's figures include only decentralisation incentive from the central government (R40m). The Transkei's internal revenue figures includes R450m in 'general tax', R58m in income tax, R140m in general sales tax, R28m in 'compensatory payment for circulation of rand currency' and R715m as customs and excise duties. Venda's figure includes transfer payment of R203m from the central government. Similarly the non-independent homelands' internal revenue figures include income taxes transferred to them from the central government as they are an estimate of tax collected from their citizens working outside the homelands. These tax refunds constitute the major portion of 'revenue from own source'.

b

Many of these loans are from the Development Bank of Southern Africa

c

This figure include custom union duties and rand monetary area payment from the central government

N/A

Most of the revenue allocated to the homelands is channelled via the Department of Development Aid to the six non-independent homelands and via the Department of Foreign Affairs to the four 'independent' homelands. In the 1990/91 budget estimates a total of R15m was allocated in the vote of the Department of Development Aid as a grant-in-aid to the South African Development Trust (SADT) Fund for the purchase of properties in the 'independent' homelands. No amount was allocated in the 1991/92 estimate for this purpose. A further R26m in 1990/91 and R15m in 1991/92 was set aside as a grant-in-aid to the SADT for the establishment of townships and infrastructure in the 'independent' homelands. The Department of Development Aid also allocated R60m for the procurement of land and R532m for the socio-economic development of the non-independent homelands and as a grant-in-aid to the SADT in 1990/91. These amounts were reduced in the 1991/92 budget to R8m and R451m respectively. In addition, the Department of Development Aid allocated R8m in 1990/91 to the SADT for subsidising the fares of commuters on bus routes within the non-independent homelands. The department also made the following provision for budgetary assistance to the non-independent homelands:¹⁴⁷ [147 Republic, of South Africa, *Estimate of the Expenditure to be Defrayed from State Revenue Account during the Financial Year Ending 31 March 1991* p22-16; *Estimate of the Expenditure to be Defrayed from State Revenue Account during the Financial Year Ending 31 March 1992*]

Budgetary assistance to non-independent homelands ^a

1990/91

1991/92

R

R

Gazankulu

627 640 000

773 871 000

KaNgwane

352 674 000

413 158 000

KwaNdebele

275 835 000

333 655 000

KwaZulu

2 2775 895 000

2 736 665 000

Lebowa

1 300 110 000

1 578 240 000

QwaQwa

275 356 000

313 105 000

‘Selected projects’

18 000 000

11 317 000

Total

5 125 510 000

6 160 011 000

a

This comprise of administrative and assistance, an ‘additional amount’ which provides for financial assistance in addition to grants forming a direct charge on the state revenue account, project aid and statutory grant.

The Department of Foreign Affairs allocated almost 86% of its total estimated expenditure in 1990/91 to ‘foreign aid and development co-operation’ (most of which finances the ‘independent’ homelands), and to salaries and allowances of judges seconded to the administrations of the ‘independent’ homelands. In 1990/91 the ‘independent’ homelands received R2,6bn in budgetary aid from the Department of Foreign Affairs, R99m in technical and other assistance, and R417m in tax compensation. An additional R2m was allocated for salaries and allowances of judges seconded to the ‘independent’ homelands. In the 1991/92 financial year 87% of the foreign affairs budget (R4,3bn) was designated for the ‘independent’ homelands. In 1990/91 the Department of Finance allocated R78m in foreign transfer payments to Lesotho and the ‘independent’ homelands, and in 1991/92 it allocated R165m in foreign transfer payments to the ‘independent’ homelands, Lesotho, Namibia and international organisations (in which South Africa is repres

In the 1990/91 financial year the following amounts were paid to the ‘independent’ homelands in terms of the Customs Union Agreement: Bophuthatswana, R698m; the Ciskei, R266m; the Transkei, R502m; and Venda, R100m.¹⁴⁹ [¹⁴⁹ *Hansard* (A) 16 q cols 1460-1461, 14 May 1991] In 1989/90 the Ciskei was granted a guarantee in respect of overdraft facilities to the value of R314m.¹⁵⁰ [¹⁵⁰ *Hansard* (A) 18 q cols 1472-1473, 22 May 1990] In June 1991 the South African government guaranteed an overdraft of R55m to the Transkei to prevent its civil service salary cheques from bouncing.¹⁵¹ [¹⁵¹ *Business Day* 3 June 1991] A maximum overdraft facility of R892m was granted to the Transkei in September 1991, after a structural adjustment agreement had been signed between South Africa and the Transkei.¹⁵² [¹⁵² *Ibid* 19 September 1991]

The following table summarises amounts allocated to the ‘independent’ homelands by various central government departments in the 1990/91 financial year:¹⁵³ [¹⁵³ *Hansard* (A) 24 q cols 1965-1974, 18 June 1991]

Estimated payments to ‘independent’ homelands: 1990/91

Bophuthatswana

Ciskei

Transkei

Venda

R

R

R

R

Direct financial assistance

Budgetary aid

666 638 000

561 934 117

1 076 109 000

16 000 000

Incentives for industry

21 982 443

35 324 135

20 753 976

99 580 646

Transfer payment

Tax compensation

95 000 000

53 000 000

253 000 000

16 000 000

Custom union

698 418 000

265 989 000

502 084 000

99 580 000

Common monetary area

14 115 400

7 993 440

29 489 027

4 335 067

Loans

12 710 000

11 649 000

93 510 000

15 078 000

Technical and other assistance

Manpower provision

16 301 329

13 786 329

5 744 363

10 964 806

Flour subsidy

2 686 625

117 755

7 122 846

921 744

Technical assistance

119 644

473 421

279 749

197 296

Salaries of judges

222 499

382 505

549 833

204 729

Total

1 528 193 940

950 649 702

1 988 642 794

591 822 288

South Africa contributed the following amounts for various projects in the 'independent' homelands during 1989/90: Bophuthatswana, R32m; the Ciskei, R15m; and Venda, R7m. Expenditure on these projects, however, was to be spread over several years.¹⁵⁴ [¹⁵⁴ *Hansard* (A) 21 q cols 1797-1800, 14 June 1990]

The Additional Appropriation Bill of 1990 allocated R214m for assistance to the administrations of the non-independent homelands in the 1989/90 financial year. This was broken down into R18m for small businesses, R29m for the non-recurring bonus to social pensioners, R84m for interest and capital on bank overdraft facilities, R7m for water supplies and R21m for other basic services. The remaining R56m was required for the elimination of salary disparities and for long-service awards to personnel in the non-independent homelands. An additional R18m, financed from the privatisation of the South African Mint, was allocated to the development corporations in the non-independen

In the Additional Appropriation Bill of 1991 an additional amount of R58m was allocated to the non-independent homelands for policing.¹⁵⁶ [¹⁵⁶ *Hansard* (joint sitting) 3 col 1204, 18 February 1991]

The following tables give a detailed breakdown of the budgets of the non-independent homelands in 1990/91:¹⁵⁷ [¹⁵⁷ Various homeland estimates of expenditure for 1990/91, as cited above]

Non-independent homeland budgets: 1990/91

Gazankulu

KaNgwane

KwaNdebele

R

R

R

Chief minister (and
economic affairs)

41 664 000

24 387 529

14 900 000

Interior

30 156 000

17 002 990

6 843 000

Works

104 210 000

70 150 864

109 365 000

Education (and culture)

283 956 000

151 951 529

98 920 000

Agriculture (and forestry)

38 565 000

18 887 000

16 775 000

Justice

8 096 000

5 549 100

6 000 000

Health (and welfare)

167 747 000

17 542 000

38 226 000

Finance

58 002 000

93 360 345

33 944 000

Law and order

20 478 000

16 571 580

24 622 000

Citizen liaison and information

—

—

3 954 000

Total

752 874 000

415 402 937

353 549 000

Non-independent homeland budgets: 1990/91 (continued)

KwaZulu

Lebowa

QwaQwa

R

R

R

Chief minister (and

economic affairs)

145 380 000

57 709 000

13 850 000

Interior

23 861 000

35 287 000

36 785 000

Works

421 590 900

69 698 000

147 785 000

Education (and culture)

933 640 000

720 966 000

148 885 000

Agriculture (and forestry)

69 684 000

111 941 000

12 085 000

Justice

21 190 000

20 620 000

3 285 000

Health (and welfare)

972 138 000

336 098 000

36 415 000

Finance

159 123 000

105 272 000

46 865 000

Law and order

72 890 000 a

57 867 000

14 870 000

Citizen liaison and information

—

—

160 000

Total

2 819 596 900

1 515 458 000

460 985 000

a

Includes prisons

The budgets of the 'independent' homela

Bophuthatswana budget: 1990/91

1990/91

R

President

69 424 248

National assembly

5 159 127

Auditor general

3 446 265

Public service commission

5 941 475

Economic, energy affairs, mines and planning

97 889 642

Finance

80 107 357

Education

295 126 564

Foreign affairs

506 338 126

Transport

17 425 783

Public works

91 643 000

Post and telecommunication

400 806 030

Agriculture and natural resources

181 758 754

Local government and housing

133 610 100

Internal affairs

177 812 509

Justice

19 156 631

Police

133 806 256

Prisons

24 777 333

Health and social services

183 584 202

Manpower

29 533 271

State affairs and civil aviation

22 458 100

Water affairs

122 981 012

Population and development

11 162 454

District governors

6 363 873

Information

4 462 154

Total

2 791 914 166

Ciskei budget: 1990/91

1990/91

R

Council of state

22 540 000

Defence force

52 312 000

Auditor general

2 128 000

Education

249 113 000

Agriculture and rural development

75 924 000

Just

Ciskei budget: 1990/91 (continued)

1990/91

R

Finance

162 695 000

Internal affairs and land tenure

16 979 000

Manpower utilisation

7 190 000

Transport

32 055 000

Public works

244 362 000

Foreign affairs

10 968 000

Post and telecommunication

52 449 000

Social welfare and pensions

103 010 000

Youth affairs, sport and recreation

4 296 000

Tourism and aviation

11 492 00

Statutory amounts

253 046 000

University of Fort Hare

35 000 000

Total

1 578 616 000

Transkei budget: 1990/91

1990/91

R

Military council

41 697 000

Agriculture and forestry

212 732 000

Auditor general

6 565 000

Defence

91 080 000

Education

832 132 000

Finance

471 460 000

Foreign affairs and information

10 284 000

Health

307 944 000

Interior

12 913 000

Justice

33 131 000

Local government and land tenure

17 807 000

Commerce, industry and tourism

86 112 000

Police

100 698 000

Post and Telecommunication

65 698 000

Prisons

50 919 000

Public service commission

4 831 000

Transport

91 324 000

Works and energy

272 104 000

Welfare and pensions

519 417 000

Manpower planning and utilis

Venda budget: 1990/91

1990/91

R

Office of the chairman of the council of national unity

1 471 500

vhuhosi ^a and statistics

4 347 600

Public works

155 156 600

Education and culture

249 439 900

Agriculture and forestry

44 645 800

Justice

4 646 900

Health and community development

53 400 100

Finance

97 421 900

Foreign affairs

2 746 100

Land tenure and local government

16 142 300

Law and order

45 226 500

Commission for administration

3 897 300

Information and broadcasting

5 517 200

Auditor general

1 671 700

Pots and telecommunication

18 595 400

Internal affairs and manpower

5 604 100

Defence force

41 159 400

Prisons

6 036 000

Environment and water affairs

50 015 200

Social welfare and pensions

138 569 100

Transport

22 596 100

Improvement of conditions of services

23 148 500

Economic affairs and tourism

22 545 500

Total

974 001 400

a

Allocated to chiefs and mem

Comments on homeland financing

The chief economist of Econometrix, Dr Azar Jammine, estimated in 1990 that about R2bn could be saved in administration costs by reincorporating the homelands into the rest of South Africa.¹⁵⁸ [¹⁵⁸

Jammine A, 'The Rise in Government Expenditure' in McGregor A (ed), *McGregor's Economic Alternatives*, Kenwyn, Juta, 1990, p110-111]

The minister of development aid, Mr Jacob de Villiers, said in May 1991 that 50% of the annual budgets of the non-independent homelands was expended on staff and administration, while less than 10% of the budget was spent on capital projects, including the construction of schools. He emphasised that efficient utilisation of resources was vital, and that the government had therefore established a 'co-operation network' with the non-independent homelands in the fields of education, finance, health and justice.¹⁵⁹

[¹⁵⁹ *Hansard* (A) 16 col 8316, 13 May 1991]

According to Mr Mahmoud Rajab MP (Democratic Party), the South African taxpayer paid for R2,9bn in direct aid to the 'independent' homelands in 1990/91 and would be paying R3,5bn for this purpose in 1991/92.¹⁶⁰ [¹⁶⁰ *Hansard* (A) 15 col 7693, 6 May 1991]

According to Ms Francine de Clercq, a senior lecturer at the University of Bophuthatswana, writing in

the May 1991 issue of *Work in Progress*, only Bophuthatswana had been able to balance its revenue with its expenditure since 1987, owing primarily to its platinum deposits.¹⁶¹ [¹⁶¹ *Work in Progress* May 1991] If the income tax transfers and customs and excise duties paid to Bophuthatswana by the central government in 1990/91 were not taken into account, only 63% of the homeland's revenue was generated internally.

The Ciskei and the central government signed a treaty in March 1991, in terms of which the central government would appoint the ministers of economic affairs, finance and state expenditure, justice, public works and agriculture, and transport for the homeland. The Ciskei administration was to be supported with budgetary aid, guaranteed overdraft facilities, technical and personnel assistance, and the maintenance and enforcement of law and order.¹⁶² [¹⁶² *Sowetan* 28 February 1991]

In May 1991, as a result of the financial difficulties that the administrations of the Ciskei, the Transkei and Venda were experiencing, the Department of Foreign Affairs informed these homelands that future payments by the central government to the homelands would be subject to a number of conditions, among them the application of fiscal discipline to limit growth in government spending, and the restructuring of expenditure to cater for socio-economic upliftment.¹⁶³ [¹⁶³ *Hansard* (A) 15 col 7814, 7 May 1991] In June 1991 both the Ciskei and Venda adopted fiscal systems proposed by the central government.¹⁶⁴ [¹⁶⁴ *The Citizen* 4 June 1991]

In the same month the central government guaranteed a R55m overdraft to pay for the Transkei's civil service salaries.¹⁶⁵ [¹⁶⁵ *Ibid*] It was also revealed that the Transkei had used its civil pension funds for current account expenditure.¹⁶⁶ [¹⁶⁶ *Sunday Star* 2 June 1991] The Transkei administration also signed an economic structural adjustment agreement with the central government in September 1991, and a joint committee comprising the central government and Transkeian officials was set up to monitor the Transkei's budget.¹⁶⁷ [¹⁶⁷ *Business Day* 20 September 1991] The repayment of monies owed to the public debt commissioner, and a reduced reliance on overdraft facilities in the future were some of the issues that the structural adjustment agreement was to cover. An overdraft facility of R892m was granted to the Transkei by the central government in the same month, and the Transkei administration agreed to replace the money it had borrowed from the state pension fund.¹⁶⁸ [¹⁶⁸ *Ibid* 19 September 1991]

The executive director of the South African Institute of Race Relations, Mr John Kane-Berman, argued in June 1990 that cutting off aid to the four 'independent' homelands would not provide more money for socio-economic development. Mr Kane-Berman said that if the government were to follow the advice from the press and elsewhere to cut off aid, 'thousands of teachers and nurses would be thrown out of work and hundreds of thousands of children out of school, hospital services would grind to a halt, pensioners would starve, and infantile mortality rates' would escalate.¹⁶⁹ [¹⁶⁹ Kane-Berman J, 'The

challenge of material inequality in South Africa', Gromyko A and Kane-Berman J (eds). *The Moscow Papers*, Johannesburg, South African Institute of Race Relations, 1991, p61]

According to *African Business*, reincorporation of the four 'independent' homelands into South Africa would entail the central government's assuming responsibility for debts of more than R2bn. The central government would also have to assume responsibility for the public services of these homelands.¹⁷⁰ [¹⁷⁰ *African Business* November/December 1990]

Development Bank of Southern Africa

The objectives of the Development Bank of Southern Africa (DBSA) are to mobilise and provide loan finance, technical assistance and advice for sustainable development projects in South Africa (including the 'independent' homelands) and to any other country on the sub-continent of Africa which becomes a member. In March 1991 the DBSA was supporting 1 301 projects, to which it expected to make a total financial contribution of R9,6bn, and it had approved a further 760 projects. In 1990/91 the bank received 110 applications for new projects and approved 62 applications, in comparison with 301 applications and 170 projects approved in 1989/90.¹⁷¹ [¹⁷¹ Development Bank of Southern Africa, Annual Report 1990/91]

As at 31 March 1991 the DBSA had contributed funds to various types of projects in the following proportions: infrastructure, 43%; business and entrepreneurial projects, 21%; urban projects, 17%; human resources, 10%; and rural and agricultural projects, 8%.¹⁷² [¹⁷² *Ibid*]

DBSA officials also chair the financial adjustment committees which comprise representatives of the central government and the administrations of the 'independent' homelands, thus allowing the bank to provide assistance for projects combating poverty and inequality in the homelands. During 1990/91 similar financial adjustment committees were instituted for Gazankulu and Lebowa.¹⁷³ [¹⁷³ *Ibid*]

Taxation

In his budget speech to Parliament in March 1991, the minister of finance, Mr Barend du Plessis, emphasised that 'it is one of the government's explicit aims gradually to reduce the total tax burden so as to further promote a climate for investment growth and work creation ... This budget has therefore been so designed that the total tax burden is not increased but that progress is made towards spreading that burden over a broader base'.¹⁷⁴ [¹⁷⁴ *Hansard* (joint sitting) 7 cols 3288-3289, 20 March 1991] Mr Du Plessis announced the reduction in the nominal rate of company income tax from 50% to 48%, Furthermore, the maximum marginal rate of individual income tax was reduced from 44% to 43%.¹⁷⁵ [¹⁷⁵

Hansard (joint sitting) 7 cols 3319-3321, 20 March 1991] The deputy minister of finance. Mr Theo Alant, said in April 1991 that it was the government's intention to reduce gradually both company and individual rates to 40%.¹⁷⁶ [¹⁷⁶ *Hansard* (A) 12 cols 6137-6138, 22 April 1991]

The 1991 *Budget Review* stated that the total tax burden for 1991/92 would be 26% of gross domestic product (GDP), compared with 25% in 1990/91. Individual income tax was expected to increase from R22bn in 1990/91 to almost R29bn in 1991/92 (ie by 31%).¹⁷⁷ [¹⁷⁷ Department of Finance, *Budget Review*, 20 March 1991, p6.1]

Dr Jammie suggested in 1990 that excessive taxation contributed significantly to low economic growth and high inflation.¹⁷⁸ [¹⁷⁸ Jammie A, 'The Role of Taxation and its Structure' in McGregor A (ed), *McGregor's Economic Alternatives*, p139] Dr Jammie proposed a flat tax rate of 15%, which would 'give South Africa the economic kickstart that has become crucial'. Under such conditions value added tax (VAT) could also be scrapped 'meaning no taxes whatsoever for the impoverished and jobless'.¹⁷⁹ [¹⁷⁹ *Sowetan* 26 March 1991]

Value added tax (VAT)

In his budget speech in March 1991, Mr Du Plessis announced that value added tax (VAT) would replace general sales tax (GST) on 30 September 1991. It would be introduced at a rate of 12%, one percentage point lower than the rate of 13% for GST. Mr Du Plessis pointed out that under VAT tax losses would be relatively small, as the system provided more cross-control, which would reduce tax evasion.¹⁸⁰ [¹⁸⁰ Department of Finance, *Budget Review*, 20 March 1991, p3.3-3.4]

Mr Du Plessis said that the following goods and services would not be subject to VAT:¹⁸¹ [¹⁸¹ *Hansard* (joint sitting) 7 cols 3314-3316, 20 March 1991]

- capital and intermediate goods;
- graded mealie-meal for human consumption and brown bread. VAT would be charged on all other foodstuffs, but the government would identify and target the underprivileged for direct assistance;
- rail, bus and taxi commuter transport; and
- business undertakings with a turnover of less than R150 000.

He added that welfare organisations would enjoy a VAT concession. Financial services such as banks, insurance companies, pension funds and other financial intermediaries would be exempt from VAT but would be subject to a 0,75% turnover tax.

The government estimated in March 1991 that it would lose about R1bn in revenue in 1991/92 as a result of the introduction of VAT.¹⁸² [¹⁸² *Hansard* (joint sitting) 7 cols 3314-3316, 3325, 20 March 1991]

Opposition parties in Parliament criticised the rate at which VAT would be introduced, especially as it would apply to most foodstuffs. They also objected to the non-exemption of medical services and medicines. The Democratic Party demanded that the government withhold the imposition of VAT on certain foodstuffs until it could offer meaningful, targeted relief.¹⁸³ [¹⁸³ *Hansard* (joint meeting) 11 cols 5831-5832, 18 April 1991]

The Conservative Party (CP) regarded the imposition of VAT on medical services and on almost all basic foodstuffs as 'unacceptable'.¹⁸⁴ [¹⁸⁴ *The Citizen* 21 March 1991] However, Mr Casper Uys MP (CP) emphasised in May 1991 that the CP was not opposed to VAT in principle as it would minimise tax evasion.¹⁸⁵ [¹⁸⁵ *Hansard* 19 (A) col 10894, 28 May 1991]

The African National Congress (ANC) regarded the VAT rate of 12% as far higher 'than all reasonable expectations'. The ANC said in March 1991 that VAT would cause extreme hardship for the poor, especially as the special relief programmes announced by the government were totally insignificant.¹⁸⁶ [¹⁸⁶ *Sowetan* 22 March 1991] The South African Chamber of Business was disappointed in the introduction of VAT at 12%, as it had recommended a rate of 10% to Mr Du Plessis in March 1991.¹⁸⁷ [¹⁸⁷ Midlands Chamber of Industry, *MCI Bulletin*, 15 April 1991]

The deputy minister of finance, Dr Org Marais, said in the same month that a consumption tax had to apply to both goods and services if it were to be just and neutral. In the past, he said, GST had taxed goods alone. According to Dr Marais, research had shown that 'higher income households spend more on services than less privileged people. But because GST does not apply to services, higher income households spend relatively less on sales tax than do the needy'. VAT removed this anomaly by taxing both goods and services, he said.¹⁸⁸ [¹⁸⁸ *The Citizen* 25 March 1991]

A report compiled by the Labour Research Service for the Congress of South African Trade Unions (COSATU) in June 1991 estimated that the sales-tax burden on low-income families (ie families who earned an income of R778 a month) would grow from R33,06 under GST to R70,85 a month if basic food items were included in the VAT rate at 12%. The report recommended that VAT be introduced at 6%.¹⁸⁹ [¹⁸⁹ *The Star* 28 June 1991]

An economist at Econometrix, Mr Tony Twine, calculated that VAT would raise the average cost of consumer goods by almost 4%. Furthermore, he said, there would be a 2% decline in real personal disposable income in 1991/92, and this would exacerbate the effect of the introduction of VAT on the prices of foodstuffs.¹⁹⁰ [¹⁹⁰ *Ibid* 25 March 1991] Sanlam said in its *Economic Survey* in the same month that the introduction of VAT would increase the inflation rate by two percentage points. It emphasised that VAT could lead to demands for higher wages and salaries, which would be inflationary.¹⁹¹ [¹⁹¹ Sanlam, *Economic Survey*, March 1991] A world expert on VAT, Mr Allan Tait, was quoted in the Report of the Value-Added Tax Committee as saying that there was ‘nothing inherently inflationary about the introduction of VAT’. However, he emphasised that ‘because of changes in relative tax burdens, uncertainty and tax myopia’, the introduction of VAT could trigger an increase in the consumer price index.¹⁹² [¹⁹² *Hansard* (joint sitting) 11 cols 5942, 19 April 1991]

The government established a working group in September 1990 (the Calitz committee) to identify ways of overcoming poverty, as well as examining how the introduction of VAT on foodstuffs would affect the needy.¹⁹³ [¹⁹³ *Financial Mail* 1 March 1991]

After widespread criticism of the proposed implementation of VAT, Mr Du Plessis announced in August 1991 that the rate would be reduced from 12% to 10%.¹⁹⁴ [¹⁹⁴ *Business Day* 22 August 1991] Furthermore, he announced that the following would also be exempt from VAT:¹⁹⁵ [¹⁹⁵ *The Weekly Mail* 23 August 1991]

- the purchase of gold coins;
- medical services provided directly by some of the medical aid schemes;
- services and medicines provided by state and provincial hospitals and state clinics; and
- trade union subscriptions.

In his budget speech in March 1991, Mr Du Plessis had also provided an amount of R220m for poverty relief to offset the effects of the implementation of VAT on the needy. Elaborating on the government’s plans for poverty relief, the minister of national health, Dr Rina Venter, said in August 1991 that the government would provide funds to registered food assistance organisations, additional staple and energy foods would be provided to 2 000 clinics run by local authorities, and a committee of professional people would be appointed to draft and manage a long-term nutritional development programme (see chapter on *Employment*). By October 1991, R13m had already been spent in direct food aid to the needy. Furthermore, R50m had been made available to the government’s existing food-aid

scheme and the four provincial administrations for aid.¹⁹⁶ [¹⁹⁶ *The Citizen* 29 October 1991]

Mr Du Plessis also announced the allocation of an additional R150m for social pensions until the end of the 1991/92 financial year, which would increase the pensions of about 2,4m people by R10 a month to offset the effects of the introduction of VAT. According to the chief director of tax policy at the Department of Inland Revenue, Mr Trevor van Heerden, the increases would be continued into the 1992/93 financial year.¹⁹⁷ [¹⁹⁷ Telephonic interview with Mr Trevor van Heerden, chief director of tax policy. Inland Revenue, 11 October 1991]

In September 1991 Mr Du Plessis announced that the following basic foodstuffs would be zero-rated until March 1992: canned pilchards, dry beans (including soya beans), fresh milk, lentils, mealie-rice, powdered milk and milk blends, rice, samp and whole mealies for human consumption. This measure was intended to alleviate the effects of the new tax on the poor (see also chapter on *Health and Welfare*), and was expected to save consumers about R200m.¹⁹⁸ [¹⁹⁸ *Business Day* 30 September 1991, *The Star* 30 September 1991]

COSATU, the National Council of Trade Unions and 12 independent trade unions called a national strike on 4 and 5 November 1991 to protest against the charging of VAT on basic foodstuffs, electricity and water, medical services and medicines. The unions also called for an end to ‘unilateral decision making’ on the part of government and business on economic issues.¹⁹⁹ [¹⁹⁹ *The Star* 9 October 1991] According to the secretary general of COSATU, Mr Jay Naidoo, more than 3,5m workers supported the strike. Mr Naidoo called on the government to freeze further implementation of VAT and to negotiate ‘with the entire spectrum of South African society’ on the issue.²⁰⁰ [²⁰⁰ *The Citizen* 6 November 1991] The state president, Mr F W de Klerk, said that the strike had been unjustified and that there was evidence that many people had not taken part in the strike voluntarily. COSATU, however, disputed the claim of widespread intimidation (see chapter on *Labour Relations*).²⁰¹ [²⁰¹ *Ibid*]

According to the South African Chamber of Business (SACOB), workers in the private sector lost more than R200m in wages during the two-day strike.²⁰² [²⁰² *Business Day* 6 November 1991] SACOB also argued that many companies would emphasise capital-intensive rather than labour-intensive investment in the future, as a result of the strike.²⁰³ [²⁰³ *The Citizen* 6 November 1991]

Economic policy

The economy and social equity

In September 1986 the state president, Mr P W Botha, said that ‘political reform would serve no purpose without socio-economic reform’.²⁰⁴ [²⁰⁴ *Update* One, 1987, p2] Since then, various attempts have been made by the government to redress socio-economic inequality.

The executive director of the South African Institute of Race Relations, Mr John Kane-Berman, said at a conference in Moscow in June 1990 that the ‘real cost [of apartheid] is an opportunity cost: lost economic growth resulting from the stunting of black education and foreign capital droughts resulting from political instability, itself resulting from apartheid’. Mr Kane-Berman said that unlike Japan South Africa had failed to exploit its human resources, because of apartheid. One way of measuring the cost of apartheid, he believed, was to subtract ‘South African [gross domestic product] per capita from Japanese [gross domestic product] per capita. The difference (\$16 929) is the per capita cost of apartheid’.²⁰⁵ [²⁰⁵ Kane-Berman J, ‘The challenge of material inequality in South Africa’, p51-52]

In September 1990 the South African Chamber of Business (SACOB) devised a ten-year plan to bring about equality in basic living standards, including education, health and housing, at an estimated cost of R52bn a year at 1990 prices.²⁰⁶ [²⁰⁶ *The Citizen* 21 September 1990] SACOB said that inequalities could not be addressed overnight. It was necessary to institute a longer term programme that set out a viable timetable within the parameters of affordability, the chamber added.²⁰⁷ [²⁰⁷ *The Star* 14 March 1991]

In March 1991 a director and the chief economist of Econometrix, Dr Azar Jammie, estimated that the overall cost of economic reform to bring about equality could be as high as R30bn a year for each year until the year 2000.²⁰⁸ [²⁰⁸ *Ibid*] He said that state expenditure ‘directed at reducing social inequality by means of handouts [was] often counter-productive ... It bred a dependency syndrome whereby people [came] to expect to receive things on a plate and [they lost] the motivation to try to achieve anything themselves’.²⁰⁹ [²⁰⁹ Jammie A, ‘The rise in government expenditure’, p106]

Regional economic development

Between the introduction of the Regional Industrial Development Programme (RIDP) in 1982 and March 1990, 8 465 projects were approved, creating 580 372 job opportunities at an investment of R12,7bn (see 1982 *Survey*, pp91-93). Some 47% of the projects, 66% of the job opportunities and 58% of the investment was in the ‘independent’ homelands. Most of the job opportunities created in that period benefited blacks (94%). In 1989/90 the Board for the Decentralisation of Industry (which was replaced in May 1991 by the Council for Regional and Industrial Development) approved 893 projects, which were to create job opportunities for 67 220 people at an estimated investment of R2,5bn. Approval of projects of foreign investors increased from 115 in 1988/89 to 153 in 1989/90 (ie by 33%).²¹⁰ [²¹⁰ Board for the Decentralisation of Industry, Annual Report 1989/90, ppl, 3]

In 1989/90, 228 projects in region E (Natal/KwaZulu) and 150 projects in region D (eastern Cape) were approved, representing 42% of the total number of projects approved and 45% of the job opportunities created. Between 1982 and 1990 the following applications were approved.²¹¹ [²¹¹ Ibid]

Regional division of decentralised benefits: 1982-1990

Region

Projects approved

Potential job opportunities

Cap(A) Western Cape

1 065

42 211

15 586

(B) Northern Cape/Western

Transvaal

281

10 275

2 681

(C) OFS ^a / QwaQwa

1 285

121 721

16 346

(D) Eastern Cape

1 271

59 009

24 515

(E) Natal/KwaZulu

2 285

217 879

39 555

(F) Eastern Transvaal/

KaNgwane/parts of

Lebowa and Gazankulu

494

24 926

6 272

(G) Northern Transvaal/

parts of Lebowa

and Gazankulu

1 153

59 518

10 549

(H) PWV^b/KwaNdebele

516

40 310

9 905

(J) Western Transvaal

121

4 523

1 323

Total

8 471

580 372

126 732

a

Orange Free State

b

Pretoria/Witwatersrand/Vereeniging

In July 1990 the minister of trade and industry and tourism, Mr Kent Durr, announced that no new applications would be considered by the board in 1990/91, as the RIDP had already exceeded its budgeted expenditure of R826m for 1990/91. Mr Durr said that the board would resume business in April 1991 with 'a modified, more cost-effective and streamlined programme'.²¹² [212 *Business Day* 4 July 1990]

In November 1990 the state president, Mr F W de Klerk, announced the establishment of a ministry and an office for regional development. In his budget debate in Parliament in May 1991, the minister of regional development, Mr Amie Venter, explained that the policy of regional industrial development

sought to 'address the severe problem of unemployment and lack of development in all the regions of southern Africa by utilising the potential and comparative advantages of the [particular] areas'. He added that 70% of the population resided outside the metropolitan areas but contributed only 38% to gross domestic product (GDP). In Mr Venter's view the rural areas had the potential for greater development. He said that a positive feature of the new RIDP was the depoliticisation of its policy with the dismantling of apartheid.²¹³ [²¹³ *Hansard* (A) 15 cols 7947-7959 8 May 1991]

Regional Industrial Development Programme (RIDP)

The new RIDP, which replaced measures for decentralisation in May 1991, provided for:²¹⁴ [²¹⁴ Natal Chamber of Industries, *Chamber News*, 6 May 1991]

- performance-related incentives rather than incentives paid irrespective of a business's viability;
- incentives throughout the underdeveloped areas of South Africa rather than just at specific growth points; and
- the elimination of development based on boundaries designated by apartheid policies.

The Economic Community of Southern Africa agreed in June 1990 that concessions granted in terms of the decentralisation scheme would be phased out. Short-term concessions would be allowed to run for their full term but long-term concessions would be phased out with a two-year notice period, commencing on 1 July 1991.²¹⁵ [²¹⁵ *Ibid*] Transport incentives, which amounted to 42% of the 1990/91 decentralisation budget, were to be phased out by June 1993.²¹⁶ [²¹⁶ *Financial Mail* 24 May 1991] Employee housing subsidies would also be terminated by the end of June 1993. The previous decentralisation scheme had compensated undertakings for the 'comparative locational disadvantage' of setting up business in areas far removed from raw materials and major markets. In contrast, it was agreed that the new programme would encourage businesses to establish undertakings where 'comparative locational advantage' existed.²¹⁷ [²¹⁷ *Finance Week* 16 May 1991]

The new RIDP provided for:²¹⁸ [²¹⁸ Cape Town Chamber of Commerce, *Bulletin*, 3 May 1991; *Development Research* May 1991; *Financial Mail* 24 May 1991]

- an establishment grant for the first two years to reduce the risk for industrialists. Companies and close corporations needed an operational equity of 35% or more. The amount of the grant was equal to 15% of 70% of the total operational assets;

- a profit or output-based incentive for an additional three years;
- the conversion of existing concessions to the new programme;
- relocation assistance to certain foreign industries beneficial to the South African economy; and
- projects in regions adjoining the Pretoria/Witwatersrand/Vereeniging (PWV) and Durban regions, as well as the entire western Cape to be eligible for 60% of the establishment grant and 100% of the output-based incentive. Projects in the PWV and Durban regions would not qualify for these incentives. Projects in all other regions were to be eligible to receive 100% of both incentives.

In May 1991 the president of the Johannesburg Chamber of Commerce and Industry, Mr Mike Cato, criticised the RIDP for excluding the PWV region from its incentives package, as it accounted for nearly 60% of all national economic activity. He said that by deploying ‘scarce financial resources in areas which cannot do the job as efficiently as [the PWV], inefficiency is rewarded. If the PWV could achieve a 5% growth rate, the rest of the economy would boom’.²¹⁹ [²¹⁹ *Financial Mail* 24 May 1991]

It was believed that with the phasing out of many of the subsidies and incentives of decentralisation, the emphasis of the RIDP would shift to increasing productivity and promoting exports. The head of the office for regional development, Mr Coenie de Villiers, estimated in May 1991 that once the new RIDP was fully operational, it would cost less than R500m a year, compared with expenditure of R849m on decentralisation in 1990/91 and R966m in 1991/92.²²⁰ [²²⁰ *Ibid*] However, the government’s obligation to honour outstanding contracts meant that only R100m of the R966m allocated for regional development in the 1991/92 budget would be spent on the new programme.²²¹ [²²¹ *Business Day* 10 May 1991] According to *Business Day*, the budgetary allocation would increase each year as decentralisation beneficiaries were phased out. Nevertheless, the pressure for additional funds in other areas of government expenditure over the next few years was expected to limit the entry of new participants to the RIDP.²²² [²²² *Ibid*]

Government policy

A strategy document published by the Economic Advisory Council in March 1991 said the following objectives should be pursued to ensure a sound economy:²²³ [²²³ *Ibid* 25 March 1991]

- a reduction in the inflation rate to the level of South Africa’s main trading partners;
- an improvement in the standard of living of the poorest section of the population;

- a reduction in the government share of GDP expenditure;
- the use of proceeds from privatisation to eliminate backlogs in the provision of basic social services; and
- the utilisation of indirect tariff protection to benefit exports.

According to the *Proposed Plan of Action of the National Party*, published in September 1989, the government has striven to achieve a high growth rate, single digit inflation, fiscal discipline, tax relief, the promotion of free enterprise, co-operation between the state and the private sector, the deregulation of economic activity so that small business undertakings can emerge, privatisation to help finance expenditure on development, the promotion of export-orientated industrial efforts including local beneficiation of minerals and the redistribution of income through wealth creation.²²⁴ [224 Schoeman F, In quest of co-operation: a National Party perspective'. *Economy: growth and redistribution* no 34, Cape Town, IDASA; *Proposed Plan of Action of the National Party*, 6 September 1989]

Alternative economic policy proposals

The executive director of the South African Institute of Race Relations, Mr John Kane-Bennan, said at a conference in Moscow in June 1990, that South Africa's future economic policy would depend largely on the nature of the future political system. 'Should the post-apartheid system be characterised by single-party government, then it is a foregone conclusion that South Africa is heading for a one-party socialist state ... The best way of ensuring the survival of both democracy and free enterprise in South Africa is to ensure that it has a multiparty system.'²²⁵ [225 Kane-Berman J, 'The challenge of material inequality in South Africa', p59]

African National Congress

In an economic policy document drafted for its national conference in Durban in July 1991, the African National Congress (ANC) said that it advocated a mixed economy based on the principles of democracy, development and participation. Public corporations providing electricity, housing, telecommunications, transport and water would remain in state hands. Other enterprises whose role was 'central to the realisation of development objectives' would be incorporated into the public sector through nationalisation, state purchase or the establishment of new state enterprises.²²⁶ [226 African National Congress, *Draft Resolution on Economic Policy for National Conference*, 11-12 May 1991] In June 1991 the ANC announced that it had identified the pharmaceutical, iron and steel industries for possible state

control.²²⁷ [²²⁷ *Business Day* 17 June 1991]

The ANC economic policy document also stated that the organisation would support an efficient private sector which would be expected to make a more significant contribution to employment creation. Anti-trust and anti-monopoly legislation would be considered as a mechanism to promote greater efficiency in the private sector. The ANC would also support affirmative action to correct racial and gender imbalances in the economy. The ANC policy document added that the South African economy would have to shift from a reliance on mining exports to an emphasis on manufacturing. Redistribution could provide the economy with the impetus for growth. The ANC believed that growth should take place within a framework of strict fiscal and monetary discipline where the beneficiaries would also have to become more productive. Taxation and the shifting of the tax burden towards corporations was seen as an important means of redistribution.

Congress of South African Trade Unions

The Congress of South African Trade Unions (COSATU) held an economic policy conference in May 1991. COSATU called for an end to privatisation, commercialisation and negotiations on the sale of strategic stockpiles. COSATU said that the government would be asked to avoid policies such as the lifting of tariff barriers, which led to retrenchments (see also chapter on *Labour Relations*).²²⁸ [²²⁸ *The Weekly Mail* 30 May 1991]

Writing in the *South African Labour Bulletin* in February 1990, the education officer of the National Union of Metalworkers of South Africa, Mr Alee Erwin, emphasised that the economy needed to be restructured to become a low-cost and high-wage one (see also *1989/90 Survey* p327). Some of the key areas which he identified were:²²⁹ [²²⁹ Erwin A, 'South Africa's post-apartheid economy: planning for prosperity', 501/1/1 *African Labour Bulletin*, vol 14 no 6, February 1990]

- investment policy linking foreign investment to technology and markets. This would increase employment and make South African products more competitive internationally;
- a science and technology programme; and
- a 'personpower programme' integrating skill needs.

On the issue of nationalisation, Mr Erwin said that that state ownership of assets was not the complete answer to the problem of social control of production. Rather, social control over production would have to be effected through a range of ownership forms. The role of the market would also be important, he said.²³⁰ [²³⁰ *Ibid*]

Democratic Party

In a document entitled *A Social Market Economy*, which was published in November 1990, the Democratic Party (DP) advocated an economy which respected incentive and the principle of private ownership. While the DP rejected a command economy and nationalisation, it maintained that the state had a role to play in the provision of services which private enterprise could not provide adequately.²³¹

[²³¹ Democratic Party, *A Social Market Economy*, November 1990]

The document said that the DP would also encourage:

- the development of small entrepreneurs;
- inward industrialisation so as to create employment;
- privatisation of undertakings where appropriate and where the government could do so without avoiding its social responsibilities;
- deregulation and the lowering of barriers to entry into the economy; and
- the maintenance of a strong, independent reserve bank.

Foundation for African Business and Consumer Services

At its second annual general meeting held in Johannesburg in May 1991, the Foundation for African Business and Consumer Services (FABCOS) announced its economic policy for a new South Africa. FABCOS advocated an economy driven primarily by market forces except in those areas where state intervention was necessary to redress severe imbalances. It said that nationalisation was unavoidable, especially in key areas such as education, health services, social welfare and utility services. Furthermore, FABCOS said that existing nationalised companies should not be privatised, as it saw privatisation as merely a transfer of government assets to big business. The foundation said that a growth economy would be fostered by:²³² [²³² Foundation for African Business and Consumer Services, Second annual general meeting, 4-6 May 1991]

- no nationalisation of international investments;
- the creation of an environment conducive to growth where assets equalled resources;
- the protection and encouragement of the small entrepreneur;
- the creation of an export-driven competitive economy;

- the loosening of trade restrictions;
- credible community representation in development agencies; and
- the relaxation of foreign exchange controls.

Inkatha Freedom Party

The Inkatha Freedom Party (IFP) said that it supported a free-enterprise economic system, capable of creating wealth to solve socio-economic problems.²³³ [233 Inkatha Freedom Party, 'Our Vision for the Future'] The role of the government, in the IFP's view, should be to support free enterprise through the removal of artificial barriers to entry and growth. Redistribution of wealth by taking from one group and giving to another would not solve the problem of poverty, the organisation said. The IFP supported redistribution of wealth 'through the redistribution of economic opportunity'.

In an address to the Inkatha Business Forum in Johannesburg in July 1990, the president of the IFP and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said that the economy should be directed towards the development of underdeveloped areas and the informal sector. In his address to the 15th annual general conference of Inkatha Yenkululeko Yesizwe in July 1990, Chief Buthelezi said that the IFP supported the creation of a partnership between government and private enterprise to pinpoint the weaknesses of present economic policies. Government intervention in the economy would be necessary in certain instances but should only be carried out after consultations with big business and with labour organisations, Chief Buthelezi said at the Inkatha Business Forum. He said that there should be a maximum of privatisation and foreign investment should be encouraged.²³⁴ [234 Dr Mangosuthu Buthelezi, chief minister of KwaZulu and president of Inkatha Yenkululeko Yesizwe, address to the Inkatha Business Forum, Johannesburg, 10 July 1990]

National African Federated Chamber of Commerce and Industry

The National African Federated Chamber of Commerce and Industry (NAFCOC) said in October 1990 that it envisaged the market mechanism as the primary instrument for the allocation and distribution of goods and resources. Nevertheless, NAFCOC said that the state would have to undertake corrective action to help create an 'equal opportunity environment'. Property rights should be protected and the formation of monopolies should be prevented.²³⁵ [235 National African Federated Chamber of Commerce and Industry, *Towards an Economic and Development Policy Framework for a Post Apartheid South Africa*, October 1990] Furthermore, NAFCOC advocated;

- fiscal and monetary discipline to ensure the stability of the currency, interest rates and prices. An

independent central bank would be necessary;

- the removal of all impediments to individual initiative;
- the promotion of entrepreneurship;
- the encouragement of export-oriented policies which would stimulate growth;
- the development of an environment attractive to foreign investors; and
- the redirection of government expenditure from defence and apartheid structures to redistribution.

South African Chamber of Business

The South African Chamber of Business (SACOB), in its economic policy document entitled ‘Economic Options for South Africa—A SACOB View’, which was published in September 1990, supported a market economy guaranteeing the law of contract, persons and property. SACOB said that attempts to redistribute income and wealth would not reduce poverty significantly but would rather have a negative effect on the growth of the formal sector. Instead, economic restructuring, which would foster growth and enhance development, was necessary.²³⁶ [²³⁶ Zululand Chamber of Commerce and Industries, *Zululand Chamber News*, October 1990]

SACOB rejected nationalisation but said that both the state and the private sector would have a role to play in addressing poverty and inequality. Furthermore, SACOB proposed a ten-year socio-economic programme, which would set out how economic challenges were to be met.²³⁷ [²³⁷ *Ibid*] The chamber recommended that the following be undertaken:²³⁸ [²³⁸ Johannesburg Chamber of Commerce and Industry, *Chamber Bulletin*, 21 September 1990]

- promoting small entrepreneurial activity;
- improving education and training;
- setting spending priorities in the public sector;
- establishing appropriate levels of taxation; and
- determining an appropriate industrial strategy.

Economic restructuring

The contributions of various economic sectors to the gross domestic product (GDP) of South Africa (including the 'independent' homelands) in various years between 1946 and 1990 is given below:²³⁹ [239 South African Reserve Bank, *South Africa's National Accounts, 1946 to 1990*, Supplement to *Quarterly Bulletin*, June 1991]

Contributions of economic sector to the gross domestic product ^a : 1946-1990

Agriculture, forestry and fishing

Community, social and personal services, and other producers

Construction

Electricity, gas and water

Finance

General government

Manufacturing

1946

9%

6%

3%

1%

13%

16%

12%

1950

10%
6%
4%
2%
12%
12%
14%
1955
9%
5%
4%
2%
12%
12%
16%
1960
8%
5%
3%
2%

12%

12%

16%

1965

6%

4%

4%

2%

12%

11%

19%

1970

6%

4%

5%

2%

12%

11%

21%

1975

6%

4%
5%
3%
13%
11%
24%
1980
6%
4%
4%
3%
13%
11%
26%
1985
6%
4%
4%
4%
14%

12%

23%

1990

6%

4%

3%

5%

15%

13%

23%

Mining and quarrying

Trade and catering

Transport, storage and communication

GDP at factory cost ^b

R1946

26%

8%

7%

24 073

1950

25%

9%

7%

28 347

1955

25%

9%

7%

35 826

1960

28%

9%

7%

44 238

1965

28%

9%

7%

59 038

1970

24%

10%

7%

75 891

1975

16%

12%

8%

90 091

1980

15%

11%

9%

105 121

1985

15%

12%

9%

112 448

1990

13%

12%

9%

119 861

a

Figure may not add up to 100 because they are rounded and because an imputation for the value of financial service charges has not been made

b

At c

The major contributor to GDP in 1946 was the mining and quarrying sector (26% of GDP), while manufacturing contributed only 12%. Over a period of about 45 years the position of these sectors has been reversed, with mining and quarrying contributing a mere 13% of GDP and manufacturing 23% in 1990. The contribution of the agricultural sector to GDP decreased gradually from 9% to 6% over the same period.

Key Projections

- Sanlam predicted an average annual growth rate of 3% from 1992 to 1994.
- The Bureau for Economic Research at the University of Stellenbosch forecast a growth rate of 2,6% in 1992.
- Sanlam predicted that the introduction of value added tax (VAT) would increase the inflation rate by two percentage points.
- Bankorp predicted an inflation rate of 10% by early 1993, after the initial negative impact of VAT had been overcome.
- Bankorp believed that the gold price could decline to \$300 per fine ounce in 1992 and 1993.
- United Bank expected the prime overdraft rate to fall to between 16% and 17% towards the end of 1992.
- Bankorp predicted a balance of payments current account surplus of R4bn for 1992 and an increase in foreign exchange reserves of R3bn in 1992.

- The chief executive of the South African Foreign Trade Organisation, Mr Wim Holtes, said that income from real exports was expected to grow by 3% in 1992.
- Unemployment would rise to 5m by the end of 1992 and 8m by the year 2000, according to Bankorp.
- The chairman of the Anglo American Corporation of South Africa, Mr Julian Ogilvie Thompson, said that a resumption of trade credits and capital inflows could raise the growth rate to between 4% and 5%. He said that six years of annual growth at 5% would create jobs for 2,5m people in the formal and informal economy, and generate an additional R55bn in revenue for social investment.
- The African National Congress said that South Africa needed a growth rate of 9% a year until 2010 to provide jobs for all the people entering the labour market.

POLITICAL DEVELOPMENTS

Key Points

- The Black Land Act of 1913, the Development Trust and Land Act of 1936, the Population Registration Act of 1950 and the Group Areas Act of 1966 were repealed in 1991.
- By July 1991, 1 040 political prisoners had been released. Towards the end of the year the government said all prisoners had been released, but the African National Congress (ANC) disputed this.
- By October 1991, 38 countries had established some form of diplomatic representation in South Africa, in comparison with 28 in February 1990.
- According to the South African Institute of Race Relations, there were 3 699 deaths from political violence in South Africa (including the ten homelands) in 1990, which represented an increase of 163% on the 1 403 deaths recorded in 1989.
- According to the Institute, between 1 January and 30 November 1991, 2 513 deaths occurred in South Africa (including the ten homelands).
- The average daily fatality rate in political violence between January and November 1991 (7,5) represented a decline on the rate for 1990 (10,1).
- Defence spending increased from R9,94bn in 1989/90 to R10,07bn in 1990/91 and then declined to R9,76bn in 1991/92, which meant that defence spending declined by 27% in real terms over the three-year period.

- Between 1 January 1990 and 28 February 1991, 860 African councillors resigned, the majority citing intimidation as the reason for their resignation.
- On 14 September 1991 a national peace accord was signed in Johannesburg by representatives of various organisations, the government and homeland administrations, and various political organisations including the ANC and the Inkatha Freedom Party.
- The departments of justice and correctional services estimate that the prison population could increase from 110 000 in 1990 to 135 000 in the year 2000.

Government Initiatives

Negotiations

See chapter on *Constitutional Negotiations*.

Releases and returns

In December 1990 the state president, Mr F W de Klerk, granted unconditional indemnity from prosecution under section 13 of the Internal Security Act of 1982 to people who were office bearers in illegal organisations before noon on 8 October 1990, or who gave or solicited contributions to such organisations before that date (see also chapter on *Constitutional Negotiations*). The indemnity was granted on condition that all relevant information for indemnity would be furnished by such applicants.¹ [¹ *The Citizen* 19 December 1990] The minister of justice, Mr Kobie Coetsee, said that 4 805 exiles had been granted indemnity as at 23 March 1991.² [² *Business Day* 19 April 1991]

In March 1991 the government announced that it would allow the United Nations High Commissioner for Refugees to assist with the repatriation of exiles (see chapter on *Health and Welfare*). However, the government said that it would first seek agreement that South Africa's sovereignty would not be prejudiced by the presence of representatives of the high commissioner on South African soil. In April the government held talks with representatives of the high commissioner. The representatives said that they disagreed with the government's indemnity procedure and wanted it altered to make it compatible with the norms of the United Nations.

The minister of home affairs, Mr Gene Louw, said in Parliament in June 1991 that 720 out of an estimated 100 000 exiles had returned to South Africa. He suggested that the number of exiles had been overestimated and that this had been proved by the relatively low number of applications made by exiles to the government to return to South Africa. Mr Louw said that 8 658 special travel documents had been

issued to exiles wishing to return to South Africa but only 720 people had returned using these documents.³ [³ *The Star, The Citizen* 5 June 1991]

Some 119 exiles from the Dukwe refugee camp (Botswana) were held by police when they attempted to cross the border into South Africa in June 1991. Although the exiles were said to be members of the African National Congress (ANC), the organisation's media spokesman, Mr Saki Macozoma, said at the time that it would assist them only if their membership could be confirmed.⁴ [⁴ *The Citizen* 6 June 1991; *Business Day, The Star* 1 June 1991]

By the end of April 1991 the government had released 933 political prisoners.⁵ [⁵ *Sowetan* 30 April 1991]

Mr De Klerk said at a press conference in London in April 1991 that the number of prisoners still to be released was 'below 200. We dispute claims that there are 1300 so-called political prisoners still [being] held'.⁶ [⁶ *The Star* 24 April 1991] In May 1991 he remarked that he was satisfied that all prisoners who 'clearly qualified for release' had been released.

However, Mr De Klerk's statement was challenged by a commissioner of the Human Rights Commission (HRC), Dr Max Coleman, in June 1991. Dr Coleman claimed that 972 prisoners were still being held, only 284 of whom were acknowledged by the Department of Correctional Services to qualify for release. The 284 were, in terms of the department's own categories, 104 security prisoners, 161 unrest-related prisoners and 19 death-row prisoners.

The balance of 688 prisoners named by the HRC were: 58 'ordinary criminals' provisionally rejected by the Department of Correctional Services pending further information, 79 unnamed prisoners (most of whom were minors at the time of trial), 210 untraced prisoners (who were on the HRC list but had not been traced in the records of the Department of Correctional Services), 208 recent additions to the HRC list which had not yet been audited and 133 prisoners in the homelands.⁷ [⁷ *The Star, The Citizen* 12 June 1991]

Repeal of racial legislation

During the 1991 parliamentary session the government repealed most remaining racially discriminatory laws, including the Black Land Act of 1913, the Development Trust and Land Act of 1936, the Population Registration Act of 1950, the Group Areas Act of 1966 and the Black Communities Development Act of 1984.

The Interim Measures for Local Government Act was passed in June 1991, allowing for local

communities to negotiate their own models of nonracial local government until such time as a new constitution was in place (see chapter on *Constitutional Negotiations*). In the same month the National Education Policy Amendment Act was passed, facilitating procedures whereby white schools could admit pupils of other races (see chapter on *Education*).

Following the repeal in June 1991 of the Population Registration Act, a law generally considered to be the cornerstone of apartheid, the state president, Mr F W de Klerk, said that the country's next priority was to negotiate a nonracial constitution (see also chapter on *Population*). However, he conceded that in the meantime the constitution would be based on race in view of the continued functioning of the tricameral Parliament and the fact that Africans still did not have the vote.⁸ [⁸ *The Citizen* 18 June 1991]

Critics of the government pointed out that the Population Registration Act Repeal Act provided for the abolition of race classification only for South Africans born after its enactment. People already classified in the population register on the basis of race would remain racially classified until the present racially based constitution was replaced by a nonracial constitution. It was argued that discriminatory practices associated with race classification would also continue until a new constitution had been implemented.⁹ [⁹ *The Star* 19 June 1991]

Foreign relations

The release of political prisoners, the return of exiles and the repeal of racial legislation led to increased diplomatic contact between South Africa and other countries, as well as the lifting of some economic sanctions (see chapter on *The Economy*).

In September 1990 the state president, Mr. F W de Klerk, paid an official visit to the United States and held talks with the American president, Mr George Bush, in Washington DC. In October 1990 Mr De Klerk met King Hassan of Morocco in Rabat, and the president of Senegal, Mr Abdou Diouff, in Dakar.¹⁰ [¹⁰ Information provided by the state president's office, 18 November 1991]

During April 1991 Mr De Klerk met the prime minister of the United Kingdom, Mr John Major, in London and the prime minister of Denmark, Mr Paul Schlüter, in Copenhagen. In June 1991 he met the president of Kenya, Mr Daniel Arap Moi, in Nairobi and in November Mr De Klerk met the prime minister of Israel, Mr Yitzhak Shamir, in Tel Aviv and the president of the Republic of China, Mr Lee Teng-Hui, in Taipei.¹¹ [¹¹ Information supplied by the state president's office, 18 November 1991]

Although the Organisation of African Unity (OAU) decided at its summit meeting in Nigeria in June 1991 to retain sanctions against South Africa, the Nigerian military leader, General Ibrahim Babangida, expressed interest in meeting Mr De Klerk if such a meeting 'would help bring about majority rule'.¹² [¹² *Business Day* 5 June 1991]

Mr De Klerk expressed the belief that the OAU summit would be the last from

which South Africa was excluded.¹³ [¹³ *Sunday Star* 9 June 1991] A measure of the thaw in foreign relations with the rest of Africa was that in June 1991 South African Airways was permitted to fly over Africa for the first time in 28 years.¹⁴ [¹⁴ *Ibid* 9 June 1991]

Beeld said in October 1991 that 38 countries had some form of diplomatic representation in South Africa, in comparison with 28 on 2 February 1990, before Mr De Klerk had announced the lifting of the banning orders on the African National Congress, the Pan-Africanist Congress and other organisations. South Africa was reported to have diplomatic representation in 53 countries. Since February 1990 the South African government had established diplomatic relations with Bulgaria, Czechoslovakia, Hungary, Morocco, Namibia, Poland, Romania, Rwanda, the Soviet Union and Turkey.¹⁵ [¹⁵ *Beeld* 30 October 1991]

Also in October 1991 the South African and Angolan governments agreed to exchange representatives.¹⁶ [¹⁶ *Ibid* 30 October 1991]

Civil service reform

In February 1991 the state president, Mr F W de Klerk, said that there was a 'serious need for fundamental rationalisation' in the civil service and for 'interim arrangements' to cope with problems arising from the fragmentation of administration.¹⁷ [¹⁷ *The Weekly Mail* 22 February 1991]

The minister of foreign affairs, Mr Roelof (Pik) Botha, said in May 1991 that Africans still felt a psychological barrier to being appointed as ambassadors for South Africa, as they felt uncomfortable about defending South Africa's policies abroad. He said that his department had appointed coloured people and Indians as ambassadors, but had not yet appointed an African to an ambassadorial post.¹⁸ [¹⁸ *The Star* 8 May 1991] However, during 1991 advertisements appeared in a number of South African newspapers seeking to recruit Africans to the diplomatic service.

In August 1991 a senior counsel, Mr Ismail Mohamed, was appointed to the Transvaal Provincial Division of the Supreme Court to become the first black judge in South Africa. Mr Mohamed had sat on the bench in the High Court of Swaziland for 12 years, served as a judge in the Namibian Supreme Court and had been president of Lesotho's Court of Appeal.¹⁹ [¹⁹ *Sunday Star, City Press* 11 August 1991]

In September 1991 the president of the Public Servants' Association, Mr Johan van Wyk, warned of a high level of anxiety, discontent and insecurity in the public service. He said that the government could no longer rely on the unquestioning loyalty of public servants. Public servants were seeking an assurance from the government that their jobs would be secure and their rights protected in a new

constitutional dispensation, Mr Van Wyk said.²⁰ [²⁰ *The Citizen* 24 September 1991]

In October 1991 the British government announced that it would offer civil service training to five members of the African National Congress. A spokesman for the British government said that if the scheme was successful, members of other political groups would also be offered training.²¹ [²¹ *Ibid* 17 October 1991] The plan was criticised by the minister for administration, Mr Piet Marais, who said that the necessary manpower already existed in South Africa and there were enough training facilities in South Africa to train public servants.²² [²² *Ibid* 18 October 1991]

The head of public and development management at the University of the Witwatersrand Business School, Mr Patrick Fitzgerald, said in November 1991 that the transformation of the South African civil service had to be high on the agenda for negotiations as it was inefficient and served only narrow sectarian interests. He pointed out that in 1989, 208 of the top 213 positions in the civil service had been held by whites (see also chapter on *Employment*). Mr Fitzgerald said, 'Unless there is a total re-education of the present civil service ... and of new people coming into the service, as a society we are going to be dead in the water. We cannot be paying these people from taxpayers' money unless they are addressing themselves to development.'²³ [²³ *Business Day* 6 November 1991]

Mr Fitzgerald urged the civil service to:

- become more accountable to the public, in terms of increased freedom of information;
- re-educate its staff to take account of the developmental needs of the country;
- advance people who were qualified and competent, but who had been overlooked because of their race or political affiliation; and
- appoint personnel from the private sector to managerial positions in the civil service.

Security measures

In February 1991 the minister of law and order, Mr Adriaan Vlok, declared Bekkersdal (west Rand), Katlehong, Vosloorus and Zonkesizwe (officially known as Rietfontein) (all east Rand) unrest areas to prevent further violence.²⁴ [²⁴ *The Star* 22 February 1991] Security force reinforcements were sent to Taylor's Halt near Pietermaritzburg (Natal) during the same month after 17 people were killed and another 29 injured in an attack on busloads of people returning from an Inkatha Freedom Party (IFP) rally (see *Natal violence* below). The additional personnel were brought in to avert a possible revenge attack by a group of IFP supporters.²⁵ [²⁵ *The Natal Mercury* 12 February 1991]

In March 1991 Mr Vlok imposed a dusk-to-dawn curfew on six African townships—Alexandra, Diepkloof, Dobsonville, Meadowlands, Soweto and Tembisa (all on the Reef)—in an attempt to prevent further violence and destruction of property.²⁶ [²⁶ *The Citizen* 12 March 1991]

In April 1991 the government responded to a call by the African National Congress (ANC) for an end to violence and the carrying of traditional weapons by announcing a prohibition on a range of dangerous weapons in ‘potential conflict situations’, including political marches and meetings (see chapter on *Constitutional Negotiations*).

The state president, Mr F W de Klerk, announced a ban on assegais in May 1991 in 13 unrest areas on the Witwatersrand, except where an exemption had been obtained to carry them as ‘cultural weapons’. However, ceremonial axes, knobkerries and sticks could still be carried in public. The ban fell short of ANC demands that assegais be banned throughout the country.²⁷ [²⁷ *Business Day* 23 May 1991]

At the request of the ANC, more than 200 members of the South African Defence Force (SADF) and the police raided the George Goch and Denver hostels (Johannesburg) and a men’s hostel in Alexandra early in May 1991 to seize weapons. A police raid of the Wolhuter hostel (also in Johannesburg) in the same month was frustrated by hostel dwellers who would not allow the 200-strong force to enter the hostel.²⁸ [²⁸ *The Citizen* 4 May 1991, *City Press* 5 May 1991]

SADF commando units were deployed in some white areas on the Reef in May 1991 to support police in dealing with unrest. The units were used in Bedfordview, Johannesburg West, Kempton Park, Randburg and Wemmer Pan. Witwatersrand Command expressed the belief that increased visibility of commando forces would discourage crime.²⁹ [²⁹ *Sunday Star* 26 May 1991; *The Citizen, Business Day* 27 May 1991]

As part of efforts to combat unrest, Witwatersrand Command parachuted about 120 members of 3 Parachute Battalion into Pimville (Soweto) on 29 May 1991.³⁰ [³⁰ *The Star* 30 May 1991]

Scaling down the defence force

In February 1991 the minister of defence, Mr Magnus Malan, stated that the SADF was effectively undergoing demobilisation as a result of peace initiatives in southern Africa. He pointed out that although the defence budget had risen from R9,94bn in 1989/90 to R10,07bn in 1990/91, in real terms this represented a decrease of 11%.³¹ [³¹ *Sunday Times* 10 February 1991] Critics of the real decrease in spending claimed that it would leave the SADF unable to meet its obligations to defend the country from future threat.³² [³² *Business Day* 21 March 1991]

In the 1991/92 financial year R9,76bn was allocated for spending on defence, which represented a real decrease of 16% inspending over the allocation for 1990/91.³³ [³³ *Fast Facts No 3, 1991*]

Mr Mahmoud Rajab MP (Democratic Party) said in the debate on the defence budget in Parliament in April 1991 that the Department of Defence should be accountable to Parliament for the funds allocated to the special defence account. He said that after the revelations about the activities of the Civil Co-operation Bureau the continuing insistence on secrecy, which allowed only the auditor general to scrutinise the defence account, was questionable (see *1989/90 Survey* p244). There should be full accountability to Parliament, Mr Rajab argued.³⁴ [³⁴ *The Citizen* 12 April 1991]

According to a report in *Jane's Defence Weekly* in July 1991, the South African Air Force (SAAF) was faced with a shrinking budget which had forced it to put its fighter plane replacement programme on hold. Reductions in funding had also compelled the SAAF to retire its remaining Buccaneer aircraft (which meant that it had lost much of its deep-strike capability) and to reduce its maritime patrol activity to operations by a small number of Dakota aircraft.³⁵ [³⁵ *Jane's Defence Weekly* 10 July 1991]

A South African Press Association report, which quoted *Jane's Defence Weekly*, said in July 1991 that the shrinking SADF budget was to be cut by 20% in 1992. The report pointed out that defence spending had declined by about 27% in real terms between 1989/90 and 1991/92, which meant the loss of as many as 15 000 jobs in armaments manufacture and other defence-related industries.³⁶ [³⁶ *New Nation* 25 July 1991]

In September 1991 an article in *Business Day* reported that cuts in the defence budget between 1990/91 and 1991/92 could mean the loss of as many as 50 000 jobs, and could retard industrial development and damage a potentially lucrative arms export market. *Business Day* said that the Armaments Corporation of South Africa (Armcor) had already retrenched more than 10 000 people and its major contractors had laid off about 26 000 employees.

'The job losses and forced rationalisation in the arms sector will severely curtail South Africa's industrial capability and expertise. Leading elecronic and engineering technology developed for military application will be wasted.' The South African correspondent for *Jane's Defence Weekly*, Mr Helmoed-Romer Heitman, was quoted as saying that the defence industry would die if it did not continue to obtain contracts from the SADF. 'A steady flow of local orders could keep Armcor alive long enough to convert technology for commercial use and establish an international market,' the report said.³⁷ [³⁷ *Business Day, The Citizen* 23 September 1991]

Conscientious objection

In November 1990 Mr Michael Graaf appeared in the Pietermaritzburg magistrate's court on charges of contravening the Defence Act of 1957. Mr Graaf had refused to serve when called up for camp duty in December 1989. He was sentenced to 12 months' imprisonment suspended on condition that he perform 2 400 hours of community service. In passing sentence the magistrate, Mr Johan Grebe, said that he did not consider Mr Graaf to be an 'ordinary type of criminal'. Mr Graaf was believed to be the first person to receive such a sentence for refusing to serve in the SADF.³⁸ [³⁸ *The Star* 30 August 1991]

Also in May 1991 the SADF invited submissions from the public to a committee appointed to look into the issue of conscientious objection (the Gleeson committee). The Gleeson committee was said to have completed its report by August, although at the time of writing its recommendations had not been made public.³⁹ [³⁹ Information supplied by the End Conscription Campaign (ECC), 20 November 1991]

In June 1991 Mr Wally Rontsch and the Rev Alan Storey appeared in the Johannesburg magistrate's court on charges relating to their refusal to perform military service. Charges against the two conscientious objectors were subsequently withdrawn by the state. The End Conscription Campaign said that the withdrawal of charges was a significant decision which showed that the government had lost its will to enforce whites-only conscription.⁴⁰ [⁴⁰ *Business Day* 18 June 1991] Later in the same month, similar charges against Mr Wayne Bashier and Mr Clyde Wynter in the same court were also withdrawn.⁴¹ [⁴¹ *The Citizen* 25 June 1991]

Mr Hein Verhoef ruled in the Johannesburg Regional Court in May 1991 that an employee of the Inkatha Institute, Mr Peter Auf der Heyde, had not committed an offence by refusing to register for military service. Mr Verhoef said that the Defence Act made the failure to produce proof of registration an offence, rather than the failure to register.⁴² [⁴² *Business Day* 30 May 1991]

Also in June 1991 a member of the ANC, Mr Telford Vice, who was called up for a camp, refused to serve, citing his political affiliation as the reason for his objection to military service. Mr Vice's call-up instructions were subsequently cancelled.⁴³ [⁴³ Information provided by the ECC, 20 November 1991]

In August 1991 the state president, Mr F W de Klerk, granted indemnity from prosecution to Mr Graaf for failing to report for military service. A spokesman for the Legal Resources Centre in Durban, Mr Howard Varney, said that the granting of indemnity was 'significant, as it signals that the government has recognised political status for those who, for reasons of conscience, refuse to serve in the SADF'.⁴⁴ [⁴⁴ *The Natal Witness* 30 August 1991] *The Daily News* suggested that thousands of white conscripts who had left the country and gone into exile rather than serve in the SADF could be similarly indemnified from prosecution if they returned to South Africa.⁴⁵ [⁴⁵ *The Daily News* 30 August 1991]

Retraining, deracialisation and upgrading of the police

In March 1991 Mr Vlok was reported to have hired an American-trained doctor, Dr Jacobus Neethling, to modify the attitudes of the South African Police (SAP). Dr Neethling said that 'Just as a child has to be taught how to swim, so we all have to be taught how to think. An enduring reputation for aggressive, often brutal racism, devoid of ethics and objectivity has taken its toll on the police and ... Mr Vlok decided that now was the time for a kinder, gentler force.'⁴⁶ [⁴⁶ *The Weekly Mail* 22 March 1991] Dr Neethling explained that the police needed to equip themselves 'with idea-generating skills, rapport skills, the skills of open mindedness' and that once so equipped, the job of policing South Africa would not only be easier, but it would also be 'more visionary'.⁴⁷ [⁴⁷ *Ibid*]

A former police lieutenant. Lieutenant Gregory Rockman, said in the same month that the SAP should invest more time and money in retraining its officers instead of spending state money on a 'we are here to help' advertising campaign that 'means nothing to the public' (see also *1989/90 Survey* p192). Lt Rockman, who had been fired from the police force in 1990 for his accusations of police brutality, said that the SAP should recruit new members and send policemen back to training colleges where they should be retrained by new instructors who had not been moulded by apartheid.⁴⁸ [⁴⁸ *Saturday Star* 23 March 1991]

Mr Abraham Baarmann, the managing director of Springbok Patrols, a large security firm, said in May 1991 that 60 groups of Zulus had been sent to the company's De Deur training centre (southern Transvaal). 'I presume they are all Inkatha because all Zulus are Inkatha,' Mr Baarmann said. Two men who received training at De Deur alleged in statements to the press that some of the trained groups had fought with ANC supporters in Alexandra (Johannesburg).⁴⁹ [⁴⁹ *The Weekly Mail* 10 May 1991]

Speaking at a passing out parade of about 2 000 new recruits at the police college in Pretoria in June 1991, the deputy minister of law and order, Mr Johan Scheepers, said that police training was to be integrated from January 1992. Police colleges, he added, would be open to all races, but 'forced integration' would be avoided and freedom of choice, culture, dietary habits and religion would be respected.⁵⁰ [⁵⁰ *Business Day, The Citizen, The Star* 19 June 1991; *The Weekly Mail* 21 June 1991]

Inquiries into police misconduct

Early in May 1991 two African policemen were suspended after an incident in Soweto in which two brothers, Mr Dumase Nkosiyané and Mr Sicelo Nkosiyané, were shot dead by police. A Soweto police liaison officer. Colonel Jac de Vries, said that the two policemen had been escorting Inkatha Freedom Party (IFP) members from a rally when they fired at the two brothers.⁵¹ [⁵¹ *Sowetan* 2 May 1991] Another

policeman, Warrant Officer Gideon Cornelius Lubbe, was suspended from the police force in July and subsequently charged with acting in an unlawful and irresponsible manner not compatible with his duties as a policeman. He was alleged to have joked with IFP supporters about killing the deputy president of the ANC, Mr Nelson Mandela. WO Lubbe's words had been recorded by a television crew, who subsequently publicised the incident.⁵² [⁵² Ibid 6 May 1991, *The Citizen* 17 July 1991, *The Star* 18 July 1991] Mr Vlok said in Parliament in May 1991 that between 1 January and 30 December 1990, 372 of the 633 policemen charged with assault had been convicted. Four policemen had been dismissed from the SAP after such convictions, he added.⁵³ [⁵³ *The Star* 21 May 1991]

Three Pietermaritzburg policemen were suspended from the SAP after they allegedly beat two African youths unconscious and left them alongside the N3 highway near Pietermaritzburg on 25 May 1991. The regional police commissioner, Brigadier Chris Jonker, said that a docket would be sent to the attorney general for a decision on whether to prosecute the policemen involved.⁵⁴ [⁵⁴ Ibid 31 May 1991]

In July 1991 police launched a departmental inquiry into the conduct of the unrest unit at Welverdiend (western Transvaal) after allegations of police involvement in the deaths of at least 17 young Africans from Khutsong (Carletonville) between January 1990 and May 1991.⁵⁵ [⁵⁵ *The Citizen* 4 July 1991, *Saturday Star* 6 July 1991]

The head of special investigations of the SAP, Major General Ronnie van der Westhuizen, said in September 1991 that in recent months at least 24 policemen had been suspended and faced possible criminal charges ranging from assault to murder. He said that several cases would come before the courts as a result of investigations conducted in co-operation with human rights lawyers of the ANC. Gen Van der Westhuizen added that the special investigations unit, which comprised 29 members, had been set up at the beginning of 1991 to investigate politically motivated violence.

Detailing progress made in 22 cases of political violence. Gen Van der Westhuizen said that the investigation of the 'headphone' murder of an ANC lawyer, Mr Bheki Mlangeni, in January 1991 was nearing completion (see *Attacks on individuals* below). He added that 11 policemen attached to the Welverdiend unrest unit had been suspended and a docket would be handed over to the Transvaal attorney general for a decision as to whether to prosecute the men. Gen Van der Westhuizen also said that four arrests had been made in connection with the killings of two members of the ANC, Mr Sonnyboy Majola and Mr Mandla Mabida in Mooi River (Natal). A chief had also been arrested in connection with the murder of five ANC members at Richmond (Natal).⁵⁶ [⁵⁶ *Business Day* 18 September 1991]

Prison population reduction

The liaison officer of the Department of Correctional Services, Brigadier Erica van Zyl, said in July 1991 that the release of first offenders who had been granted remission of sentence by the state president had begun at South Africa's 202 prisons on 3 May 1991. She explained that a one-third remission of sentence was to be extended to all first offenders with the exception of those who had been sentenced to life imprisonment and those who were serving sentences for sexual offences, child abuse and child molestation.⁵⁷ [⁵⁷ *The Citizen* 4 July 1991] Two days later the department announced that about 4 200 prisoners had been freed in terms of the amnesty.⁵⁸ [⁵⁸ *Ibid* 5 July 1991]

A retired former chief of the public relations division of the SAP, Major General Herman Stadler, said that the mass release of prisoners would place additional pressures on an already stretched police force. He added that he had 'no problem' with the release of political offenders in terms of the agreement reached between the government and the ANC, because he believed that the release could assist in expediting a political settlement in South Africa. However, Gen Stadler suggested that the release of long-term prisoners sentenced for serious criminal offences would lead to an escalation in crime.⁵⁹ [⁵⁹ *Ibid* 17 July 1991]

In an editorial in the same month, *The Star* said that no sophistry could justify the release of two ex-policemen, Mr Leon de Villiers and Mr David Goosen, a mere three years after they had been sentenced to double death sentences for the 'gruesome' murder of Mr Mlungisi Stuurman (see *1988/89 Survey* p535).⁶⁰ [⁶⁰ *The Star* 17 July 1991]

South Africa's seven attorneys general were reported to have written to the minister of justice, Mr Kobie Coetsee, in July, objecting to the release of certain prisoners and seeking a meeting with Mr Coetsee to express their objections to the government's remission of sentences.⁶¹ [⁶¹ *The Citizen* 18 July 1991] After a meeting with the seven attorneys general towards the end of July 1991, Mr Coetsee said that a general amnesty was now an accomplished fact and that the normal process of criminal justice would be pursued as before. Subsequently, Mr Coetsee and the attorneys general said in a press statement that a mutual understanding existed of their respective points of view.⁶² [⁶² *Ibid* 26 July 1991]

Responding to protest regarding the mass release of common-law prisoners, the commissioner of correctional services. Lieutenant General Willie Willemse, said that:⁶³ [⁶³ *The Star* 17 July 1991]

- the sentences of at least 53 000 of the 57 000 prisoners released since December 1990 in terms of remissions and the amnesty would have lapsed by the end of 1991 'in accordance with the normal release procedure';
- the majority of these prisoners had benefited from the remission of sentences by only a few days, weeks or months;

- those released on parole had been placed under strict conditions; and
- certain categories of offenders had been excluded from the amnesty, including those sentenced to life imprisonment, sexual offenders and child molesters.

Gen Willernse said that South Africa's prison population of 87 000 was unacceptably high by any standard. He pointed out that in the United States 70% of offenders served their sentences outside prison walls.⁶⁴ [⁶⁴ Ibid]

Sentencing

In May 1991 legislative changes to the system of sentencing in South Africa provided for alternatives to prison sentences in terms of the Prisons Act of 1959. The act enabled courts to impose sentences of probation or supervision under officers appointed by the government or to send offenders to rehabilitation centres. The act also made provision for convicted persons to be sentenced to terms of community service.⁶⁵ [⁶⁵ *Business Day* 29 May 1991]

The reforms were necessitated by the increasing prison population and the need to eliminate backlogs in the demand for prison accommodation. In a white paper tabled in Parliament in May 1991, the departments of justice and correctional services estimated that the prison population would increase from 110 000 in 1990 to 135 000 in the year 2000.⁶⁶ [⁶⁶ Ibid 7 May 1991]

'Bearing economic realities in mind, the increasing demand [for prison accommodation] over the period in question [1990 to the year 2000] does not appear to be viable or affordable,' the white paper said. Construction works and the essential modernisation of existing prisons the white paper added, would require expenditure of R2,5bn over the next ten years, while prisons would still be overpopulated by 28%. The number of warders was expected to increase from 22 000 to 34 000 over the same period.

The white paper said that South Africa had the highest prison population in the world. It recommended that prison accommodation should be reserved for violent offenders while those responsible for less serious offences should be kept out of jail.⁶⁷ [⁶⁷ Ibid]

Internal Security Act

In June 1991 the Internal Security Act of 1982, which had provided for indefinite detention without trial, was amended to allow detention without trial for only ten days. The Internal Security and Intimidation

Amendment Bill, which sought to amend the Internal Security Act, was supported by all the parties in Parliament except for the Conservative Party (CP). Mr Chris de Jager MP (CP) said that his party opposed the bill because it abolished section 55 of the principal act, which had prohibited the furthering of the aims of communism.⁶⁸ [⁶⁸ *The Citizen* 22 June 1991]

Mr Dave Dalling MP (Democratic Party) said that the bill put South Africa back on the road to the rule of law. 'Habeas corpus has now at last returned to our law,' he said. Mr Dalling added that the bill was imperfect as it allowed a form of detention to remain on the statute books, but as far as possible statutory protections had been built into the act.⁶⁹ [⁶⁹ *Ibid*]

The Internal Security and Intimidation Amendment Bill also provided for detention after the stipulated ten-day period, but only if ordered by a supreme court judge. The bill stated that 'any person detained in terms of this section shall be entitled, if he so requests, to be visited, at his own expense, by his private medical practitioner in the presence of the district surgeon, unless the minister or commissioner of police has reason to believe that such a visit will hamper any investigation by the police'.⁷⁰ [⁷⁰ *Ibid* 20 June 1991]

Government initiatives against violence

Standing commissions on violence

During the 1991 parliamentary session provision was made to establish a commission of inquiry with the objective of eliminating public violence and intimidation. Provision for the establishment of such a commission was made in the Prevention of Public Violence and Intimidation Act of 1991. The commission was to comprise five persons appointed by the state president, of whom one would be a judge or former judge of the Supreme Court, and a second member would be a senior advocate who had been involved in the enforcement of the law for a period of not less than ten years and who would chair the commission. This commission could, with the concurrence of the minister, establish as many committees as it deemed necessary for the effective exercise and performance of its powers, duties and functions.⁷¹ [⁷¹ *Prevention of Public Violence and Intimidation Act*]

Towards the end of the year, a judge of appeal, Mr Justice Richard Goldstone, was appointed as chairman of the commission, following signature of the *National Peace Accord* (see below and *Appendix*).

Conference on violence and intimidation, and subsequent developments

The state president, Mr F W de Klerk, convened a two-day conference on violence in Pretoria in May 1991. At the end of that conference, he appointed the chairman of the Council for Scientific and Industrial Research, Dr Louw Alberts, as chairman of a facilitating committee which was entrusted with the task of persuading parties that had refused to attend the conference to join the next series of peace

talks. Participants in the May conference included representatives of the government, business leaders, the Inkatha Freedom Party (IFP), some homeland leaders and parties represented in the tricameral Parliament.⁷² [⁷² *The Star* 24 May 1991] The groups which did not participate in the conference included the African National Congress (ANC), the Azanian People's Organisation, the Conservative Party, the Congress of South African Trade Unions, the Pan-Africanist Congress (PAC) and the South African Communist Party.⁷³ [⁷³ *The Citizen* 13 June 1991]

The South African Institute of Race Relations submitted a seven-point peace proposal to the conference. The proposal suggested that:

- people not be allowed to carry lethal weapons such as axes, knives and pangas to political meetings;
- a visibly independent standing tribunal be established to investigate complaints against the police in order to separate fact from propaganda, and to take severe disciplinary action against the police when appropriate;
- strategies that led to violence, such as campaigns aimed at bringing about the collapse of black local authorities and homeland administrations, be abandoned;
- intimidation to gain support for boycotts and stayaways be stopped;
- the language of vilification that had become so prevalent be avoided;
- the agreement reached by the ANC and the IFP on 29 January 1991 and that between the ANC and the government on 12 February 1991 (see chapter on *Constitutional Negotiations*) be adhered to by all concerned, in order to curb violence and behaviour that might lead to violence; and
- a code of conduct, specifying not only the content of protest rights, but also the limits within which they could be exercised, be formulated to supplement the agreements of 29 January and 12 February.

Towards the end of June 1991 the facilitating committee held a meeting with major political organisations, including the ANC, the IFP and the PAC, to prepare for the proposed peace conference. An invitation was extended to white right-wing groups, including the CP, to attend the conference, but these groups declined to attend. The peace conference aimed to bring together various leaders to discuss the problem of violence and explore mechanisms and processes through which these problems could be resolved.⁷⁴ [⁷⁴ *Sunday Star* 23 June 1991]

National Peace Accord

A wider peace conference was held at the Carbon Hotel in Johannesburg on 14 September 1991. Its outcome was the *National Peace Accord* (see also chapter on *Constitutional Negotiations*). In a critique of the accord the South African Institute of Race Relations highlighted some of its key strengths as being that:⁷⁵ [⁷⁵ *Fast Facts 9*, 1991]

- the accord obliged political organisations which ratified it to refrain from violence for political ends;
- unlike its predecessors (such as the three government/ANC agreements and the ANC/IFP pact), it was a multiparty instrument;
- it envisaged a system of monitoring and enforcement, in which grassroots organisations, as well as the Commission of Inquiry regarding the Prevention of Public Violence and Intimidation ('the commission'), would play a major part;
- it re-stated fundamental obligations of the South African Police (SAP), emphasised the force's accountability to the community at large and imposed a new duty to mediate and negotiate prior to resorting to force to disperse illegal gatherings;
- it enjoined political parties and organisations to ensure that their supporters did not bring weapons to marches, rallies and other gatherings; and
- it placed a ban on private armies and required 'self-defence units' (established by the ANC and its allies) to transform themselves into 'self-protection' units, operating in liaison with the SAP.

The Institute said that the weaknesses of the accord were that:

- it did not expressly prohibit 'people's war', the strategy of making South Africa ungovernable, or efforts to bring about the collapse of various organs of government;
- it did not oblige Umkhonto we Sizwe to disclose its arms caches or to desist from arming and training its men;
- it imposed limitations on the display of weapons at political meetings, but not in other circumstances;
- it did not require the reports of the commission to be made public but left publication to the discretion of the state president;
- it did not extend to the 'independent' homelands, some of which had been plagued by violence; and
- its extensive monitoring mechanisms could prove cumbersome and lethargic.

Troops in the townships

In August 1990 the government deployed 32 Battalion in townships on the Reef to quell spreading violence. The founder and former commander of the combat mercenary unit, Colonel Jan Breytenbach, said in April 1991 that the unit had been used most effectively as a neutral force to quell violence in Natal and on the Reef. However, the deployment of the unit (which consisted mainly of Angolans) met with severe criticism from the ANC, which saw it as part of a sinister 'third force' intent on destabilising the peace process (see also *Security measures* above).⁷⁶ [⁷⁶ *Saturday Star* 27 April 1991]

A 300-strong contingent of soldiers and policemen searched train commuters in a crime-prevention drive at Dube railway station in Soweto at the beginning of August 1991. A liaison officer for the police in Soweto, Colonel Jac de Vries, said the exercise was the first of many aimed at safeguarding commuters. It followed 21 violent incidents on trains between January and July 1991 in which 16 people, including a policeman, were killed and 89 people injured (see *Reef violence* below).⁷⁷ [⁷⁷ *The Star* 2 August 1991]

Non-government Initiatives, Protests and Methods

Campaign for a constituent assembly and an interim government

While a number of political organisations campaigned for a constituent assembly to draw up a new constitution for South Africa, only the African National Congress also sought the creation of an interim government. Although both the Azanian People's Organisation and the Pan-Africanist Congress initially opposed the concept of establishing an interim government, their attitude towards the idea had changed by the time the 'patriotic front' conference was held in October 1991 (see also chapter on *Constitutional Negotiations*).

Campaign against African local authorities and homelands

Campaigns against African local authorities had started in 1983 after the establishment of the tricameral Parliament (see 1983 *Survey* p57). Protests were extended to include the boycotting of rent and Service charges (see *Rent boycotts* below) and other forms of pressure aimed at persuading African councillors to resign and make the townships ungovernable.

According to the South African Institute of Race Relations, in the white-designated area and KwaZulu six councillors were killed and 111 had their homes and property attacked between 1 January and 31 July 1990. Between 1 August 1990 and 28 February 1991, a total of 358 councillors resigned and there were 84 attacks on councillors, their homes and property, the Institute said.⁷⁸ [⁷⁸ *Spotlight No 2*, 1991]

Between 1 January and 31 July 1990, citing intimidation as their reason for resignation, 150 councillors resigned in the Cape, one in Natal, 119 in the Orange Free State and 132 in the Transvaal. Between 1 August 1990 and 28 February 1991 a total of 358 councillors resigned, 305 (85%) of whom cited intimidation as the reason for their resignation.⁷⁹ [⁷⁹ Ibid]

Ninety-nine councillors in the Cape province resigned between 1 August 1990 and 28 February 1991, 88 councillors citing intimidation as the reason. One death was reported, while seven attacks were noted by the Institute. Four of these resignations occurred in the northern Cape, seven in the western Cape (where one attack was reported), while the bulk of the resignations occurred in the eastern Cape (52).

Of 636 councillors' seats in African local authorities in the Cape province, 358 were occupied (56%) and 278 vacant as at 28 February 1991. Of 93 councils, 39 (42%) were without quorums and were being run by administrators, while 54 were still functioning as at 28 February 1991.⁸⁰ [⁸⁰ Ibid]

In Natal, where African councils fell under three authorities—the Natal Provincial Administration (NPA), the KwaZulu administration and the Department of Development Aid—ten councillors resigned between 1 August 1990 and 28 February 1991, one of whom cited intimidation as the reason. During five attacks on councillors noted in the region, four councillors were killed.⁸¹ [⁸¹ Ibid] Of 103 positions within the jurisdiction of the NPA, 79 were occupied and 24 vacant as at 28 February 1991. Of 17 councils, two had no quorums and were being run by administrators, and 15 were still functioning as at 28 February 1991.⁸² [⁸² Ibid]

A total of 139 councillors resigned in the Orange Free State (OFS) between 1 August 1990 and 28 February 1991. Of these councillors, 121 cited intimidation as their reason for resigning. There were also 19 attacks on councillors and their properties in the OFS. Of 442 councillors' seats, 180 (41%) were occupied and 262 vacant as at 28 February 1991. Of 71 councils, 45 (63%) were without quorums and were being run by administrators, and 26 were still functioning as at 28 February 1991.⁸³ [⁸³ Ibid]

The Transvaal Provincial Administration reported 53 attacks on councillors between 1 August 1990 and 28 February 1991. Two councillors were killed during these attacks. Altogether 110 councillors resigned from their posts, 86% of these (95 councillors) citing intimidation as the reason for resignation. Of 692 councillors' seats in the Transvaal, 368 (53%) were occupied and 324 vacant as at 28 February 1991. Out of 82 councils, 43 were functioning and 39 did not have quorums, 37 of the latter being run by administrators as at 28 February 1991.⁸⁴ [⁸⁴ Ibid]

Moves to pressurise councillors to resign were intensified after the launch on 15 September 1990 of the Civic Associations of Southern Transvaal (see also chapter on *Constitutional Negotiations*).⁸⁵ [⁸⁵ *City*]

Press 16 September 1990₁

The minister of planning, provincial affairs and housing, Mr Hernus Kriel, said in Parliament in April 1991 that 404 councillors had resigned as a result of intimidation since February 1990. At least 48% of African local authorities countrywide had collapsed, he added. In the Cape, 283 (45%) council seats out of 629 were vacant; in Natal, 23 (22%) seats out of 103; in the Orange Free State, 265 (60%) seats out of 442; and in the Transvaal, 325 (47%) seats out of 692.⁸⁶ [⁸⁶ *The Star* 8 April 1991₁]

Protests against homeland administrations occurred in Bophuthatswana, the Ciskei, Gazankulu, Lebowa and Venda. In Bophuthatswana the incorporation of some areas into the homeland, allegedly against the wishes of local residents, as well as high rent and service charges in local townships, were the main grievances. In the Ciskei inhabitants campaigned against what they claimed was the homeland administration's repression and harassment. In Gazankulu grievances centred on increased taxes and alleged use of funds set aside for education to meet budget deficits in other departments. A lack of school books was the major grievance in Lebowa.⁸⁷ [⁸⁷ *National Land Committee*, June 1990₁]

Land reoccupation

When the state president, Mr F W de Klerk, announced in February 1991 that the Black Land Act of 1913 and the Development Trust and Land Act of 1936 would be repealed during the current parliamentary session, he raised hopes that the government would redress the claims of many blacks, most of them Africans, who had been forcibly removed from their traditional lands (see chapter on *Land and Agriculture*). Subsequently, some of the affected communities returned or attempted to return to the areas from which they had been removed.

Most of these communities, among them people who had been removed from Braklaagte (western Transvaal), Charlestown (Natal), Criemen (Natal), Doornkop (eastern Transvaal), Goedgevonden (western Transvaal) and Machaviestad (western Transvaal), experienced difficulties when they attempted to reoccupy the land from which they had been removed. The community which returned to Machaviestad was prosecuted while those from Braklaagte and Doornkop were driven from their land. The communities of Charlestown, Criemen and Goedgevonden unsuccessfully attempted to obtain redress through the courts.

In April 1991 a delegation representing 13 dispossessed communities, including an estimated 50 000 people, gave evidence before the parliamentary joint committee on land reform. The joint committee included representatives of all the political parties in Parliament, with the deputy minister of education and development aid, Mr Piet Marais, as its chairman. The delegation suggested that a special committee be appointed to examine every case of dispossession. The government subsequently made provision in the Abolition of Racially Based Land Measures Act of 1991 to set up an advisory commission to whom

victims of removals could present claims for compensation.⁸⁸ [⁸⁸ *The Star* 18 April 1991]

School protests and disruptions

Despite back-to-school calls from various community groups and education departments at the beginning of 1991, the education crisis in black communities, especially among Africans, continued. Schooling was disrupted by numerous protests organised either by pupils or by the South African Democratic Teachers' Union (SADTU), and by pupils taking over the running of schools after, in some instances, driving principals and teachers away.

Class boycotts crippled schooling in some African townships and in Gazankulu, Lebowa and Venda. In February 1991 the Department of Education and Training (DET) indefinitely closed down the Central Secondary Schools in Soshanguve (north of Pretoria) because of pupils' unruly behaviour and widespread vandalism, which had caused damage to school property estimated at R1,4m. The pupils had earlier taken control of enrolment and admitted many more pupils than the school could accommodate.⁸⁹ [⁸⁹ *Sowetan* 4 February 1991]

In February 1991, 35 teachers at the Dr Nelson Mandela High School in Old Crossroads (western Cape), including the principal, staged a sit-in at the offices of the DET protesting against poor working conditions and the lack of classroom equipment. In other incidents in February, also in the western Cape, 50 teachers from Bellville South High School picketed the Department of Education and Culture (House of Representatives) to highlight the plight of temporary teachers.⁹⁰ [⁹⁰ *South* 14 February 1991]

The Thuto-Matlhale Technical School in Mamelodi (Pretoria) was closed in March 1991 because of a boycott of classes in support of a demand for a students' representative council office.⁹¹ [⁹¹ *The Star* 26 March 1991]

Most schools in Atteridgeville (Pretoria) and Mamelodi remained empty at the start of the second school term of 1991 as pupils stayed away from classes to draw attention to their demands for the provision of additional textbooks, the reinstatement of suspended teachers and the alleviation of overcrowding.⁹² [⁹² *Business Day* 16 April 1991] At Tsakane (east Rand) 5 000 pupils boycotted classes in April 1991 while nine others embarked on a hunger strike and staged a sit-in at the DET's office in Springs (east Rand) to dramatise the shortage of books and teachers.⁹³ [⁹³ *Sowetan* 25 April 1991]

About 10 000 teachers, most of whom were members of SADTU, took part in marches, pickets and rallies in August 1991, demanding recognition of the union by the DET.⁹⁴ [⁹⁴ *The Citizen* 8 August 1991]

In the same month pupils and parents held a demonstration at the Senaoane Secondary School in Soweto in protest against the reinstatement of ten teachers who had allegedly absconded without reason in March.⁹⁵ [⁹⁵ *Sowetan* 2 August 1991]

Return of exiles

By the middle of August 1991 about 3 000 exiles had returned to South Africa. The government agreed in the same month to a general amnesty for all exiles, which paved the way for the United Nations (UN) High Commissioner for Refugees to assist in the repatriation of exiles.⁹⁶ [⁹⁶ *Business Day* 16 August 1991] Earlier in the month the African National Congress (ANC) announced that it was planning to bring 20 000 exiles back to South Africa by the end of 1991 at a cost of about R219m and that the operation would be assisted by the high commissioner (see also chapter on *Health and Welfare*)⁹⁷ [⁹⁷ *Ibid* 9 August 1991]

In a circular in August 1991 the ANC appealed to all Zambian-based exiles to ensure that they returned home as scheduled by the national repatriation committee, warning that anyone deciding to remain behind would not be protected by the ANC.⁹⁸ [⁹⁸ *The Citizen* 16 August 1991] The circular lent credence to earlier reports that some exiles did not want to come home because they feared attacks by right-wing groups and because of the absence of a general amnesty for all exiles.⁹⁹ [⁹⁹ *Ibid* 13 August 1991]

An ANC spokesman, Mr Tom Sebina, explained in the same month that those exiles without obligations, such as obtaining an education abroad, should comply with the ANC's instructions to return home in order to reduce the financial burden on the organisation. He cited students at the University of Zambia as examples of exiles qualifying for exemption from the requirement to return to South Africa. Mr Sebina added that financial constraints had compelled the organisation to remove everyone from Lusaka (Zambia) as ANC contracts for accommodation in the city had expired.¹⁰⁰ [¹⁰⁰ *Ibid* 16 August 1991]

A group of 80 children, the first of a number of groups who were to return to South Africa, arrived at Jan Smuts Airport (Johannesburg) from Nigeria on 12 August 1991. Other groups were still to return from Nigeria and Tanzania.¹⁰¹ [¹⁰¹ *Ibid* 13 August 1991] The UN high commissioner for refugees, Ms Sakado Ogata, had said in July 1991 that a UN working group estimated that there were about 40 000 South African exiles in neighbouring countries alone.¹⁰² [¹⁰² *Business Day* 3 July 1991]

It was alleged that the ANC had failed to muzzle 32 dissidents who had returned home from exile in August 1991. After meeting the head of the welfare department of the ANC, Mrs Winnie Mandela, and the chief of staff of Umkhonto we Sizwe, Mr Chris Hani, some of the dissidents claimed that the ANC

leaders had attempted to persuade them not to talk to the press about their experiences. The dissidents alleged that they had been tortured in ANC detention camps in Angola, Tanzania and Uganda. An ANC spokesman replied that the 32 dissidents were guilty of spying on the organisation.¹⁰³ [¹⁰³ *The Citizen*, 23, 24 August 1991; *Sowetan* 23 August 1991; *City Press, Sunday Star* 25 August 1991]

Stayaways

Commemorative days

Sharpeville Day, Republic Day and Soweto Day were commemorated in the form of demonstrations, marches, public meetings and stayaways throughout the country during 1991.

Sharpeville Day (21 March), which commemorated 69 Africans killed and 186 wounded in Sharpeville (southern Transvaal) on 21 March 1960, was marked by thousands of black people staying away from work countrywide. Companies made a variety of arrangements with trade unions concerning the stayaway, from regarding the day as a paid holiday to adopting a 'no-work no-pay' position.¹⁰⁴ [¹⁰⁴ *The Citizen* 22 March 1991]

While some whites celebrated Republic Day (31 May) by attending public meetings, some blacks held marches and demonstrations, and called for an end to the prevailing violence (see *Political Conflict* below). The Congress of South African Students and the South African Democratic Teachers' Union called on pupils to disregard Republic Day by going to school, but their call was ignored.¹⁰⁵ [¹⁰⁵ *The Star's* May 1991]

Most black political organisations, including the African National Congress (ANC), the Azanian People's Organisation, the Inkatha Freedom Party and the Pan-Africanist Congress, commemorated Soweto Day (16 June) and leaders at public meetings called for peace and unity. The Conservative Party-dominated Pietersburg Town Council (northern Transvaal) banned marches that had been organised in the area by the ANC and its allies.¹⁰⁶ [¹⁰⁶ *Sowetan* 14, 17 June 1991; *The Citizen* 15, 17 June 1991]

Other stayaways

A two-day ANC/Vaal Civic Association stayaway in the Vaal Triangle (southern Transvaal) in early August 1991 appeared on its second day to be so successful that the press described it as 'paralysing businesses'. Two of the largest companies in Vereeniging, Tosa and Vecor, reported that only 10% and 20% of their respective workforces had come to work, while the Vaal Transport Corporation said that

only about 30% of its buses were in operation, mainly on the outskirts of townships. However, at the Union Steel Corporation, a large steel foundry, between 50% and 60% of the workforce reported for work.¹⁰⁷ [¹⁰⁷ *The Star* 13 August 1991]

The organisers of the stayaway demanded that the continuing political violence be ended, that a constituent assembly and interim government be established, that the KwaMadala hostel near Sebokeng (Vaal Triangle) be closed and that political prisoners be released. Police reported sporadic incidents of violence during the stayaway.¹⁰⁸ [¹⁰⁸ *Ibid*, *The Citizen* 14 August 1991]

More than 2 000 residents of Wattville (east Rand) held a meeting in the township during a one-day stayaway in August 1991. The chairman of the Wattville Concerned Residents' Committee, Mr Abe Nyalunga, told the meeting that the committee was committed to fighting for the dissolution of the local town council. Demands made at the meeting included that rent arrears be cancelled, that the administration of the township be transferred to the Benoni City Council and that tenants in the township be granted ownership of their houses.¹⁰⁹ [¹⁰⁹ *Sowetan* 14 August 1991]

Anti-VAT stayaway

About 3,5m black people stayed away from work on 4 and 5 November 1991 after an anti-value added tax (VAT) committee led by the Congress of South African Trade Unions (COSATU) organised a two-day stayaway, designed to show the government it could not take economic decisions without COSATU's say-so.

The total number of fatalities in the stayaway was 86, of whom all but about ten died at the President Steyn gold mine (Orange Free State) when stayaway supporters attacked people trying to go on night shift, triggering a spate of revenge killings between Xhosas and Sothos which took on an ethnic flavour.

The executive director of the South African Institute of Race Relations, Mr John Kane-Berman, said in a press statement that it was 'impossible to measure how much real support there was for the stayaway and how much of the claimed "support" was compliance resulting from intimidation'.

He said, 'Any one of a number of reasons could explain why so many people were absent from work, among them:

- genuine support for the anti-VAT campaign;
- inability to get transport to work;
- fear resulting from threats to lives and property in the weeks leading up to the stayaway;

- experience or knowledge of past coercion; and
- intimidation occurring during the stayaway.’

Although claims were made that the stayaway was entirely voluntary, Mr Kane-Berman said, some of the language used ‘gave the lie to these claims. Certain categories of people, for example schoolchildren, were told they were “exempt” from the stayaway. Committees organising the stayaway agreed that doctors, nurses, teachers and students could go about their “normal duties” for its duration—the clear implication being that other workers could not’.

After the stayaway, COSATU threatened further stayaways if it and other ‘major players’ were not consulted on the 1991/92 budget. COSATU officials said the stayaway was a dress rehearsal for the action that would finally bring the South African government down. There would be sustained mass action to force the government to negotiate on an interim government, they added.

See also chapter on *Labour Relations* for stayaways related to labour.

Boycotts

Sports boycott

It was generally believed that with the repeal of most apartheid legislation. South Africa’s isolation from international sports competition would come to an end. This belief was strengthened by reports in July 1991 that the president of the International Olympic Committee, Mr Juan Antonio Samaranch, had personally invited South Africa to compete in the Olympic Games in 1992 in Barcelona (Spain) and that the International Amateur Athletics Federation had invited South Africa to participate in the World Athletics Championships in August 1991 in Tokyo (Japan).¹¹⁰ [¹¹⁰ *Business Day* 26 July 1991]

However, attempts by the country’s athletes to enter the Tokyo championships failed because of a lack of unity between South Africa’s various athletic bodies.¹¹¹ [¹¹¹ *The Citizen* 7 August 1991] The president of the South African Amateur Athletics Union (SAAAU), Mr Gert le Roux, said that the vote against sending a team had been cast by members of the South African Athletic Congress, while the SAAAU had voted in favour of competing.¹¹² [¹¹² *Ibid* 21 August 1991]

According to reports in August 1991, cricket and football would be the first sports in which South Africa would re-enter world competition. Although the chairman of the South African National Olympic Congress, Mr Sam Ramsamy, acknowledged that the wait to return to international sport was nearly over, he appealed to South African sports bodies ‘not to set the clock back’ by rushing too hastily into

international competition before forming nonracial sports bodies.¹¹³ [¹¹³ *Ibid* 10 August 1991]

The African National Congress (ANC) was reported to have supported the campaign to enable a Springbok team to compete in the 1992 cricket World Cup,¹¹⁴ [¹¹⁴ *Sunday Times* 25 August 1991] but the vice president of the United Cricket Board of South Africa, Mr Krish Mackerdhuj, said in August 1991 that South Africa would not participate in the 1992 World Cup nor would there be international cricket tours in 1991.¹¹⁵ [¹¹⁵ *The Citizen* 26 August 1991]

Mr Mackerdhuj said that it was ‘absurd to talk about world cups or tours. Our priority is let blacks benefit from the facilities presently only enjoyed by whites. Black cricketers have been oppressed far too long. It is now a new ball game. It could take long before there is equality between black and white in every respect’.¹¹⁶ [¹¹⁶ *Ibid*]

However, in September 1991 the executive committee of the United Cricket Board of South Africa voted in favour of accepting an invitation to the 1992 World Cup and the approval of the International Cricket Council was sought. Approval was granted in October 1991.¹¹⁷ [¹¹⁷ *Business Day* 24 September 1991, *The Citizen* 24 October 1991]

In November 1991 South African cricketers were invited to play three one-day international matches in India. The tour, which took place between 8 and 18 November 1991, marked the end of 21 years of isolation from world cricket.¹¹⁸ [¹¹⁸ *Business Day* 14 November 1991]

Attempts by South Africa to enter international sports competition in Africa failed in mid-September 1991 when, after a stormy meeting in Cairo (Egypt), representatives of African governments and sports bodies agreed to pass on to the foreign ministers of the Organisation of African Unity (OAU) the issue of whether to readmit South African athletes to international competition or not. The meeting’s decision meant that the sports boycott could not be lifted officially until February or March 1992 when the OAU foreign ministers were scheduled to meet.¹¹⁹ [¹¹⁹ *Business Day*, *The Citizen* 20 September 1991]

Commenting on South Africa’s failure to be admitted to the Confederation of African Football and, ultimately, to the Federation of International Football Associations, the chairman of the National Soccer League, Mr Kenneth Kunene, said that South African soccer administrators would have to go back to the drawing board and ‘get their house’ in order before the country’s footballers could expect to be accepted by the international community. He said, ‘It is a severe blow but not a fatal one. In fact, I am confident, given time, that we can get our act together and will be playing international football in the not so distant future.’¹²⁰ [¹²⁰ *The Citizen* 23 September 1991]

Cultural boycott

The spokesman for the South African Musicians' Alliance (SAMA), Mr Rashid Lanie, said after attending a United Nations (UN) consultative conference late in 1990 that SAMA had decided to make the boycott 'selective and dependent on certain conditions'. Where artists were prepared to provide assistance through education or to make contributions to charities, they could perform in South Africa, he added.¹²¹ [¹²¹ Ibid 25 January 1991]

The ANC, the Azanian People's Organisation and the Pan-Africanist Congress decided in April 1991 to maintain the cultural boycott. A spokesman for the ANC said that a meeting of representatives of these groups had recommended that a UN-sponsored symposium be held in Los Angeles (United States) to examine the cultural boycott.¹²² [¹²² *Business Day* 12 April 1991]

The Los Angeles symposium, which was sponsored by the UN Special Committee Against Apartheid, was held in May 1991. After attending the conference, the entertainments director of Sun City in the Pilanesberg (Bophuthatswana), Ms Hazel Feidman, said, 'The cultural boycott is here to stay.' She added that the symposium had issued a document recommending that the boycott should continue until a nonracial and democratic constitution for South Africa had been implemented. Ms Feidman believed that the symposium's decision 'set us back even further than before'.¹²³ [¹²³ *Sunday Times* 26 May 1991]

However, the Union of Democratic University Staff Associations, an ANC-aligned organisation representing 5 000 academics at South African universities, said in April 1991 that it wanted the academic boycott to end.¹²⁴ [¹²⁴ *Business Day* 25 April 1991]

A workshop convened in Johannesburg in October 1991 by the ANC, the Congress of South African Trade Unions and the South African Communist Party recommended that academic, cultural and sports sanctions be lifted while economic sanctions should remain until an interim government had been formed.¹²⁵ [¹²⁵ *The Star* 23 October 1991]

The leaders of the British Commonwealth decided in October 1991 to lift all 'people-to-people' sanctions (ie non-economic sanctions) and thus end the cultural boycott of South Africa by member states. However, Ms Rosie Brocklehurst, a spokesman for Equity (the British actors' union), said that the ban on the sale of British television programmes to South Africa would remain in force at least until early 1992.¹²⁶ [¹²⁶ Ibid]

Rent and bond boycotts

The numerous rent, bond and service boycotts mounted by township residents, particularly in the

metropolitan areas, resulted in some mortgage lenders and developers withdrawing from the low-cost housing market for Africans (see also chapter on *Housing and Urbanisation*).

The managing director of Venrich Housing, Mrs Vino Nankan, said in August 1991 that the reluctance of building societies to grant bonds to the African housing sector had reached a crisis point. She added that only 5% of bond applications by Africans were being granted.¹²⁷ [¹²⁷ *Sowetan* 9 August 1991] Mrs Nankan attributed the problem to Africans' inability to pay their bond premiums, bond boycotts and the political unrest in the townships. 'Financial institutions have complained of running businesses at a loss because many houses bought by Africans have had to be repossessed and resold at a nominal value,' she said.¹²⁸ [¹²⁸ *Ibid* 8 August 1991, *Business Day* 14 August 1991]

In a statement in September 1991 the Civic Associations of Southern Transvaal (CAST) threatened to initiate a national housing bond boycott if financial institutions continued to charge high interest rates on housing loans. CAST suggested further that land for development be provided free to the needy 'without going through profit-mongering' developers, and that such land be provided with services before development.¹²⁹ [¹²⁹ *The Citizen* 4 September 1991]

A senior manager of the Perm, Mr Dennis Crayton, denied allegations that building societies were quick to reclaim the houses of bond holders who were unable to pay their premiums because of high interest rates. The question of high interest rates, he said, was not the fault of the financial institutions, but a symptom of the state of the economy and particularly of the fact that the inflation rate was too high.¹³⁰ [¹³⁰ *Ibid* 6 September 1991]

The group managing director of the Allied Building Society, Mr Bob Aldworth, said in September 1991 that the housing situation was extremely difficult and did not affect African areas only. 'We are doing a reassessment of the [housing finance] market, but bond applications that stand up to the normal commercial tests are granted. Until the problems are resolved, we are forced to follow a more cautious policy,' he said.¹³¹ [¹³¹ *Sunday Times* 15 September 1991]

In January 1991 the Conservative Party-controlled town council of Carolina (eastern Transvaal) cut off the water supply, sewerage and refuse removal facilities of the African township of Silobela for more than 80 days. The council cut services to Silobela when rent and service arrears reached R130 000. Doctors subsequently warned that Outbreaks of skin disease, dysentery and gastro enteritis could reach epidemic level, especially among children, as a result of the lack of sanitation. The Transvaal Provincial Administration subsequently announced that it had paid the service charge arrears for Silobela, but the town council reconnected the township's services only when the full arrears of R130 000 for electricity and other services had been met.¹³² [¹³² *Saturday Star* 6 April 1991]

Consumer boycotts

Newspaper disclosures in July 1991 of secret funding by the government of two Inkatha Freedom Party (IFP) rallies and an IFP-linked trade union resulted in the ANC calling for a boycott of white businesses in the Pretoria/Witwatersrand/Vereeniging area. The boycott was also called over the ANC's demand for an interim government.¹³³ [¹³³ *The Citizen* 3 August 1991] Although the consumer boycott, which was rejected by the Azanian People's Organisation (AZAPO) and the Pan-Africanist Congress,¹³⁴ [¹³⁴ *The Star* 29 July 1991] gained little support in its first week, the ANC planned to continue with it.¹³⁵ [¹³⁵ *Business Day* 6 August 1991] AZAPO called for a reconsideration of the boycott in the wake of reports of intimidation of those who did not participate in it.¹³⁶ [¹³⁶ *Sowetan* 13 August 1991]

Early in August 1991 a boycott of all businesses in Soweto owned by the president of the Sofasonke Party, Mr Ephraim Tshabalala, was launched as a reprisal for violence that had erupted at Mshenguville, a shack settlement in Soweto. A member of the Mshenguville crisis committee, Mr Floyd Mashele, said that businesses were being boycotted because residents felt that Mr Tshabalala had been involved in the IFP's decision to operate in the shack settlement.¹³⁷ [¹³⁷ *Ibid* 5 August 1991]

Carletonville (west Rand), which was controlled by the CP, was affected by a protracted consumer boycott by township residents in July 1991 after they were refused permission to conduct a march through the town.¹³⁸ [¹³⁸ *New Nation, Sowetan* 9 August 1991] A consumer boycott of white businesses in Pietersburg (northern Transvaal) towards the end of July 1991 lasted for more than 19 days. The boycott occurred in reaction to the town council's banning of a protest march by the ANC on 15 June 1991.¹³⁹ [¹³⁹ *Business Day* 18 July 1991, *The Citizen* 19 August 1991]

Homelands

Homeland authorities

In April 1991 the president of **Bophuthatswana**, Chief Lucas Mangope, said that he wanted to participate in the multiparty conference which had been proposed by the state president, Mr F W de Klerk. Chief Mangope added that he preferred the creation of new regional governments to full direct reincorporation of homelands into South Africa.¹⁴⁰ [¹⁴⁰ *Business Day* 10 April 1991] Conflict between the Congress of South African Trade Unions (COSATU) and the Bophuthatswana authorities continued over the homeland's refusal to allow the federation's affiliates to operate in the territory (see also chapter on *Labour Relations*).¹⁴¹ [¹⁴¹ *Sowetan* 18 April 1991]

Although the Bophuthatswana administration had amended its internal security legislation during 1991, the chief whip of the opposition Seoposengwe Party, Mr Victor Sifora, said in June 1991 that registered political parties other than the ruling party were still barred from holding meetings without official permission.¹⁴² [¹⁴² *City Press* 9 June 1991]

Early in 1991 Chief Mangope fired two medical doctors—the superintendent of Bophelong Hospital, Dr Thabo Rangaka, and the deputy superintendent of Bophelong Hospital, Dr Paul Sefularo—on the grounds that they were involved in the activities of the African National Congress (ANC). The firing of the doctors provoked protest in the form of boycotts in some parts of the homeland.¹⁴³ [¹⁴³ *The Star* 31 May 1991, *Sowetan* 4 June 1991, *New Nation* 28 June 1991]

In July 1991 the military ruler of the **Ciskei**, Brigadier Joshua ‘Oupa’ Gqozo, announced the formation of a political party, the African Democratic Movement (ADM), to ‘represent the silent majority of southern Africa on a realistic and moderate basis’. Brig Gqozo, who was to be the leader of the new organisation, said that the ADM rejected nationalisation and a unitary state.¹⁴⁴ [¹⁴⁴ *The Star* 9 July 1991]

In mid 1990 Brig Gqozo fired two of his cabinet ministers, the minister of justice and constitutional development, Mr Keith Matthee, and the minister of works, Mr H R L Sallie. Political observers believed the two ministers were fired because of their sympathy for the ANC. Brig Gqozo also dismissed a Ciskei radio announcer, Mr Crosby Kolela, allegedly because of his opposition to the ADM.¹⁴⁵ [¹⁴⁵ *Sunday Tribune* 9 June 1991, *New Nation* 12 July 1991]

In July 1991 the Border Civic Congress expressed unhappiness over the Ciskei administration’s plans to allow headmen to administer their villages in accordance with tradition. The civic body feared that the reintroduction of traditional chiefs would not only marginalise civic organisations but also make chiefs organisers for the ADM.¹⁴⁶ [¹⁴⁶ *Daily Dispatch* 12, 31 July 1991]

Also in July Brig Gqozo was asked at a meeting in Johannesburg to comment on claims by the organisation Lawyers for Human Rights that he was violating human rights. Lawyers for Human Rights was ‘a very curious lot close to the ANC’, he said. The organisation was guilty of ‘grossly misleading and inaccurate propaganda’, and should change its name to ‘Lawyers for ANC Human Rights’.

Brig Gqozo said that the human rights situation in the Ciskei was good. ‘We only want to stop people bullying people. We want school-children to go to school and workers to work.’ He said industrialists had fled because of intimidation by comrades, and he was merely applying the rule of law and protecting people who did not want to lose their jobs.

His new ADM, Brig Gqozo said, catered for the needs of ‘those who do not want to toyi toyi and jump

around raising flags and AK 47s'. People were sick and tired of being hauled out of their houses and made to attend political rallies. There was an orchestrated campaign to destabilise the country, he claimed, and people were feeling lost and uncared for. He said his administration encouraged people to report instances of intimidation, which the police then followed up.¹⁴⁷ [¹⁴⁷ Address at a meeting in Johannesburg, by Brigadier Joshua Gqozo, 11 July 1991]

In a statement in August 1991 the Ciskei Military Council said that its security forces had uncovered evidence of another plot in which people in the Transkei were attempting to overthrow the Ciskei administration. (A previous plot to overthrow the Ciskei's rulers had been revealed in February 1991.)¹⁴⁸ [¹⁴⁸ *The Citizen* 22 August 1991]

The Ximoko xa Rixaka (Whip of the Nation), led by the chief minister of **Gazankulu**, Professor Hudson Ntsanwisi, became a political party, renamed the Ximoko Progressive Party, in May 1991.¹⁴⁹ [¹⁴⁹ *Ibid* 7 August 1991]

The chief minister of **KaNcwane**, Mr Enos Mabuza, announced his resignation in March 1991 as well as his intention of abandoning homeland politics. There was speculation that Mr Mabuza would seek a national role in the ANC.¹⁵⁰ [¹⁵⁰ *Business Day* 8 March 1991]

The deputy minister of the interior of **KwaZulu**, Mr Samuel Jamile, was jailed for life in the Natal Provincial Division of the Supreme Court in Pietermaritzburg in May 1991 for the murder of Mr Bhekuyise Khumalo and the attempted murder of Mr Khumalo's fiancée. Miss Thokozile Shabalala, in April 1984, at the height of political violence in the region between Inkatha and the United Democratic Front.¹⁵¹ [¹⁵¹ *The Citizen* 31 May 1991]

The chief minister of **Lebowa**, Mr Nelson Ramodike, said in June 1991 that the Commission of Inquiry into the Appropriation of the Lebowa Revenue Fund and Alleged Mismanagement, which had been appointed by the Lebowa administration in July 1989, and which had been investigating acts of maladministration in the homeland, had found 'a lot of irregularities'. He added that the homeland administration would take appropriate action as soon as the findings were made public.¹⁵² [¹⁵² *New Nation* 28 June 1991] Gross maladministration and favouritism by officials had virtually drained the homeland's coffers, causing unrest in schools because of a lack of textbooks and of funds for education. It was reported that new pension applications in Lebowa were not being accepted because of a shortage of funds.¹⁵³ [¹⁵³ 1989/90 *Survey* p512, *Sunday Times* 14 July 1991]

In January 1991 the chairman of the **Transkei** Military Council, Major General Bantu Holomisa, said that he was not only using his powerbase in the Transkei to fight the apartheid system, but that he was also prepared to relinquish his position as Transkei leader in favour of a centralised South African

government.¹⁵⁴ [¹⁵⁴ *The Star* 9 January 1991] The Transkei administration detained the homeland's former president, Mr Kaiser Matanzima, in the same month,¹⁵⁵ [¹⁵⁵ *Sowetan* 1 February 1991] and subsequently suspended him as paramount chief of western Tembuland because of allegations that he had aided rebels in an abortive coup.¹⁵⁶ [¹⁵⁶ *The Star* 27 June 1991]

In June 1991 the South African government received intelligence reports that the ANC had established two training bases in the Transkei. The reports said that during 1990, 100 members of the Transkei Defence Force had been recruited by the ANC and trained by Umkhonto we Sizwe, the ANC's military wing.¹⁵⁷ [¹⁵⁷ *The Citizen* 12 June 1991] However, the reports were denied by the ANC.¹⁵⁸ [¹⁵⁸ *Ibid* 7 August 1991] Gen Holomisa subsequently accused the South African government of trying to topple his administration, and of attempting to kill him and the chief of staff of Umkhonto we Sizwe, Mr Chris Hani.¹⁵⁹ [¹⁵⁹ *The Weekly Mail* 7 June 1991, *Daily Dispatch* 3 July 1991, *The Citizen* 13 August 1991, *New Nation* 16 August 1991]

In May 1991 the chairman of the ruling **Venda** Military Council, Brigadier Gabriel Ramushwana, deposed four chiefs, including the former Venda president, Mr Frank Ravele, on the grounds that their appointments were irregular. They were dismissed in terms of a recommendation by a commission of inquiry which Brig Ramushwana had appointed after receiving complaints of nepotism in the appointment of chiefs.¹⁶⁰ [¹⁶⁰ *Sowetan* 17 May 1991, *City Press* 19 May 1991]

Protests

In April 1991 residents of Odi (Bophuthatswana) held a boycott of the bus service run by Bophuthatswana Transport Holdings in protest against fare increases. Organisers of the boycott, which ended in May, called on the bus company to enter into negotiations with them on fare increases, to commit itself to negotiating future increases with residents and to revise fares for pupils.¹⁶¹ [¹⁶¹ *City Press* 5 May 1991] More than 600 transport workers were retrenched as a result of the boycott, when a number of bus routes were phased out.¹⁶² [¹⁶² *Ibid* 28 May 1991]

About 150 prisoners in Bophuthatswana went on a hunger strike in June 1991 in support of demands that they be considered political prisoners and, therefore, be released.¹⁶³ [¹⁶³ *Sowetan* 14 June 1991] In support of the prisoners' action, the Mafikeng anti-repression forum staged a brief sit-in at the United States embassy in Pretoria on 10 July.¹⁶⁴ [¹⁶⁴ *Ibid* 11 July 1991] Later in the same month the president of the African National Congress (ANC), Mr Nelson Mandela, persuaded some of the prisoners to end their

hunger strike.¹⁶⁵ [¹⁶⁵ *Business Day* 15 July 1991]

Police in Bophuthatswana used teargas, batons and water cannon in August 1991 to disperse thousands of schoolchildren marching through the streets of Itsoeng in protest against the dismissal or suspension of five teachers, four of whom were ANC members. Thirty pupils were arrested. The Bophuthatswana secretary for education, Mr Shippard Molisiwa, said that action had been taken against the teachers because their involvement in politics was aimed at undermining the homeland administration.¹⁶⁶ [¹⁶⁶ *The Star* 27 August 1991]

In March 1991 thousands of Ciskeians marched to the Ciskei Council of State at Bisho where they presented their demands to the ministry of justice. Among the demands were that:

- trade unions, including public sector unions, be recognised;
- pensions be paid to those who had been made to take early retirement;
- harassment and detentions be stopped forthwith; and
- the military ruler of the Ciskei, Brigadier Joshua 'Oupa' Gqozo, resign and hand the Ciskei back to the South African government.¹⁶⁷ [¹⁶⁷ *Daily Dispatch* 2 March 1991]

At the beginning of April 1991 about 3 000 civil servants in the Ciskei, most of whom were members of the National Education, Health and Allied Workers' Union, an affiliate of the Congress of South African Trade Unions, went on strike. They claimed that the Ciskei administration had reneged on an earlier agreement to pay them the same wages as those paid to civil servants in South Africa.¹⁶⁸ [¹⁶⁸ *City Press* 26 May 1991]

The Inkatha funding affair

Following newspaper allegations, it was admitted in July 1991 that the Department of Foreign Affairs, using the police as a conduit, secretly paid two separate cheques totalling R250 000 into an Inkatha bank account to help finance an Inkatha rally on 5 November 1989 and a second rally, at the King's Park Stadium in Durban, on Sunday 25 March 1990.¹⁶⁹ [¹⁶⁹ Compiled from various press reports]

The government said that the funding for the rallies was used to pay for anti-sanctions banners, advertisements, transport and the hire of stadiums. It denied that any funding went to Inkatha as a

political party, to keep it going as a party, and said that the funding was limited to the rallies. The minister of foreign affairs, Mr Roelof (Pik) Botha, stated that the amounts were to help the anti-sanctions campaign, Inkatha having long been opposed to economic sanctions. The African National Congress (ANC) said the secret funding showed that the government could not be trusted to be in control of negotiations because it was biased towards one of the players. ANC officials stepped up calls for an interim government.

The president of the Inkatha Freedom Party (IFP), Chief Mangosuthu Buthelezi, repaid the two amounts to the government out of IFP funds under his personal control. He denied ever having known of the two secret payments. A police major, who was among his bodyguards and who initially said that Chief Buthelezi had expressed gratitude for them, subsequently retracted his statement. The South African newspapers exposing the funding said that they had no evidence that Chief Buthelezi knew that it came via the police. A senior IFP official who accepted the money said he did not tell Chief Buthelezi because he knew that Chief Buthelezi would disapprove. The official resigned immediately the covert funding became known. The ANC dismissed the official's resignation as a cover-up. Chief Buthelezi said that the money was a 'drop in the ocean' compared with the ANC's international funding.¹⁷⁰ [¹⁷⁰ Ibid]

It was also revealed that R1,5m (not, as originally claimed by the *Sunday Star*, R5m) was paid over a number of years by the government to the United Workers' Union of South Africa (UWUSA), which is linked to the IFP. These payments were reported to have stopped in July 1991. Members of UWUSA have been involved in conflict with members of other trade unions, particularly those aligned with the Congress of South African Trade Unions (COSATU), which is aligned with the ANC and the South African Communist Party.

The March 1990 rally in Durban was blamed in most foreign and local newspapers for an upsurge in violence a few days later in Pietermaritzburg. Papers stated that the rally, which was washed out by a heavy downpour, sparked off the subsequent violence, so proving Inkatha to be on the warpath in Natal. The rally was billed by Inkatha as a thanksgiving service for the release of Mr Nelson Mandela and other prisoners. In his speech Chief Buthelezi strongly deplored violence both in Natal and elsewhere. He also attacked sanctions, 'which rob you of your jobs'. Chief Buthelezi also launched an attack on an ANC official who had vowed to 'kill (Buthelezi) politically'.¹⁷¹ [¹⁷¹ Ibid]

According to various groups in Natal which monitor violence, busloads of Inkatha supporters returned after the rally to the Vulindlela area, to which access can be gained only by a road passing through the township of Edendale, which is an ANC area, and the buses were stoned. Inkatha said the stoning of the buses provoked the subsequent retaliation by its own supporters which escalated into what became known as the Maritzburg War.

The *Sowetan* stated when the funding was exposed that the Inkatha rally 'triggered off' the worst spate of violence in Natal since trouble erupted there in the mid 1980s. The *Sowetan's* headline in its report on the rally at the time was 'Buthelezi calls for peace'.

Mr Mandela said that the funding disclosures indicated that senior officials ‘bear direct responsibility for the murders, sometimes of entire African families, in both the PWV [Pretoria/Witwatersrand/Vereeniging] and Natal’. He said, ‘The transformation of Natal and many parts of the Reef into killing fields must be laid squarely at the door of the government. During these past six years the ANC had repeatedly called attention to the government’s inability to bring this violence to an end. We have also placed before the country evidence of the complicity of elements of the security forces in these brutal murders.’¹⁷² [¹⁷² Ibid]

The government denied these accusations and said the evidence was nothing more than hearsay, although the state president, Mr F W de Klerk, said that individual security force members may have been involved in violence. He promised relentless action against any security force member so involved.

The *Sunday Star* claimed to have established that the government had given Inkatha R5,25m and that this was just ‘the tip of the iceberg’ of massive secret funding of the organisation. Mr Kobus Jordaan MP (Democratic Party) said he had confirmed ‘about R5m’. He had, he said, ‘documentary’ proof of it. The minister of law and order, Mr Adriaan Vlok, dismissed the R5m as way off the mark—the total being R1,75m, he said. Mr Jordaan subsequently admitted that the government’s figure of R1,75m, rather than the R5m of which he earlier said he had documentary proof, could be correct. Mr De Klerk stated that he cut back covert funding in November 1989. He subsequently said that all secret funding to political organisations would be cancelled and that an advisory committee of people outside government would investigate secret projects.

In December 1991 it was admitted that the police had funded a third IFP meeting, on 26 January that year. The South African Police said they had provided money to hire buses to draw as many youths as possible to the meeting, which, they said, was aimed at motivating youth to counter violence and crime in the area. The police said that all such covert operations had been terminated at the end of July. The ANC dismissed this as a ‘threadbare excuse’.

The Weekly Mail said in December 1991 that representatives of two alleged front organisations for the South African Defence Force’s military intelligence division had offered Chief Buthelezi R11m at an IFP central committee meeting in 1989. The offer was, however, rejected. Dr Louis Pasques, the man who the paper said had offered the R11m, denied having done so.¹⁷³ [¹⁷³ Ibid]

Establishment of Paramilitary Units

In December 1990 the African National Congress (ANC) announced that it planned to establish defence units in African townships. The chief of staff of Umkhonto we Sizwe, Mr Chris Hani, said that he could not disclose the training strategy for the proposed units as such policies still had to be formulated.¹⁷⁴ [¹⁷⁴ *The Citizen* 19 December 1990]

The chairman of the ANC Youth League, Mr Peter Mokaba, subsequently said it had been decided that the ANC defence units being established countrywide should be armed.

‘Defence units must arm themselves adequately with everything available, including guns, and they must be able to use those guns in instances where life and property need to be defended,’ he added.¹⁷⁵ [175 *Business Day* 28 January 1991]

The leader of the Afrikaner Weerstandsbeweging (AWB), Mr Eugene TerreBlanche, announced early in 1991 that a special commando unit known as ‘Ystergarde’ had been established by the AWB. Thirty-seven of the best AWB men had already been recruited for the special unit and an initial membership of 100 men was envisaged, he said. The unit would comprise former policemen and soldiers, and members would wear a black uniform. Applicants for membership were selected by the commando council and underwent a long course of instruction, Mr TerreBlanche added.¹⁷⁶ [176 *South* 28 March 1991, *The Citizen* 17 June 1991]

In February 1991 a group which had broken away from the AWB said it was forming a ‘super army’ commando. AWB officials alleged that the ‘whole set-up was a plot’ by the Conservative Party (CP) to poach AWB commando members in order for the CP to form its own army. However, the CP denied that it had anything to do with the splinter group.¹⁷⁷ [177 *The Citizen* 15 February 1991]

After a clash between police and AWB members at Ventersdorp (western Transvaal) in August 1991, Mr TerreBlanche warned that his organisation was strengthening its commando units in preparation for a ‘revolution’ (see also chapter on *Political Organisations*).¹⁷⁸ [178 *Business Day* 12 August 1991]

The Media

In May 1991 African National Congress (ANC) activists in Tumahole, near Parys (Orange Free State), allegedly prevented Ms Mananki Seipei, the mother of a deceased child activist, Stompie Moeketsi, from expressing her views on the court trial of Mrs Winnie Mandela, the wife of the deputy president of the ANC, Mr Nelson Mandela. Mrs Mandela had been sentenced in May 1991 in the Witwatersrand Local Division of the Supreme Court in Johannesburg to a jail term of six years for the kidnapping of four youths, including Stompie Moeketsi, and for being an accessory after the fact in the assault of Stompie, who had subsequently been killed (see *1988/89 Survey* p639). Ms Seipei told a reporter, ‘I want to tell you how I feel but these people [the activists] run the township and I am afraid.’ One of the activists present, Mr Take Tinane, told the same reporter, ‘The law in this township is that you should first come to us before interviewing anyone,’ while another activist said that the press had no right to talk to Ms Seipei. Earlier in February 1991, the Tumahole branch of the ANC had called a press conference to disclaim media reports that Ms Seipei had been muzzled by the comrades, but at the press conference they had not allowed her to answer questions nor had questions been translated for her.¹⁷⁹ [179 *Daily Dispatch* 17 May 1991]

In July 1991 the South African Institute of Race Relations published a book on unofficial censorship in South Africa, entitled *Mau-Mauing the Media: New Censorship for the New South Africa*. The book comprised transcripts of talks and discussions with senior African journalists, and reflected the extent to which reporters had been subjected to harassment by political activists during political unrest, particularly in the 1980s. According to the book, unofficial censorship had prevented publication of much of what had happened in African townships.¹⁸⁰ [180 Thami Mazwai et al, *Mau-Mouing the Media: New Censorship for the New South Africa*, South African Institute of Race Relations, 1991]

In March 1991 Mr Adli Jacobs of *New Era*, a Cape-based publication, said that in its obsession with countering government propaganda, the alternative press was uncritical in reporting on the activities of liberation movements and organisations. 'We thought it important to exaggerate the strength of the ANC and to sketch [Mr] Nelson Mandela larger than life. Any internal organisational problems or flaws were attributed to apartheid, state propaganda and repression. We were uncritical of the Mass Democratic Movement and swept most contradictions or controversy under the carpet. In our attempts to hang apartheid and its perpetrators, we became infected by the very methods we found abhorrent,' he said. Mr Jacobs urged fellow journalists to become critical and so help in building a true democracy.¹⁸¹ [181 *City Press* 17 March 1991]

Political Conflict

According to statistics compiled by the South African Institute of Race Relations, there were 3 699 deaths from political violence in 1990. This represented a 163% increase on the 1 403 deaths recorded in 1989. Measured by fatalities, 1990 was the worst year of political violence in modern South African history. The breakdown of deaths in political violence between 1985 and 1990, by province, was as follows:

Political fatalities in South Africa (including the ten homelands): 1985-1990

Cape

Natal

OFS ^a

Transvaal

Unknown

Total

1985

455

117

17

285

5

879

1986

398

101

12

776

11

1 298

1987

65

451

17

124

4

661

1988

79

912

8

150

—

1 149

1989

70

1 279

—

54

—

1 403

1990

247

1 811

92

1 547

2

3 699

Total

1 314

4 671

146

2 936

22

9 089

a

Orange Free State

The average daily fatality rate in political violence between January and November 1991 (7,5) represented a decline on the rate for 1990 (10,1) but almost a doubling of the rate for 1989 (3,8).

Statistics compiled by the Institute, of political fatalities in South Africa (including the ten homelands) between January and November 1991 were as follows:

Political fatalities in South Africa (including the ten homelands): 1991

Month

Total ^a

Rate per day

January

187

6,0

February

129

4,6

March

351

11,3

April

270

9,0

May

318

10,3

June

150

5,0

July

164

5,3

August

184

5,9

September

282

9,4

October ^b

218

6,6

November ^b

283

9,0

December

170

Total

2 706

7,5

a

These figure represent an average of minimum and maximum fatality figures. Minimum totals are derived from police and/or press report, whereas maximum totals include figures from sources other than police press clippings, for example, various monitoring group. It is not always certain whether a reported fatality is unrest-related. Police spokesperson says that the difference between their fatality and those of other agencies can be explained by the fact that the police have a legal procedure which they have to follow regarding unrest fatalities. This involves documentation as well as photographs of each body found.

b

These figures are provisional, as reports from some monitoring agencies had not been received

Guerrilla attacks

On 2 January 1991 two members of the Azanian People's Liberation Army, the military wing of the Pan-Africanist Congress (PAC), were fatally wounded in a shootout with riot police in Port Elizabeth (eastern Cape). The two men, Mr Jabu Mdunge and Mr Mongesi Cakata, opened fire when the police, acting on information which they had received, found them in a scrapyard. The police returned fire and the men were killed. Three AK-47 rifles were recovered after the incident.¹⁸² [¹⁸² *The Citizen* 16 January 1991]

Mr Thabang Motlhodisi, a 25-year-old member of the Azanian National Liberation Army (AZANLA), the military wing of the Black Consciousness Movement of Azania (BCMA), was killed in a clash with security forces at Mahwelereng, near Potgietersrus (northern Transvaal), early in March 1991. He died in a grenade explosion during a skirmish with members of the South African Defence Force and the South African Police (SAP). In a statement issued from Harare (Zimbabwe), the media officer of the BCMA, Mr Gilbert Mokoena, said that Mr Motlhodisi had been 'one of the most dedicated and selfless members of the BCMA formations'. In the same incident a policeman died and three policemen were injured.¹⁸³ [¹⁸³ *Sowetan* 7 March 1991]

AZANLA claimed responsibility for a blast at the Noordwyk electricity substation in Midrand (north of Johannesburg) towards the end of August 1991. A Transvaal commander of AZANLA forces, Mr Molefe Moeketsi, said that the attack was part of the guerrilla army's 'continuing assault against economic targets'.¹⁸⁴ [¹⁸⁴ *The Star* 27 August 1991]

Black and white conflict

In October 1990 a group of black youths wearing PAC badges and T-shirts stormed into a shop on the Durban beachfront and stabbed several whites. Three members of the Afrikaner Weerstandsbeweging (AWB) and the Orde van die Boerevolk, Messrs David Botha, Eugene Marais and Adriaan Smuts, retaliated by shooting at a bus at Avoca (Natal) with an AK-47 rifle and an FN machine gun. Seven Africans were killed and 18 injured in the attack. The three men were subsequently arrested and charged with seven counts of murder and 27 counts of attempted murder.¹⁸⁵ [¹⁸⁵ *Sowetan* 23 January 1991, *The Citizen* 24 January 1991]

In September 1991 Mr Justice B Galgut sentenced Mr Botha and Mr Smuts in the Durban and Coast Local Division of the Supreme Court in Durban to death seven times each. They were also sentenced to

12 years' imprisonment on each of the 27 charges of attempted murder.¹⁸⁶ [¹⁸⁶ *The Citizen* 14 September 1991] Earlier, in March 1991, Mr Marais had been sentenced to death seven times for murder by Mr Justice J H Hugo in the Durban Supreme Court after he had pleaded guilty to the charges.¹⁸⁷ [¹⁸⁷ *Ibid* 14 March 1991, 14 September 1991]

Members of the Voices of Healing Ministry, a black church group, were assaulted by 20 white men chanting 'AWB' at a picnic spot in Vanderbijlpark (southern Transvaal) on 1 January 1991.¹⁸⁸ [¹⁸⁸ *Business Day* 4 January 1991]

Two Indians, Messrs Nazir Ahmed Moola and Yusuf Dhaler, were attacked in the same month in Vereeniging (southern Transvaal) by four whites who claimed that they were policemen.¹⁸⁹ [¹⁸⁹ *Sowetan* 4 January 1991]

Also in January 1991 a group of coloured people were attacked by khaki-clad whites when they attempted to swim at a new public swimming pool in De Aar (southern Cape). The local commandant of the AWB, Mr Daniel Bothnia, said that his organisation was determined to prevent the town council from opening the swimming pool to all races (see also chapter on *Housing and Urbanisation*).¹⁹⁰ [¹⁹⁰ *The Citizen* 17 January 1991]

An attack by whites on African patrons at the Majestic Hotel in Krugersdorp (west Rand) in February resulted in more than 20 Africans being injured.¹⁹¹ [¹⁹¹ *City Press* 3 February 1991, *Sunday Star* 3 February 1991]

In April 1991 AWB members in Krugersdorp attacked a *City Press* photographer, Mr Tladi Khuele, with a baton and damaged his camera.¹⁹² [¹⁹² *City Press* 7 April 1991]

Also in April Mr William Mashiya laid a charge of assault against the leader of the AWB, Mr Eugene TerreBlanche, saying that he had been assaulted after Mr TerreBlanche had accused him of stealing a goat. Mr TerreBlanche denied the allegation.¹⁹³ [¹⁹³ *The Citizen* 6 April 1991, *Sunday Star* 7 April 1991]

In May 1991 a group of AWB supporters and other right-wing whites who attempted to disrupt a meeting which was to be addressed by the state president, Mr F W de Klerk, in Ventersdorp (western Transvaal) were confronted by police. The group then attacked an African community at Goedgevonden which a month earlier had reclaimed land from which they had been removed in 1977 (see also chapter on *Land and Agriculture*). The group was repelled by police with teargas and rifle fire and two farmers were wounded. The right-wing whites then moved to Tsing township outside Ventersdorp, where they

woke up residents, smashed their belongings and assaulted them with sticks and batons.¹⁹⁴ [¹⁹⁴ *Sunday Star, Sunday Tribune* 12 May 1991; *Business Day* 13 May 1991]

The chairman of the Transvaal Agricultural Union, Mr Wilco Beukes, later denied that the group of about 1 100 men had intended to attack the people of Goedgevonden. He said that they had been hoping to convince the community to return to Bophuthatswana, and that they had not provoked the police through their actions.¹⁹⁵ [¹⁹⁵ *Business Day* 14 May 1991] Three whites were subsequently arrested and charged with public violence. The case was postponed to September 1991. No further information was available at the time of writing.¹⁹⁶ [¹⁹⁶ *Sowetan* 14 May 1991]

In June 1991 the Transvaal Provincial Division of the Supreme Court in Pretoria ordered that Mr TerreBlanche and his organisation were not to interfere in any way with Goedgevonden residents.¹⁹⁷ [¹⁹⁷ *Ibid* 26 June 1991]

In June 1991 a group of whites invaded the Goedehoop High School in Germiston (east Rand), which was unused and in which informal settlers had been given permission to stay until 4 June. The group beat up the informal settlers with sjamboks and knobkerries.¹⁹⁸ [¹⁹⁸ *Business Day, The Citizen, Sowetan, The Star* 3 June 1991]

In the same month an African, Mr Aaron Teffo, was severely beaten in Florida (west Rand) for allegedly exposing himself to a white woman while urinating. Mr Teffo's case was later taken up by the Legal Resources Centre in Johannesburg.¹⁹⁹ [¹⁹⁹ *Saturday Star* 6 May 1991]

A news vendor, Mr Sam Dhlamini, was beaten to death by white men in Johannesburg in July 1991.²⁰⁰ [²⁰⁰ *The Star* 9 July 1991]

The Huisen Haard hostel, which housed black students at the University of Pretoria, was attacked with teargas canisters in July 1991 by a group suspected to comprise right-wing whites. Nobody was injured in the attack.²⁰¹ [²⁰¹ *Ibid* 18 July 1991] Later in the month the Hillview High School in Pretoria, which was to have been occupied by 400 children of African National Congress exiles returning from Tanzania, was extensively damaged by two explosions a week apart. Right-wing organisations were reported to have vowed not to allow the previously white school to be occupied by Africans. It was subsequently decided to accommodate the children elsewhere.²⁰² [²⁰² *Business Day, The Citizen, Sowetan* 22 July 1991]

In August 1991 Mr and Mrs Mac Nkabinde were compelled to leave their luxury double-storey house in a white suburb of Newcastle (Natal) after being harassed by a gang of white youths. The teenage gang

had harassed the Nkabinde family by rewing motorcycles outside their house and stoning the windows and roof of their home.²⁰³ [²⁰³ *Sunday Times* 25 August 1991]

In the same month the Vereeniging house of an AWB member, Dr Willie van Rensburg, was attacked with a teargas grenade attached to an explosive device.²⁰⁴ [²⁰⁴ *The Star* 22 August 1991]

Also in August white thugs attacked a maintenance worker, Mr David Mogala, and left him for dead on the side of the road in Roodepoort (west Rand).²⁰⁵ [²⁰⁵ *Ibid*]

Attacks on whites

In the same month a bus transporting white schoolchildren was stoned by African youths at Redan near Vereeniging. The busdriver subsequently stopped the bus to examine the damage to his vehicle and the schoolchildren disembarked, following which they were pelted with stones by the group of about 30 youths. Several children were injured in the attack.²⁰⁶ [²⁰⁶ *Beeld* 29 August 1991]

In September 1991 a group of white schoolchildren were assaulted and robbed by people marching in Cape Town in protest against the introduction of value added tax (VAT). The group of 100 children from Port Elizabeth were sightseeing in central Cape Town when they passed marchers carrying Congress of South African Trade Unions (COSATU) banners. Some of the marchers allegedly assaulted the children by hitting them in the face and robbed them of bags of items of clothing.²⁰⁷ [²⁰⁷ *Business Day, The Citizen* 1 October 1991]

Attacks on policemen and soldiers

Eight policemen were injured when they were attacked with AK-47 rifles while on patrol in KwaMashu (Durban) in early January 1991. In the same month, a house belonging to a policeman at Khayelitsha (Cape Town) was petrol-bombed.

Also in January Sergeant Peter Phala was fatally stabbed in his house at Daveyton (east Rand) by five men posing as friends. After knocking at the door, one of the five men identified himself as a personal friend of the police sergeant. As the sergeant's wife opened the door, the five unknown men burst into the house and attacked the policeman.²⁰⁸ [²⁰⁸ *The Citizen, Sowetan* 10 January 1991]

In another incident in January, Constables M A Patuka and M M Machaba were killed and two other policemen were injured when they were attacked by men armed with AK-47 rifles and pangas at the Phola Park shack settlement (east Rand).²⁰⁹ [²⁰⁹ *The Citizen* 19 January 1991]

In March 1991 Lance Corporal Johan du Plooy lost his right foot in an explosion when he and six other soldiers drove over a landmine near Messina (northern Transvaal) while on their way to deliver water to a remote border post.²¹⁰ [²¹⁰ Ibid 7 March 1991]

In July 1991 the stabbed body of Assistant Constable Jabulani Jente of Khayelitsha was found at the side of a Cape Peninsula railway line. He was one of 200 recruits who had been assigned to a mobile police unit in June 1990 to help combat soaring crime on trains and station platforms.²¹¹ [²¹¹ *Cape Times, Eastern Province Herald* 18 May 1991] A member of a riot unit of the South African Police (SAP) stationed in Pietermaritzburg (Natal), Constable M Mkhasebe, was shot dead in the same month by three gunmen while off duty in KwaMashu.²¹² [²¹² *The Natal Mercury* 26 July 1991]

In August 1991 unknown assailants threw three African assistant constables off a moving train between Riverlea and New Canada on the Johannesburg-Soweto line. The men were off duty at the time. One of the policemen, Constable Martin Malebana, subsequently died.²¹³ [²¹³ *The Citizen, Saturday Star* 17 August 1991; *The Star* 19 August 1991] In the same month Sergeant Jan Mhlabane and Constable Johan Lukele were shot dead by two men whom they had arrested and who were being held in the back of their police van at Wesselton (eastern Transvaal).²¹⁴ [²¹⁴ *The Star* 16 August 1991]

Attacks on councillors

According to the South African Institute of Race Relations, there were 111 attacks on African town councillors between January 1990 and July 1990, 84 between August 1990 and February 1991, and three between March and June 1991.²¹⁵ [²¹⁵ *Business Day* 20 December 1990]

The house of a Soweto city councillor, Mr Benjamin Mthimkhulu, was petrol-bombed by several youths in March 1991, but damage was minimal and no one was injured.²¹⁶ [²¹⁶ *The Citizen, Sowetan* 19 March 1991]

Among the councillors who were killed in March and April 1991 were Mr M Khumalo of Meadowlands (Soweto), Mr D Mlangeni of Katlehong (east Rand), Mr A S Mmesi of Dobsonville and Mr I Mokoena of Soweto.²¹⁷ [²¹⁷ *The Citizen* 19 March 1991, 23 April 1991; *Sowetan* 22 April 1991] Also in April a town councillor in Graaff-Reinet (southern Cape), Ms Regina Alom, was attacked and killed.²¹⁸ [²¹⁸ 501¹² May 1991]

In Tembisa (east Rand) nine houses belonging to councillors were attacked and petrol-bombed in May 1991 after the local authority cut off the electricity supply to the township. After her house was stoned and petrol-bombed, a Tembisa town councillor, Mrs E Zikalala, resigned from the council.²¹⁹ [²¹⁹ *City Press* 5 May 1991]

Councillors, their wives, their children and their properties were attacked frequently during the period under review in attempts to force them to resign. The chairman of the Tsakane Town Council (east Rand), Mr Raymond Hadebe, said in July 1991 that he was resigning because of many attempts on his life. 'Serving on the council is a short-cut to death, and the pressure is unbearable. The Transvaal Provincial Administration gives us no protection, while telling us not to resign. We are councillors at our own risk,' he said.²²⁰ [²²⁰ *Sowetan* 26 July 1991, *Sunday Star* 28 July 1991]

The house of Mr Kebane Moloi, the chairman of the Duduza Town Council (far east Rand), was attacked with petrol bombs in the same month. A two-month-old baby was injured in the attack. Between 1982 and 1985 Mr Moloi's home and business had been a target of attack. He resigned from the council in 1986 and was detained in the same year for his involvement in the Duduza Civic Association. He had returned to participation in local government in 1988, allegedly after realising that he was 'better inside than outside' in working for the community. Mr Moloi said that his house had been stoned earlier in 1991 by a group of youths and that his children's lives were in 'constant danger'.²²¹ [²²¹ *City Press* 21 July 1991]

Attacks on activists and organisations

The president of the ANC, Mr Nelson Mandela, said in October 1991 that there had been 225 assassinations of anti-apartheid activists since 1981 and nine activists were missing without trace. To date nobody had been brought to trial for these killings, he added.²²² [²²² *The Citizen* 15 October 1991]

Among those killed were Mr Jeff Wabena, the national organiser of the South African Domestic Workers' Union, who was shot by a gunman in East London; Mr Mziwonke 'Pro' Jack, an ANC activist in the western Cape, who was shot in June; Mr Joseph Thwala, the vice chairman of the ANC's Mbhayi branch, who was shot on 19 September 1991; Mr Christopher Nangalembe, a Youth League organiser, who was found strangled in Sebokeng in January 1991; Mr Sam Ntuli, the general secretary of the Civic Associations of Southern Transvaal; and Mr Joe Nkuna and the ANC's eastern Transvaal secretary, who were attacked by unknown assailants on 3 October 1991. On the basis that a common denominator appeared to be the effectiveness of these and other assassinated ANC activists within their communities, the ANC believed that a campaign to eliminate such activists was under way.²²³ [²²³ *The Weekly Mail* 25 October 1991] (For details of assassinations of IFP leaders, see *The Mkuze Camp* below.)

An organiser of the ANC Youth League in the Vaal Triangle (southern Transvaal), Mr Christopher Mphikeleli Nangalembe, was abducted by a Sebokeng gang in January 1991 and subsequently strangled.

His body was found near a rubbish dump in the township.²²⁴ [²²⁴ *Sowetan* 10 January 1991] Also in January a trade unionist and ANC activist, Mr Jeff Wabena, was shot dead by gunmen at an ANC meeting in Mdantsane (eastern Cape).²²⁵ [²²⁵ *Daily Dispatch* 22 January 1991]

In February 1991 an ANC lawyer, Mr Bheki Mlangeni, died when a parcel bomb hidden in the headphones of a cassette player, which had been sent to him by post, exploded.²²⁶ [²²⁶ *The Citizen* 25 February 1991] Also in February the Tokoza (east Rand) house of an executive member of the Civic Associations of Southern Transvaal (CAST), Mr Sam Ntuli, was attacked with hand grenades. Five people, including a nine-year-old girl, were injured in the attack.²²⁷ [²²⁷ *Ibid* 4 February 1991]

The house of an executive member of the Klerksdorp (western Transvaal) branch of the ANC and of the Jouberton Civic Association, Mr Solly Rasmeni, was bombed in February.²²⁸ [²²⁸ *The Weekly Mail* 22 February 1991]

The Khayelitsha (western Cape) homes of two members of the Western Cape Civic Association, Mr Julian Ntsholo and Mr Roseberry Sonto, were petrol-bombed in April 1991.²²⁹ [²²⁹ *The Citizen* 27 April 1991]

Ten people were killed in Soweto in the same month by mourners returning from the funeral of Mr Moses Khumalo, the mayor of Diepmeadow and the chairman of the Meadowlands branch of the Inkatha Freedom Party (IFP).²³⁰ [²³⁰ *Business Day, The Citizen, The Star* 29 April 1991] According to the IFP, mourners en route to and from the funeral had been attacked with stones and an AK 47 (see below).

Also in April the chairman of the Mooi River branch of the ANC, Mr Derrick Majola, his wife and their four-year-old daughter were shot dead in their home at Bruntville (Natal).²³¹ [²³¹ *Sowetan* 1991]

Between April and August 1991 at least 38 activists died in political violence. Of these, 23 were identified as members of the ANC, five as members of the IFP, and one each as members of the PAC and the Azanian People's Organisation (AZAPO). ANC members and relatives of members who were killed in the violence included the wife, daughter and grandchild of an ANC official, the Rev Ernest Sotsu of Boipatong (southern Transvaal), who were shot in their house;²³² [²³² *The Citizen* 8 July 1991] the wife and three children of Mr Solomon Tshukutu, a branch chairman of the ANC in Khayelitsha, who died in a shootout;²³³ [²³³ *The Citizen, The Star* 16 August 1991] and Mr Muntu Gaza, a former special

constable and IFP member who had ‘crossed camps’ to join the ANC. Mr Gaza was shot three times in the head at point-blank range in Imbali (Natal).²³⁴ [²³⁴ *The Natal Witness* 25 July 1991]

A former Robben Island prisoner, ANC member and activist, Mr Mziwonke Jack, was assassinated with an R4 automatic rifle at Nyanga (Cape Town) in June 1991.²³⁵ [²³⁵ *The Citizen, Sowetan* 21 June 1991] A community leader and businessman, Mr Emmanuel Bhengu, was fatally shot in his home at KwaMakhutha near Durban in July 1991.²³⁶ [²³⁶ *The Natal Mercury* 24 July 1991]

In May 1991 a hand grenade was thrown into the house of a member of the ANC, Mr Jabu Sithole, in Lamontville (Durban).²³⁷ [²³⁷ *The Natal Witness* 17 May 1991] The home of a senior member of the ANC in Khayelitsha, Mr Richard Makeleni, was also petrol-bombed in July.²³⁸ [²³⁸ *Cape Times* 24 July 1991]

Attacks on parliamentarians

In June 1991 the family of Mr Don Mateman MP (National Party) was terrorised by a gang before the gang ransacked their house in Eldorado Park (Johannesburg). Mr Mateman was not home at the time of the attack.²³⁹ [²³⁹ *The Star* 11 June 1991]

Harms commission

In February 1990 the government appointed a commission of inquiry into alleged hit squads, which was to report on ‘alleged incidents of murders and other unlawful acts of violence committed in South Africa and the homelands in order to achieve, effect or promote constitutional or political aims in South Africa’ (see *1989/90 Survey* pp200-201). The commission was headed by a supreme court judge, Mr Justice Louis Harms. In the report of the commission, which was published in November 1990, Mr Justice Harms said, ‘The commission has been unable to achieve one of its main purposes, namely to restore public confidence in a part of the state administration.’²⁴⁰ [²⁴⁰ *Sunday Star* 18 November 1990] The report found that:

- there was no evidence of hit squads in the South African Police (SAP);
- a white senior official of the South West African People’s Organisation, Mr Anton Lubowski, who was assassinated in September 1989, had received R100 000 as an agent of the South African Defence Force (SADF); and
- the minister of defence, Mr Magnus Malan, was only ‘politically responsible’ and could, therefore, not be held responsible for the activities of the Civil Co-operation Bureau (CCB), which had allegedly been

responsible for a series of political murders (see *1989/90 Survey* p244).²⁴¹ [²⁴¹ Ibid]

The commission's report evoked criticism from a number of quarters. The National Association of Democratic Lawyers (NADEL) said in reaction, 'We believe that the people of South Africa are entitled to know the truth. NADEL rejects the whole process as a sham and huge cover-up of SADF and SAP covert activities by the De Klerk government and the security forces.' The association also said that the government's handling of the matter had ensured that 'the truth is suppressed' and claimed that the person primarily responsible for the cover-up was the state president, Mr F W de Klerk, since he had refused to extend the commission's terms of reference. He had acceded to demands for a commission only after strong pressure from all quarters, NADEL argued. It said that Mr De Klerk had afforded elements in the SADF and SAP sufficient time to conceal the truth.²⁴² [²⁴² *The Citizen, The Natal Mercury* 19 November 1990]

According to the *Sunday Times*, criticism concentrated on three aspects of the commission

- the restricted terms of reference of the commission and the narrow way in which Judge Harms had interpreted information obtained;
- its failure to determine the political accountability of defence force members; and
- the blanket absolution of the police force from hit squad activities.

The *Sunday Times* added that doubt was cast on the findings as a result of the denial of access to important information and the refusal by members of the CCB to divulge certain information. Summing up his findings Judge Harms said that there had been a 'basic lack of evidential material that might put some flesh on the bones. In general, victims failed to furnish information. Willing, trustworthy witnesses did not come to the fore'.²⁴³ [²⁴³ *Sunday Times IS* November 1990]

The director of the Centre for Human Rights at the University of Pretoria. Professor Johann van der Westhuizen, said that the report was an 'opportunity lost' to restore the status of judges in the eyes of the population. A law professor at the University of Stellenbosch, Professor Lourens du Plessis, called the investigation an 'exercise in futility', saying that the country knew no more now than it did when the commission had been first appointed.²⁴⁴ [²⁴⁴ Ibid]

Conflict between groups

Conflict between political groups escalated in 1990, with the largest number of deaths apparently

occurring in conflict between the African National Congress (ANC) and the Inkatha Freedom Party (IFP).

Conflict between the African National Congress and the Azanian People's Organisation

In December 1990 eight people at Bekkersdal (west Rand), including a special constable, died violently, while 20 houses were set alight, five vehicles damaged and many people injured in conflict between the ANC and the Azanian People's Organisation (AZAPO). Residents of the township said the violence was started by people living in Mandela Park, a new informal settlement at the entrance to the township. Some Mandela Park residents had raided spaza shops and shebeens, and Bekkersdal township residents had retaliated with violence.²⁴⁵ [²⁴⁵ *Sowetan* 11 December 1990]

In January 1991 a man was beheaded, five people were hacked to death or shot dead and several houses were set alight in renewed fighting at Bekkersdal. It was alleged that members of the ANC had invited AZAPO supporters to a peace meeting and that fighting had broken out during the meeting, with police being called in to stop the violence.²⁴⁶ [²⁴⁶ *Ibid* 29 January 1991] In later incidents two people were killed, five injured and 18 shacks petrol-bombed and razed to the ground when members of the Bekkersdal Youth Congress, which was affiliated to the ANC, abducted youths at the local taxi ranks.

Also in January about 75 members of the Azanian Students' Movement (AZASM), a black-consciousness organisation, were allegedly forced to leave the Nkhopoleng Secondary School in Zamdela near Sasolburg (Orange Free State) by gun-wielding members of the ANC-affiliated Congress of South African Students (COSAS). The president of AZASM, Mr Johnny Mngxitama, said that armed members of COSAS, using a 'one-school, one-organisation' slogan, had driven the AZASM members out of the school. A police spokesman confirmed that a COSAS member at the school had asked an AZASM member to leave the premises since 'the school was reserved for COSAS members'. The police spokesman said that both groups had left the school to fetch weapons and that police had arrived on the scene before 'serious confrontation' had occurred.²⁴⁷ [²⁴⁷ *The Star* 17 January 1991]

In February 1991 the owner of the Witbank Tavern, Mr Dodo Molefe, was attacked in Witbank (eastern Transvaal) because two of his children belonged to AZAPO.²⁴⁸ [²⁴⁸ *Sowetan* 4 February 1991]

In July 1991 AZAPO accused ANC members in KwaNdebele of harassing its members and workers affiliated to the National Council of Trade Unions (NACTU). It was alleged that NACTU members had been assaulted and forced out of jobs by members of the ANC and Intando ye Sizwe, a political organisation which had close links with the homeland administration. Deploring violence which had left two families homeless after their houses were burnt down, AZAPO called on the ANC leadership and the homeland's chief minister, Mr James Mahlangu, to bring the violence to an end.²⁴⁹ [²⁴⁹ *Ibid* 29 July

1991]

Conflict involving the African National Congress and the Inkatha Freedom Party

Reef violence

In December 1990, 78 people died in conflict between the ANC and the IFP, including 55 in Tokoza, nine in Katlehong (both east Rand), eight in Tembisa (north-east Rand), five in Sebokeng (southern Transvaal) and one in Bekkersdal (west Rand). With the exception of Bekkersdal, fighting occurred between house residents and migrants who lived in hostels.²⁵⁰ [²⁵⁰ *New Nation, The Weekly Mail* 1

December 1990] Shack dwellers at Bekkersdal told the minister of law and order, Mr Adriaan Vlok, that police had assisted the people who attacked them.²⁵¹ [²⁵¹ *Business Day* 20 December 1990] Police denied allegations by *The Weekly Mail* that video footage taken in Tokoza on 2 December showed police allying themselves with IFP supporters against 'comrades'.²⁵² [²⁵² *The Weekly Mail* 21 December 1990]

In January 1991, 35 people were killed and 40 injured in a pre-dawn attack on mourners at the funeral vigil of an ANC member, Mr Christopher Nangalembe, in Sebokeng.²⁵³ [²⁵³ *The Star* 14 January 1991] Mr Nangalembe had been found shot and strangled earlier in the month.²⁵⁴ [²⁵⁴ *Business Day* 16 January 1991]

The death toll resulting from the attack on the funeral vigil later rose to 45.²⁵⁵ [²⁵⁵ *Sowetan* 14 January 1991]

It was announced later in January that the deputy president of the ANC, Mr Nelson Mandela, and the president of the IFP, Chief Mangosuthu Buthelezi, would meet in Durban on 29 January in an attempt to end the violence between the ANC and the IFP (see also chapter on *Constitutional Negotiations*). A peace accord between the two organisations was subsequently concluded (see *Appendix*).²⁵⁶ [²⁵⁶ *Ibid* 18 January 1991]

The government, which had already deployed troops in some townships on the east Rand, imposed a dusk-to-daw curfew in February 1991 in Alexandra (Johannesburg), parts of Soweto and Tembisa as the violence escalated, resulting in more deaths, despite calls by political leaders for peace and the cessation of hostilities.²⁵⁷ [²⁵⁷ *The Citizen* 5, 13 February 1991] In March 1991 these areas were declared unrest areas.

Fierce fighting between ANC and IFP supporters broke out in Alexandra in March. Five days after the fighting had started, the death toll had reached 50 and police sealed off the township in an attempt to

stop the fighting.²⁵⁸ [²⁵⁸ *Sunday Times* 10 March 1991; *The Citizen, Sowetan* 11 March 1991; *The Star* 12 March 1991] At the end of March three men armed with guns, pangas and knives killed 15 people at a funeral vigil in Alexandra, including nine family members, and injured 18 others. Survivors of the attack said that at 4.20am three men armed with AK-47 rifles had burst into a tent where members of the Congress of South African Students were holding a vigil for one of their members who had been killed in a faction fight in the township. The attackers opened fire on the mourners and then hacked at the dead and dying with pangas and knives.²⁵⁹ [²⁵⁹ *The Star* 27 March 1991; *The Citizen, Sowetan* 28 March 1991]

In conflict between groups of ANC and IFP supporters armed with axes, spears, and sticks at the Nancefield hostel (Soweto) in April 1991, 55 people were injured. Police used teargas and shotguns to separate the opposing factions.²⁶⁰ [²⁶⁰ *The Citizen, Sowetan* 15 April 1991] In another clash between the two organisations at Daveyton (east Rand) in April at least 12 people were killed and 30 injured. Virtually all the dead were ANC supporters. The ANC claimed that the police had attacked ANC supporters who had gathered to protect themselves against members of the IFP.²⁶¹ [²⁶¹ *The Star* 26 April 1991] Police maintained that they were forced to defend themselves when 200 ANC supporters had ignored an order to disperse and had attacked them with weapons such as petrol bombs, guns and pangas.

Mr Moses Khumalo, the mayor of Soweto's Diepmeadow township and the chairman of the local IFP branch, was ambushed and assassinated, by a person using an AK-47 rifle, on 19 April 1991.

Mr Khumalo had refused to bow to calls for his resignation issued by the Civic Associations of Southern Transvaal (CAST), which was prominent in campaigning against black local authorities. Although his family denied that his murder was political, the police and the IFP were convinced that it was. Mr Khumalo had survived at least two earlier attempts on his life. In an address read at the funeral Chief Buthelezi blamed the campaign against black local authorities for Mr Khumalo's death. The IFP said that the killing was part of a campaign to eliminate its officials and office-bearers.

Commenting on Mr Khumalo's assassination, CAST'S publicity secretary, Mr Cas Coovadia, said that it was 'to be regretted that any human being was killed in this manner. We do not encourage our people to use violence against our opponents and we certainly would not support this action'.²⁶² [²⁶² *Sunday Star* 21 April 1991]

After the funeral on 27 April, ten people, among them a policeman, were hacked and stabbed to death, allegedly by IFP members. The IFP said this attack was provoked when a bus carrying mourners was fired at by people with AK-47 rifles from a house in Meadowlands. Several other AK-47 attacks occurred when buses with mourners were ambushed. Mourners who chased one of the AK-47 attackers killed him in his kitchen. The IFP also said that buses were stoned and that groups of people had been going through the township knocking on doors throughout the week preceding the funeral and warning people not to attend, and that armed groups had tried to prevent mourners from getting into the stadium

where the funeral service was to be conducted.

The publicity secretary of the Meadowlands Civic Association, Mr Louis Ramono, who was in Zone 3 at the time of the attack, said that Inkatha supporters had been boarding buses at the stadium 'when all of a sudden they started attacking houses and people'. 'This happened while the police were there,' he said. 'Afterwards they (the attackers) just walked back through the police lines to the buses, still carrying their guns.' Referring to the statement that the police had allowed the attack to proceed, a spokesman for the SAP said that it was 'not in the nature of the SAP or any of its members to stand idly by'.²⁶³ [²⁶³ *The Star* 29 April 1991]

By the end of the month the death toll in IFP/ANC conflict in Soweto had reached 24. At the beginning of May 1991 the home of a prominent IFP leader in Soweto was petrol-bombed and six Zulus were killed elsewhere in the township, in what police believed was a revenge attack for the killings after the Khumalo funeral. By the end of the first week in May, 66 people in Soweto were dead in clashes between the ANC and the IFP.

The IFP admitted that innocent bystanders and onlookers could have been killed when mourners who had been ambushed hit back against anyone in and around the houses from which shots had been fired. It said that 'if mourners had not been ambushed, no violence would have erupted'.²⁶⁴ [²⁶⁴ Various press reports]

One of the leading campaigners against black local authorities and the general secretary of CAST, Mr Sam Ntuli, was assassinated on 29 September 1991. Described by one newspaper as 'a man with a mission: he aimed to wipe black local authorities off the map', Mr Ntuli had escaped a petrol-bomb attack on his house in February in which two children were injured. He had blamed the IFP for the attack. Mr Ntuli was murdered in the same street in Tokoza (east Rand) in which 23 IFP members en route to a meeting had been murdered by people with AK-47 rifles three weeks previously.

The president of CAST, Mr Moses Mayekiso, blamed hit squads for Mr Ntuli's death, saying it could be linked to the 'targeting' of the democratic movement's leadership. The president of the ANC, Mr Nelson Mandela, told a rally in Eldorado Park that National Party members were safe, but ANC leaders were being shot. 'The government is aware of the presence of death squads but is refusing to disband them,' he said.²⁶⁵ [²⁶⁵ *Daily Dispatch* 30 September 1991]

In May 1991 police seized a number of weapons and several dozen rounds of ammunition when they stopped and searched a busload of IFP supporters near Chiawelo (Soweto) after passengers had fired on a crowd which had stoned the bus. Two bodies were later found, one of which had been shot and the other stabbed.²⁶⁶ [²⁶⁶ *Sowetan* 4 May 1991, *The Citizen* 4, 6 May 1991, *The Star* 6 May 1991]

Police manned roadblocks at entrances to Tembisa in May after violent clashes between the ANC, the IFP and the police in which at least six people died and several were injured. The Vusumuzi hostel, which had been the scene of the violence, was heavily guarded by members of the South African Defence Force (SADF). Police stopped cars entering the township and searched them.²⁶⁷ [²⁶⁷ *The Star* 10 May 1991]

On 8 September 1991 three gunmen sparked off lighting when they opened fire on a group of IFP supporters on their way to a meeting in Tokoza. In the attack 23 people were killed and 22 injured. The following day the violence spread to Katlehong and Tembisa, and township residents on the Reef were attacked while travelling to work by train.

Natal violence

In October 1990 the state president, Mr F W de Klerk, lifted the state of emergency which had been imposed on the whole country in 1986 but which had been lifted everywhere except in Natal in June 1990 (see *1989/90 Survey pliii*). Mr De Klerk said that conditions in Natal had stabilised to such an extent that the laws of the country were sufficient to ensure the public's safety and to maintain public order, despite continued sporadic outbursts of unrest.²⁶⁸ [²⁶⁸ *South African Policy Review*, vol 3 no 10, 1990]

On 4 January 1991 heavily armed men using AK-47 rifles, hand grenades and shotguns attacked villages at Hlati (Helpmekaar), Mabaleni (Wartburg) and Table Mountain (Pietermaritzburg), leaving at least 14 people dead. Many families fled from their homes as a result of the fighting.²⁶⁹ [²⁶⁹ *The Star* 4 January 1991] Later in January a raid on residential areas near Umgababa (Natal south coast) left 17 ANC supporters dead and caused thousands of people to flee from the area. Some of the fleeing people said that the attackers came from the 'Inkatha area' of Hlanzeni.²⁷⁰ [²⁷⁰ *Business Day S* January 1991]

The deputy president of the ANC, Mr Nelson Mandela, and the president of the IFP, Chief Mangosuthu Buthelezi, concluded a peace accord at a meeting in Durban in late January, in terms of which they agreed to outlaw violence, intimidation and political intolerance among their followers. In a statement following the meeting, Mr Mandela said that the two parties 'solemnly call upon our people, members of the ANC and IFP, as well as our allies, to cease all attacks against one another with immediate effect' (see also *Appendix*).²⁷¹ [²⁷¹ *The Citizen, The Star* 30 January 1991]

Two days after the peace meeting violence erupted at Umgababa, leaving at least 11 people dead. An IFP spokesman described the attack as 'revenge' for earlier attacks on chiefs by ANC cadres.²⁷² [²⁷² *The Weekly Mail S* February 1991] Mr Mandela said in Windhoek that the violence could have been sparked by 'agents provocateurs' among the people as well as 'enemies of peace' prepared to 'snuff out' any

attempts to quell the violence.²⁷³ [²⁷³ *Business Day* 1 February 1991] Immediately after the violence at Umgababa the national chairman of the IFP, Dr Frank Mdlalose, and the chairman of the southern Natal region of the ANC, Mr Jacob Zuma, organised a fact-finding team, issued a joint statement condemning the violence and held a press conference at which they reiterated their commitment to making the peace process work. However, violence erupted again in early February 1991, with 18 IFP supporters being killed at KwaShange (near Pietermaritzburg).²⁷⁴ [²⁷⁴ *City Press* 3 February 1991]

Later in February security force reinforcements were sent to the Taylor's Halt district near Pietermaritzburg after 17 people had been killed and 29 injured in an attack on busloads of people returning from an IFP rally. The meeting had been held to report back on the results of the peace talks between Chief Buthelezi and Mr Mandela.²⁷⁵ [²⁷⁵ *The Natal Mercury* 12 February 1991] In the same month a supporter of the ANC and a former president of the Congress of Traditional Leaders of South Africa, Chief Mhlabunzima Maphumulo, was shot dead by an assassin outside his home in Pietermaritzburg. Another chief, Chief Mzomdanza Mpungose, was shot dead near Wasbank (northern Natal) during the same night. Two of Chief Mpungose's followers died later from wounds sustained in the attack.²⁷⁶ [²⁷⁶ *Business Day*, *The Citizen* 27 February 1991]

In April 1991 four people died at Ndaleni (Pietermaritzburg). Attempts to resolve the ongoing conflict in the area between the ANC and the IFP remained unsuccessful. The SADF was ordered to patrol the area in a bid to keep the warring factions apart.²⁷⁷ [²⁷⁷ *The Star* 4 April 1991] In the same month two people were killed and four injured when gunmen dressed in camouflage uniforms boarded a KwaZulu Transport bus near Taylor's Halt and opened fire.²⁷⁸ [²⁷⁸ *The Star* 12 April 1991, *The Citizen* 13 April 1991]

Towards the end of April an executive member of the southern Natal region of the ANC and the chairman of its Port Shepstone branch, Dr Siyabonga Cele, said that attacks on ANC-aligned people had intensified on the Natal south coast over the previous three weeks and meetings could no longer be held 'in a normal way'. More than 12 people, he added, had been killed in the Port Shepstone area (Natal south coast) in one week. A peace meeting was held in the town on 18 April, but Dr Cele said it was difficult to be optimistic. He added that people were waiting to see whether the police would act against marching impis.²⁷⁹ [²⁷⁹ *Sunday Tribune* 21 April 1991] The deteriorating situation on the Natal south coast in April was shown by:

- the deaths of at least seven people near Gamalakhe after an attack at a meeting addressed by Chief Mavundla;
- daily threats against relief workers taking food to starving people in Madakane and Mbotsha not to 'feed the enemy';

- the eagerness of some ‘comrades’ to display their homemade guns and to ask openly for bullets; and
- reports of door-to-door searches at night for ANC supporters in Murchison.²⁸⁰ [²⁸⁰ Ibid]

A spokesman for a refugee crisis committee at Port Shepstone, Ms Karen Harrison, said in May 1991 that tenants living in two peri-urban settlements near Port Shepstone had allegedly been told by traditional leaders to leave or they would be killed. The conflict had allegedly arisen because tenants were generally supporters of the ANC while traditional leaders tended to support the IFP. Ms Harrison said that tenants were being evicted, which could threaten the economic stability of Port Shepstone, where more than 50% of employees in some factories were tenants.²⁸¹ [²⁸¹ *The Natal Mercury* 24 May 1991]

Speaking at a memorial service for the assassinated prime minister of India, Mr Rajiv Gandhi, in Durban in June 1991, Chief Buthelezi said that more than 1 000 IFP members, including 150 IFP chairmen, committee members, organisers, publicity secretaries and treasurers, had been killed in recent conflict between the ANC and IFP. He called for an immediate end to violence, saying it had to be ‘shamed out of existence’ Chief Buthelezi went on to say, ‘The IFP and I pledge ourselves to the elimination of all violence. And we will join whoever there is from whatever political camp who is really committed to work for peace and to normalise relationships between political organisations.’²⁸² [²⁸² *Cape Times, The Citizen, The Star* 3 June 1991]

Seven people were killed in political violence in Port Shepstone in June,²⁸³ [²⁸³ *The Citizen* 18 June 1991] while 23 people died in renewed violence between ANC and IFP supporters at Richmond (Pietermaritzburg) and Taylor’s Halt. In the Taylor’s Halt attack, seven members of the Ngubane family, including a two-year-old child, were killed while a seven-year-old escaped with serious gunshot wounds.²⁸⁴ [²⁸⁴ *Business Day* 25 June 1991] As a result of the killings a joint ANC/IFP peace meeting planned for 24 June was cancelled.²⁸⁵ [²⁸⁵ *The Citizen, The Star* 25 June 1991]

In June the controversy over the use of ‘traditional weapons’ in political violence was taken to the Durban and Coast Local Division of the Supreme Court in Durban in a case brought by a Durban freelance journalist, Mr Solomon Tsenosi, against the state president. Mr Tsenosi asked the state president to prohibit the carrying of dangerous weapons by repealing laws that allowed traditional Zulu weapons to be carried in public. On 30 August 1990 the state president, Mr F W de Klerk, had amended the Natal Code of 1887 by deleting section 115, which made it an offence for any person to carry cultural weapons unless they were policemen or had special permission to do so (see *Security measures* above). The deleted section was replaced by sections which allowed for seven exceptions, including carrying dangerous weapons in accordance with ‘traditional Zulu usages, customs or religions’. Mr

Tsenosi alleged that the purpose of the amendment was to legitimise the police's refusal to disarm members of the IFP when they attended gatherings carrying weapons.²⁸⁶ [²⁸⁶ *The Natal Witness, The Star* 25 June 1991]

In December 1991 Mr Justice J M Didcott ruled in the Natal Supreme Court that the amendments to the Natal Code were invalid.²⁸⁷ [²⁸⁷ *The Citizen* 14 December 1991]

Early in July 1991 two members of the ANC were killed and five others seriously injured in separate attacks at Steadville (Ladysmith). The organising secretary of the South African Council of Churches in northern Natal, Mr Mzamo Mathe, said that rivalry between the ANC Youth League and an IFP-aligned youth group had been the cause of the killings.²⁸⁸ [²⁸⁸ *Ibid* 9 July 1991] In the same month 25 ANC members travelling by train to a rally were attacked, allegedly by armed IFP members, at the Tembalihle railway station near KwaMashu (Durban).²⁸⁹ [²⁸⁹ *The Natal Mercury* 8 July 1991]

Also in July 19 people, including a member of the SADF, were arrested by police after an attack on an IFP leader's house at Pateni (Richmond). An IFP spokesman, Mr Senzo Mfayela, accused the SADF of collusion with the ANC. He said that the SADF soldier had been arrested after he had led an attack on the homestead of a local IFP leader and that the attack had resulted in the deaths of two people.²⁹⁰ [²⁹⁰ *The Citizen* 9 July 1991]

In July it was reported that some individuals in Natal were taking out dual membership of the ANC and the IFP in an apparent attempt to avert attacks on themselves. Dual membership was said to have been the cause of an attack in June on the homestead of Mr Mbovu Ngubane at Taylor's Halt, resulting in the deaths of seven people.²⁹¹ [²⁹¹ *Echo* 11 July 1991]

Later in July five members of the ANC were shot dead at Magoda (Richmond). A reference book belonging to a known IFP member was found at the scene of the attack.²⁹² [²⁹² *Ibid* 18 July 1991]

Both ANC and IFP spokesmen said in July that they believed there was a 'third force' operating in the Richmond area and that white parties were involved in the violence. They referred to reports of the creation of training camps by the Afrikaner Weerstandsbeweging near Richmond with the 'purpose of practising military skills' in the local townships.²⁹³ [²⁹³ *The Natal Witness* 31 July 1991]

A white policeman, Captain Brian Mitchell, and six other policemen, including four Africans, appeared in the Natal Provincial Division of the Supreme Court in Pietermaritzburg in November 1991 on 11 charges of murder and eight charges of attempted murder arising out of a massacre at a night vigil in Trust Feed (Pietermaritzburg) in December 1988 (see *1988/89 Survey* p630).²⁹⁴ [²⁹⁴ *The Star* 3 August

1991] Testifying in the trial, a local leader of the IFP, Mr Jerome Gabela, said that he had asked Capt Mitchell for assistance in settling political problems at Trust Feed. He said that Capt Mitchell had told him that it was 'pointless to arrest anti-Inkatha people' and that they should rather be killed. Mr Gabela added that after the attack at the night vigil, Capt Mitchell had warned him that he (Mr Gabela) would be arrested or killed if he told anyone about the attack. Mr Gabela said that most of the people killed in the attack had in fact been IFP supporters. The trial was still in progress at the time of writing.

Three people were killed, more than five were injured and several homes were looted and damaged in violence at KwaMashu in August.²⁹⁵ [²⁹⁵ *New Nation* 16 August 1991] Later in the month the IPF condemned the murder of two IFP members and a chief who were involved in attempts to end the violence in Richmond, according to the IFP. Also in August an IFP member, Mr Thamsanqa Zuma, who had made a statement about the alleged involvement of a white man in violence in the Richmond area, was shot dead. On the same day, Chief Dingizwe Jerome Ndlovu, who had been involved in attempts to secure peace in the Richmond area, was shot outside his home near Ixopo (southern Natal).²⁹⁶ [²⁹⁶ *The Citizen* 19 August 1991]

The Mkuze Camp

It was alleged in August 1991 that the SADF had trained IFP members in urban and guerrilla war at a base 10km from the town of Mkuze on the slopes of Ghost Mountain in northern Natal. The IFP members were said to have been used to conduct 'hit squad' assassinations and murders of anti-apartheid activists in Natal. The base had subsequently been abandoned.²⁹⁷ [²⁹⁷ *The Weekly Mail* 9 August 1991]

It was further claimed that the SADF had a training base called Hippo on the banks of the Cuando River in the Caprivi Strip about 80kms west of Katimo Mulilo.²⁹⁸ [²⁹⁸ *Ibid* 2 August 1991] It was said that 200 IFP men had completed a seven-month training programme at the base in 1987.²⁹⁹ [²⁹⁹ *Ibid* 13 December 1991] Some of the men had been trained as special security officers for ministers in the KwaZulu administration but others were allegedly trained as 'defensive', 'offensive' and 'contra-mobilisation intelligence'.³⁰⁰ [³⁰⁰ *Ibid* 2 August 1991]

The state president said, in reply to the allegations, that the SADF had trained 150 Zulus 'with a view to security and VIP protection' at the base.

Responding to the allegations, Chief Buthelezi said that 150 young Zulus had been selected by the KwaZulu police for training in VIP protection and in the protection of KwaZulu buildings and property. The 150 people had been trained on the recommendation of the KwaZulu police and the IFP had had no

part in their training.³⁰¹ [³⁰¹ *llanga* 15 August 1991]

Chief Buthelezi said, ‘By 1985 there had been a dramatic intensification of ANC revolutionary activity and it was attempting to transform the armed struggle into what the ANC called a people’s war. There were calls for no-holds barred violence against South Africa.’ Chief Buthelezi said that a unit of Umkhonto we Sizwe was being trained to cross the border to assassinate him and to destroy the KwaZulu administration buildings in Ulundi.

After the 150 Zulus had been trained it had been decided to integrate them into the KwaZulu police force, where they were allocated to himself and other ministers and deputy ministers and to guard buildings under threat from Umkhonto. Since the police barracks in Ulundi were full, the men were housed temporarily at Mkuze. Chief Buthelezi said that if they were given further training there he was not aware of it.

He added, ‘I want to state emphatically that the IFP and I have never had a private army or a “hit squad” as is alleged in the media. The IFP has never ever trained one single person for hit squad activity and has never ever trained anybody for any killing against anybody or against any organisation anywhere.’

Earlier, Chief Buthelezi had provided details of IFP leaders who had been assassinated ‘because they were IFP leaders. I am not talking simply about the victims of violence. I am talking about people targeted by violence—listed for death’. Speaking in June 1991, he said that of 153 IFP leaders killed so far, 37 had been IFP chairmen. By September, according to Chief Buthelezi, the number of IFP leaders assassinated in the last two years had risen to 170.

Others killed because of their IFP positions included 14 vice chairmen, 14 committee members, 11 organisers, 14 publicity secretaries, six treasurers and one deputy treasurer. In addition, 18 youth leaders, 18 young unmarried women, 13 married women and more than 1 000 members had been killed in violent attacks, he said.

‘One leader was not only shot but was also stabbed and burnt. Six deaths were caused by petrol bombs and handgrenades. Twenty-two were burnt, some even after having their throats slit or having been hacked.’

Seven out of the 153 IFP leaders murdered were necklaced. Fifty-four were shot and four were shot and burnt. Five were shot and stabbed. Two were shot and stoned to death. Thirty-two were stabbed to death. Five had their throats slit and two were decapitated.

‘This list is not complete,’ Chief Buthelezi said. ‘It is growing as we discover more and more IFP leaders who have died because they were IFP leaders,’ he added.³⁰² [³⁰² *The Star* 3 June 1991; speech by Chief Buthelezi at Greytown on King Shaka Day, 29 September 1991] (For details of assassination of ANC

activists see *Attacks on activists and organisations* above.)

The Weekly Mail repeated its allegations in December and said that the SADF had used front organisations for military intelligence to pay up to R2,25m a year for three years for the salaries of the IFP members being trained.³⁰³ [³⁰³ *The Weekly Mail* 13 December 1991] The paper also alleged that at least five IFP members trained near Mkuze were being hunted by the police for alleged murder. Four of them had been previously trained in Israel by arrangement with the SADF,³⁰⁴ [³⁰⁴ *Ibid* 19 December 1991] an allegation denied by Israel. *The Weekly Mail* said the sources for these allegations were a senior Inkatha member, affidavits from two of the people who received ‘hit squad’ training, and interviews with military intelligence experts.

Chief Buthelezi again denied the allegations in the same terms as he had in August, when they had previously been made.³⁰⁵ [³⁰⁵ *The Citizen* 14 December 1991]

Conflict among exiles

The president of the African National Congress (ANC), Mr Nelson Mandela, said in August 1991 that the ANC had released all its prisoners from detention camps outside South Africa. However, the International Society for Human Rights (ISHR) said in a newsletter in November 1991 that it believed up to 500 people were missing in ANC camps in southern Africa. Some or most might be dead, the society said. It claimed that the ANC had used fear tactics to silence its critics, especially those with first hand experience and knowledge of the organisation’s ‘secret prison and torture camps’. ‘The ANC had been quite successful in hiding its vicious abuse of human rights,’ the society said. The ANC security apparatus, known by the name ‘Imbokodo’—the name for a grinding machine for maize used to make mealie bread—was the machine used for ‘grinding people’. It had been deployed against anyone who might speak the truth, the ISHR said. The society said it had received first-hand testimony and eyewitness accounts.³⁰⁶ [³⁰⁶ *Human Rights Worldwide*, no 5, November 1991]

Referring to the statement by the ANC that all detainees had been released, the society said it had asked for permission to visit various camps and sites (some of which it said had been reported to be closed, although the sites could still be visited): Quatro, 13km from Quibaxi in northern Angola; Panga in the Rio Dande in northern Angola; Viana Camp in northern Angola; the Calandula and Malanje Camps, south of Qibaxi; Caripande Camp on the Zambia/Angola border; the Mazimbu and Dakawa Camps south of Morogoro in southern Uganda; the ANC House ‘RC’, on the same site as the former Revolutionary Command Council, 500m from the office of the United Nations High Commissioner for Refugees in Lusaka (Zambia); and the Freedom College in Tanzania. The ISHR said it had also sought permission to visit all penal and punishment facilities retained by the ANC in Lusaka and Luanda (Angola). ‘The ANC must reveal the names of all prisoners held in Zambian or Angolan jails on its authority,’ it said.

The ISHR condemned the United Nations High Commissioner for Refugees for ‘forcing black South African refugees to join the ANC or the PAC’.

Ethnic violence

In March 1991, 24 people died in fighting between Xhosas and Zulus at the Mzimhlope hostel (Soweto). A Soweto police spokesman, Colonel Tienie Halgryn, said that fighting had broken out two days after a Zulu hostel dweller had been killed. He added that a patrolling helicopter had subsequently succeeded in dispersing the combatants by circling overhead. A media officer for the African National Congress (ANC), Mr Ronnie Mamoepa, alleged that police had harassed fleeing Xhosas and escorted attacking Zulus. ‘Yet again, the role and impartiality of the police force in the violence has come into question. It has always been our belief that the present police force has no political will to end the spiralling violence in the townships and must, therefore, be replaced with a new police force whose role will be the maintenance of law and order and not furtherance of party political interests,’ he said.³⁰⁷ [³⁰⁷ *The Citizen* 5 March 1991]

The chairman of the ANC branch in Osizweni (northern Natal), Mr Makhosini Hadebe, said in May 1991 that the circulation of an inflammatory leaflet warning all Xhosas to leave the area proved that there were elements at work attempting to break the longstanding local peace accord between rival political factions. The anonymous leaflet warned all Xhosas to leave the township by 15 May or be killed. The district of Newcastle was regarded as an Inkatha Freedom Party (IFP) stronghold but it had not experienced any politically motivated violence for nearly two years.³⁰⁸ [³⁰⁸ *The Natal Witness* 31 May 1991]

In the same month there were fears that the political violence in Port Shepstone (Natal south coast) could escalate into a Xhosa/Zulu conflict (see *Natal violence* above). People in a refugee camp at the Apostolic Faith Mission said that whenever the IFP attacked them, they were told that if they wanted to join the ANC they should go to the Transkei ‘with Mandela’. A local ANC leader, Dr Siyabonga Cele, said that he did not believe the conflict would develop into an ethnic confrontation, as the community comprised Xhosa- and Zulu-speaking people living side by side.³⁰⁹ [³⁰⁹ *Echo* 30 May 1991]

Hostel dwellers vs householders

In September 1990 hostel dwellers from the Merafe hostel attacked householders in Naledi Extension (Soweto) leaving four people dead and 14 injured. A police spokesman, Captain Joseph Ngobeni, said that three of the injured had died on arrival at the hospital. Several metres from the hostel, a man was also hacked and shot to death by men who had travelled to the hostel in a white van, according to township residents.³¹⁰ [³¹⁰ *Sunday Star* 9 September 1990]

In March 1991, 33 people died and about 50 were injured in Alexandra (Johannesburg) when local hostel dwellers clashed with household residents. According to police, violence erupted after a hostel dweller and Inkatha Freedom Party (IFP) supporter was ‘necklaced’ by householders. A member of the Congress of South African Students, Mr Ncane Ntuli, denied the police report and said that IFP supporters had attacked people at a street committee meeting and that one of the attackers had been caught and ‘necklaced’ in retaliation.³¹¹ [³¹¹ *The Citizen* 11 March 1991]

In April 1991 four people were killed during fighting between Nancefield hostel dwellers and residents of Klipspruit (Soweto).³¹² [³¹² *Business Day* 15 April 1991]

In mid-August 1991 the interdenominational Women’s Ministries of the Vaal Council of Churches nanoed a memorandum to the personnel manager of Iscor, Mr Hamies Viljoen, which listed grievances about the KwaMadala hostel in Sebokeng (southern Transvaal), which housed Iscor workers, the memorandum alleged that the hostel was used as a springboard for attacks on householders and that adults and children had been abducted and kept at the hostel against their will. It added that residents had been troubled by the spate of violence in the area since July 1990 and they demanded an end to abductions, intimidation and violence. The memorandum called on Iscor to stop ‘these enemies of peace’.³¹³ [³¹³ *City Press* 18 August 1991]

Violence erupted at the informal settlement of Mshenguville (Soweto) at the beginning of September 1991, leaving at least six people dead and bringing to 30 the death toll within the settlement since July 1991. In other parts of Soweto mobs of men—allegedly Zulus—attacked residents and damaged cars and houses. Capt Ngobeni said that the violence had begun when hostel dwellers and householders of Central West Jabavu (Soweto), which was close to the Jabulani hostel, had clashed.³¹⁴ [³¹⁴ *The Citizen, Sowetan, The Star* 2 September 1991]

Hostel dwellers vs shack dwellers

In November 1990 violence broke out between residents of the Rietfontein informal settlement, also known as Zonkesizwe (east Rand), and Zulu hostel dwellers, allegedly because reside were believed to support the African National Congress. During the week preceding the violence the police were alleged to have regularly visited the shack dwellers of Rietfontein in disarm them. On the evening of 18 November the Rietfontein settlement was attacked by hostel dwellers. Some 18 bodies, all with gunshot wounds, were later found scattered around the deserted settlement.³¹⁵ [³¹⁵ *Sunday Star* 25 November 1990]

A total of 27 people were killed, 30 people injured and 82 shacks burnt down when about 800 hostel dwellers from Kagiso (west Rand) attacked the Swanieville informal settlement in a pre-dawn raid in

May 1991. Police later said they had recovered an AK-47 rifle with a magazine containing five rounds of ammunition and arrested six suspects in connection with the killings.³¹⁶ [³¹⁶ *Business Day, The Citizen, Sowetan* 13 May 1991; *The Star* 14 May 1991]

In June 1991 residents of the Phola Park shack settlement (east Rand) dismantled the neighbouring hostel complex, displacing about 6 000 hostel dwellers. The administrator of Tokoza (east Rand), Mr Gert Muller, said that shack dwellers had demolished the two hostels, removing building materials in order to build shacks in PholaPark and Zonkesizwe He added that the displaced hostel dwellers had been rehoused in other hostels Tokoza and Katlehong (east Rand).³¹⁷ [³¹⁷ *Business Day* 3 June 1991]

In August 1991 eight people were killed and many injured after fighting broke out between hostel dwellers and shack dwellers in Tokoza. Eyewitnesses said that fighting had started when people from the Phola Park shack settlement had attacked the adjacent Khalanyoni hostel, apparently in retaliation for the death at the hostel of one of their friends the previous day. A group of about 1000 men from the Mshayazafe hostel then marched through Tokoza carrying iron rods, pangas and other weapons. The police followed in vans and casspirs. Hostel dwellers threatened to flatten the shack settlement, but the police intervened and warned them not to do so.³¹⁸ [³¹⁸ *The Star* 14 August 1990]

Conflict between the African National Congress and the Pan-Africanist Congress

In December 1990 about 80 Pan-Africanist Congress (PAC) members fled from their homes at Munsieville (west Rand), allegedly because of attacks by members of the African National Congress. The PAC alleged that the attacks on its members were intended to make Munsieville a 'no-go' area for the organisation. During December at least four people were injured in inter-organisational conflict in the area. The two rival bodies were also involved in conflict in Komga (eastern Cape), where a PAC member, Mr Thembaletu Rasmeni, was killed; in Khayelitsha (western Cape); and at KwaNobuhle (eastern Cape).³¹⁹ [³¹⁹ *Sowetan* 28 December 1990, 7 January 1991; *Business Day* 7 January 1991]

Conflict between shack dwellers

In April 1991 hundreds of shack dwellers from the Holomisa and Mandela informal settlements in Katlehong (east Rand) abandoned their shacks after violence between the two groups claimed 15 lives. About 100 shacks were gutted by fire during the conflict. Most of the fleeing shack dwellers sought refuge at the Natalspruit Hospital and in local churches.³²⁰ [³²⁰ *Sowetan* 10 April 1991] The fighting between the Holomisa and Mandela settlements had allegedly been triggered by competition over sanitation facilities. The Holomisa settlement had no lavatories and its residents had been compelled to use facilities in the Mandela settlement, resulting in long queues and congestion, to which the Mandela

residents objected.³²¹ [³²¹ *The Star* 9 April 1991] Police later erected a barbed wire fence between the two settlements to keep them apart. (Both settlements consisted of Xhosa-speaking people.)³²² [³²² *The Citizen* 10 April 1991, *The Weekly Mail* 12 April 1991]

Reports on violence

Between December 1990 and December 1991 the South African Institute of Race Relations published a number of reports on coercion and violence, as follows:

- Special Report on Violence Against Black Town Councillors and Policemen
- Mass Mobilisation
- Forum on Mass Mobilisation
- History of Attacks on Black Local Authorities
- Mau-Mauing the Media: New Censorship for the New South Africa
- Political Fatalities in South Africa between 1985 and 1990
- Violence and Intimidation
- Prisoners, Violence, and Crime
- Focus on the Riot Police
- Riot Policing in Perspective
- The National Peace Accord Revisited

APPENDIX A

LEGISLATION

PARLIAMENT

See pages

Abolition of Racially Based Land Measures Act of 1991

iii, lxxx, lxxxix, 339, 385, 471

Abuse of Dependence-Producing Substances and Rehabilitation Centres Amendment Act of 1990

156

Additional Appropriation Act of 1990

431

Additional Appropriation Act of 1991

420, 432

Aliens Control Act of 1991

236

Businesses Act of 1991

xcvii, 170

Child Care Amendment Act of 1991

148

Discriminatory Legislation regarding Public Amenities Repeal Act of 1990

lxxx, 359

Education Affairs Amendment Act (House of Assembly) of 1991

185

Education and Training Amendment Act of 1991

188

Interim Measures for Local Government Act of 1991

83, 457

Internal Security and Intimidation Amendment Act of 1991

71, 466

Labour Relations Amendment Act of 1991

ci, 271

Less Formal Township Establishment Act of 1991

lxxviii, 335, 382

Local Government Ordinance Amendment Act (Transvaal) of 1991

360

Manpower Training Amendment Act of 1990

192

Minerals Act of 1991

274, 302

National Education Policy Amendmeni Act (House of Assembly) of 1991

185, 457

Population Registration Act Repeal Act of 1991

1, 457

Prevention of Illegal Squatting Amendment Act of 1990

lxxviii, 334

Prevention of Public Violence and Intimidation Act of 1991

466

Universities Amendment Act of 1991

186

Upgrading of Land Tenure Rights Act of 1991

lxxx, lxxxix, 348, 359, 386

Value Added Tax Act of 1991

xcv, 117, 147, 438

HOMELAND NATIONAL AND LEGISLATIVE ASSEMBLIES

KaNgwane

KaNgwane Labour Laws Amendment Act of 1991

320

Venda

Venda Labour

APPENDIX B

THE GROOTE SCHUUR MINUTE

The government and the African National Congress (ANC) agree on a common commitment towards the resolution of the existing climate of violence and intimidation from whatever quarter as well as a commitment to stability and to a peaceful process of negotiations. Flowing from this commitment, the following was agreed upon:

1. The establishment of a working group to make recommendations on a definition of political offences in the South African situation; to discuss, in this regard, time scales; and to advise on norms and

mechanisms for dealing with the release of political prisoners and the granting of immunity in respect of political offences to those inside and outside South Africa. All persons who may be affected will be considered. The working group will bear in mind experiences in Namibia and elsewhere. The working group will aim to complete its work before 21st May 1990. It is understood that the South African government, in its discretion, may consult other political parties and movements and other relevant bodies. The proceedings of the working group will be confidential. In the meantime the following offences will receive attention immediately:

- a) The leaving of the country without a valid travel document;
- b) Any offences related merely to organisations which were previously prohibited.

2. In addition to the arrangements mentioned in paragraph 1, immunity from prosecution for political offences committed before today, will be considered on an urgent basis for members of the National Executive Committee and selected other members of the ANC from outside the country, to enable them to return and help with the establishment and management of political activities, to assist in bringing violence to an end and to take part in peaceful political negotiations.

3. The government undertakes to review existing security legislation to bring it into line with the new dynamic situation developing in South Africa in order to ensure normal and free political activities.

4. The government reiterates its commitment to work towards the lifting of the state of emergency. In this context the ANC will exert itself to fulfil the objectives contained in the preamble.

5. Efficient channels of communication between the government and the ANC will be established in order to curb violence and intimidation from whatever quarter effectively.

The government and the ANC agree that the objectives contained in this Minute should be achieved as early as possible.

Cape Town

2 May 1990

APPENDIX C

THE PRETORIA MINUTE

The government and the African National Congress (ANC) have held discussions at the Presidency, Pretoria, today 6 August, 1990.

1. The government and the ANC have again committed themselves to the Groote Schuur Minute.
2. The final report of the working group on political offences dated 21 May 1990, as amended, was accepted by both parties. The guidelines to be formulated in terms of the Report will be applied in a phased manner.

The report makes provision for formulation of guidelines which will be applied in dealing with members of all organisations, groupings or institutions, governmental or otherwise, who committed offences on the assumption that a particular cause was being served or opposed.

The meeting has instructed the working group to draw up a plan for the release of ANC-related prisoners and the granting of indemnity to people in a phased manner and to report before the end of August. The following target dates have in the meantime been agreed upon:

- The body or bodies referred to in paragraph 8.2 of the Report of the Working Group will be constituted by 31 August 1990.
- The further release of prisoners which can be dealt with administratively will start on 1 September 1990.
- Indemnity which can be dealt with in categories of persons and not on an individual basis will be granted as from 1 October 1990. This process will be completed not later than the end of 1990.
- In all cases where the body or bodies to be constituted according to paragraph 8.2 of the Report of the Working Group will have to consider cases on an individual basis, the process will be expedited as soon as possible.

It is hoped that this process will be completed within six months, but the latest date envisaged for the completion of the total task in terms of the Report of the Working Group is not later than 30 April 1991.

This programme will be implemented on the basis of the Report of the Working Group.

3. In the interest of moving as speedily as possible towards a negotiated peaceful political settlement, and in the context of the agreements reached, the ANC announced that it was now suspending all armed actions with immediate effect. As a result of this, no further armed actions and related activities by the

ANC and its military wing Umkhonto we Sizwe will take place.

It was agreed that a working group will be established to resolve all outstanding questions arising out of this decision to report by 15 September 1990. Both sides once more committed themselves to do everything in their power to bring about a peaceful solution as quickly as possible.

4. Both delegations expressed serious concern about the general level of violence, intimidation and unrest in the country, especially in Natal.

They agreed that in the context of the common search for peace and stability, it was vital that understanding should grow among all sections of the South African population that problems can and should be solved through negotiations.

Both parties committed themselves to undertake steps and measures to promote and expedite the normalisation and stabilisation of the situation in line with the spirit of mutual trust obtaining among the leaders involved.

5. With due cognisance of the interest, role and involvement of other parties, the delegations consider it necessary that whatever additional mechanisms of communication are needed should be developed at local, regional and national levels. This should enable public grievances to be addressed peacefully and in good time, avoiding conflict.

6. The government has undertaken to consider the lifting of the state of emergency in Natal as early as possible in the light of positive consequences that should result from this accord.

7. In view of the new circumstances now emerging, there will be an ongoing review of security legislation.

The government will give immediate consideration to repealing all provisions of the Internal Security Act that (a) refer to communism or the furthering thereof; (b) provide for a consolidated list; (c) provide for a prohibition on the publication of statements or writings of certain persons; and (d) provide for an amount to be deposited before a newspaper may be registered.

The government will continue reviewing security legislation and its application in order to ensure free political activity and with the view to introducing amending legislation at the next session of Parliament. The minister of justice will issue a statement in this regard, inter alia, calling for comments and proposals.

8. We are convinced that what we have agreed upon today can become a milestone on the road to true peace and prosperity for our country.

In this we do not pretend to be the only parties involved in the process of shaping the new South Africa. We know there are other parties committed to peaceful progress.

All of us henceforth walk that road in consultation and co-operation with each other. We call upon all those who have not yet committed themselves to peaceful negotiations to do so now.

9. Against this background, the way is now open to proceed towards negotiations on a new constitution. Exploratory talks in this regard will be held before the next meeting which will be held soon.

Pretoria

6 August 1991

The APPENDIX D

THE D F MALAN ACCORD

This is the agreement reached on the armed struggle by the government/African National Congress (ANC) working group on 12 February 1991.

1. The working group was established under paragraph 3 of the Pretoria Minute, which reads as follows:

‘In the interest of moving as speedily as possible towards a negotiated peaceful political settlement and in the context of the agreements reached, the ANC announced that it was now suspending all armed actions with immediate effect. As a result of this, no related activities by the ANC and its military wing Umkhonto we Sizwe will take place. It was agreed that a working group will be established to resolve all outstanding questions arising out of this decision to report by 15 September 1990. Both sides once more committed themselves to do everything in their power to bring about a peaceful solution as quickly as possible.’

2. Having decided it would not have been possible to submit a final report by 15 September 1990, an

interim report was brought out on 13 September 1990.

3. Since then a number of meetings have taken place. This report was finalised at a meeting on 12 February 1991.

4. With reference to the word 'suspending' as used in paragraph 3 of the Pretoria Minute, the working group reiterated what was said in paragraph 4 of its Interim Report, namely that suspension occurred as a step in the process of finding peaceful solutions, with the presumption that the process would lead to the situation where there would be no return to armed action.

5.

(a) Under the terms of suspension of 'armed action' and 'related activities' by the ANC, with specific reference also to Umkhonto we Sizwe and its organised military groups and armed cadres, it was agreed that the following will not take place:

(i) attacks by means of armaments, firearms, explosive or incendiary devices;

(ii) infiltration of men and material;

(iii) creation of underground structures;

(iv) statements inciting violence;

(v) threats of armed action; and

(vi) training inside South Africa.

(b) The working group –

(i) agreed that the democratic process implies and obliges all political parties and movements to participate in this process peacefully and without resort to the use of force;

(ii) therefore accepted the principle that in a democratic society no political party or movement should have a private army;

(iii) noted that the ANC, had, in good faith and as a contribution to the process of arriving at a peaceful settlement, announced the suspension of all armed actions and related activities, with the presumption

that the process would lead to the situation where there would be no return to armed action;

(iv) noted that by virtue of the fact that Umkhonto we Sizwe is no longer an unlawful organisation, membership thereof is not in violation of any of the provisions of paragraph 3 of the Pretoria Minute and the letter and spirit of the Pretoria Minute as a whole;

(v) noted the historical fact that the ANC and Umkhonto we Sizwe had placed arms and cadres within the country;

(vi) agreed that in the context of paragraph 5 (b), (ii), (iii) and (iv) above, a phased process be initiated in order to enable these cadres of the ANC to resume their normal lives and also facilitate and legalise control over the arms and the process to ensure such legality will immediately be taken further by the working group;

(vii) agreed that where applicable, individual weapons shall be licensed in terms of existing legislation; and

(viii) further agreed that the security forces take cognisance of the suspension of armed actions and related activities and that the parties hereto will remain in close liaison with one another according to the procedure prescribed in 6(a) of this document with a view to ensuring prompt and efficient reporting, investigation and redressing, where applicable, of all allegations of unlawful activities or activities contrary to the spirit of this agreement, by the security forces.

(c) The working group –

(i) agreed that the population at large has a right to express its views through peaceful demonstrations;

(ii) further agreed that it is urgent and imperative that violence and intimidation from whatever quarter accompanying mass action should be eliminated;

(iii) further agreed that peaceful political activities and stability must be promoted; and

(iv) further agreed that to this end joint efforts should be made to implement the intentions contained in paragraph 5 of the Groote Schuur and of the Pretoria Minutes to ensure that grievances and conflict creating situations are timeously addressed.

(a) The working group agreed that designated members of the ANC would work with government representatives in a liaison committee to implement this agreement, and that the existing nominated SAP [South African Police] and ANC liaison officials appointed in accordance with paragraph 5 of the Groote Schuur Minute shall serve as supporting structures of the liaison committee.

(b) It is agreed that this agreement will be implemented forthwith and its objectives attained as speedily as possible.

(c) It is further agreed that in view of the above, the process of attaining the objectives contained in paragraph 2 of the Pretoria Minute will be realised according to the procedures contained in that Minute.

7 It is understood that nothing in or omitted from this agreement will be construed as invalidating or suspending the provisions of any law applicable in South Africa.

8 It is recommended that this working group be continued to supervise the implementation of this agreement relating to paragraph 3 of the activities of the liaison committee and to give attention to further matters that may arise from the implementation of this agreement, such as proposed self-defence units.

Cape Town

12 February 1991

APPENDIX E

AFRICAN NATIONAL CONGRESS/INKATHA FREEDOM PARTY AGREEMENT: 29 JANUARY 1991

Joint statement of the IFP/ANC meeting

A meeting of delegates of the Central Committee of the IFP and the National Executive Committee of the ANC, led respectively by Dr Mangosuthu Buthelezi and Dr Nelson Mandela, deputy president of the ANC, was held in Durban on 29 January 1991.

The consultation between the two organisations was held under the joint chairmanship of Dr F T Mdlalose, the national chairman of IFP, and Mr A Nzo, secretary general of the ANC.

Dr Mangosuthu Buthelezi, president of IFP, and Dr Nelson Mandela, deputy president of the ANC, both addressed the meeting. Both emphasised the historic importance of the occasion. They stressed that they

were extremely conscious of the high national and international expectations for the success of the meeting.

The primary purpose of the meeting was to explore ways and means to bring about the final cessation of the violence which has already cost more than 8 000 lives and caused millions of rands of damage.

The leaders emphasised the need to normalise relationships between the two organisations, in pursuit of the aim of eradicating apartheid and establishing a united, non-racial and democratic South Africa.

It was agreed that it was imperative that the decisions taken and proposals adopted should permeate down to the grassroots through the use of all available channels of communications.

Discussions were far reaching and frank and both sides agreed on the need for further discussions.

At the end of the discussions the following agreement and joint declaration were agreed upon:

Agreement between the ANC and the IFP

INTRODUCTION

1. Both parties call for an end to the present violence in Natal and the Transvaal. They will take steps to prevent acts of violence and destruction among their members or carried out by their members and they will act to deter other parties from instigating and carrying out acts of violence and destruction.
2. Both parties are committed to political tolerance and freedom of political activity. The ANC and IFP have the right to exist as political organisations with their own policies and programmes. The parties will act to create a climate between them free of forced recruitment and vilification.
3. Both parties will act to ensure that all persons with authority over public facilities will allow their use by all people irrespective of their political affiliation. This applies to facilities such as venues and facilities specifically established for recreational and a variety of communal activities.

In particular both parties urge a return to school and normal learning and teaching and will take steps to ensure no pupil is excluded from school by virtue of political affiliation.

4. Both parties wish to state their firm belief that no matter what agreements may be reached between them, the attainment of peace also requires the existence of an effective peace-keeping role by the security forces and that the South African government must accept its responsibilities in this regard.

Both parties agree to take steps to ensure that all security force members would:

- act without political bias;
- receive professional and appropriate training as a peace-keeping force; and
- act and function with due respect for the sensitive community situation that exists.

5. Both parties believe that it is essential that a reconstruction and development programme is expedited to reduce the potential for violence. This is particularly the case in Natal and the Transvaal hostels. This programme must be above partisan considerations and be designed to meet the needs of all people irrespective of any affiliation they may hold.

The programme must give priority to refugees and displaced persons arising from the violence and take all steps to peacefully and effectively reintegrate divided communities.

IMPLEMENTATION

In order to implement the principles agreed upon today the high level contact between the IFP and the ANC will continue through existing joint mechanisms. The committees charged with this task will, after due and proper involvement of local leadership and grassroots structures, report to the ANC National Executive and to the IFP Central Committee on obstacles encountered and progress made in terms of the following brief:

Principle 1

To develop practical steps to bring about an end to violence between the organisations in these regions, to facilitate local level peace initiatives and to act as crisis contact points. The committees must consolidate and implement existing local agreements such as the Lower Umfolozi Peace Accord.

Principle 2

To ensure that all persons affected by Principle 1 are aware of this agreement and that they take active steps to implement it.

Principle 3

The ANC and the IFP will co-operate in initiating and implementing non-partisan reconstruction programmes in areas devastated by violence.

All resources available to any one organisation for reconstruction work should, whenever feasible and desirable, be made available to a trust fund to be jointly administered.

Principle 4

To develop a code or codes of conduct based on accepted principles and practices which do not impinge negatively on the rights of individuals and political groups and which are equally applicable to both organisations and all security forces.

Joint declaration of the ANC and IFP

We, the leaders of the African National Congress and the Inkatha Freedom Party meeting in Durban on 29 January 1991, appalled at the tragic violence which has decimated many of our communities over the years, now solemnly:

1. Call upon all our people, members of the ANC and IFP as well as our allies to cease all attacks against one another with immediate effect, and to promote the quest for peace within our communities;
2. Call upon our membership and supporters to desist from vilification of either of our organisations and leaders;
3. Further call on all our members and supporters not to coerce or intimidate anyone in pursuit of their strategies and programmes;
4. Resolve to use the existing joint mechanism to monitor all violations of the agreement and recommend appropriate action;
5. Resolve to organise a joint tour of all affected areas, by the deputy president of the ANC, Dr Nelson Mandela, and the president of the IFP, Dr Mangosuthu Buthelezi. Concrete arrangements for the tour will be made by appropriate joint structures.

Further top-level meetings will be held from time to time as need arises, to address among other issues, joint activities to eradicate the system of apartheid within the shortest possible time.

APPENDIX F

NATIONAL PEACE ACCORD

To signify our common purpose to bring an end to political violence in our country and to set out the codes of conduct, procedures and mechanisms to achieve this goal

We, participants in the political process in South Africa, representing the political parties and organisations and governments indicated beneath our signatures, condemn the scourge of political violence which has afflicted our country and all such practices as have contributed to such violence in the past, and commit ourselves and the parties, organisations and governments we represent to this National Peace Accord.

The current prevalence of political violence in the country has already caused untold hardship, disruption and loss of life and property in our country. It now jeopardizes the very process of peaceful political transformation and threatens to leave a legacy of insurmountable division and deep bitterness in our country. Many, probably millions, of citizens live in continuous fear as a result of the climate of violence. This dehumanising factor must be eliminated from our society.

In order to achieve some measure of stability and to consolidate the peace process, a priority shall be the introduction of reconstruction actions aimed at addressing the worst effects of political violence at a local level. This would achieve a measure of stability based on common effort thereby facilitating a base for broader socio-economic development.

Reconstruction and developmental actions of the communities as referred to above, shall be conducted within the wider context of socio-economic development.

In order to effectively eradicate intimidation and violence, mechanisms need to be created which shall on the one hand deal with the investigation of incidents and the causes of violence and intimidation and on the other hand actively combat the occurrence of violence and intimidation.

The police force, which by definition shall include the police forces of all self-governing territories, has a central role to play in terminating the violence and in preventing the future perpetration of such violence. However, the perception of the past role of the police has engendered suspicion and distrust between the police and many of the affected communities. In recognition of the need to promote more effective policing, a commitment to sound policing practices and a co-operative relationship between the police and the communities are necessary.

This Accord is intended to promote peace and prosperity in violence-stricken communities. The right of all people to live in peace and harmony will be promoted by the implementation of this Accord. The

Accord is of such a nature that every peace-loving person can support it. The Accord reflects the values of all key players in the arena of negotiation and reconciliation.

The implementation and monitoring of the Peace Accord represents a crucial phase in the process to restore peace and prosperity to all the people of South Africa.

Noting that the majority of South Africans are God-fearing citizens, we ask for His blessing, care and protection upon our Nation to fulfil the trust placed upon us to ensure freedom and security for all.

Bearing in mind the values which we hold, be these religious or humanitarian, we pledge ourselves with integrity of purpose to make this land a prosperous one where we can all live, work and play together in peace and harmony.

The signatories have agreed upon:

- a Code of Conduct for political parties and organisations to be followed by all the political parties and organisations that are signatories to this Accord;
- a Code of Conduct to be adhered to by every police official to the best of his or her ability, as well as a detailed agreement on the security forces;
- the guidelines for the reconstruction and development of the communities;
- the establishment of mechanisms to implement the provisions of this Accord.

The signatories acknowledge that the provisions of this Peace Accord are subject to existing laws, rules and procedures and budgetary constraints. New structures should not be created where appropriate existing structures can be used.

This Accord will not be construed so as to detract from the validity of bilateral agreements between any of the signatories.

We, the signatories accordingly solemnly bind ourselves to this Accord and shall ensure as far as humanly possible that all our members and supporters will comply with the provisions of this Accord and will respect its underlying rights and values and we, the government signatories, undertake to pursue the objectives of this Accord and seek to give effect to its provisions by way of the legislative, executive and budgeting procedures to which we have access.

Chapter 1

Principles

1.1 The establishment of multi-party democracy in South Africa is our common goal. Democracy is impossible in a climate of violence, intimidation and fear. In order to ensure democratic political activity all political participants must recognise and uphold certain fundamental rights described below and the corresponding responsibilities underlying those rights.

1.2 These fundamental rights include the right of every individual to:

- freedom of conscience and belief;
- freedom of speech and expression;
- freedom of association with others;
- peaceful assembly;
- freedom of movement;
- participate freely in peaceful political activity.

1.3 The fundamental rights and responsibilities derive from established democratic principles namely:

- democratic sovereignty derives from the people, whose right it is to elect their government and hold it accountable at the polls for its conduct of their affairs;
- the citizens must therefore be informed and aware that political parties and media must be free to impart information and opinion;
- there should be an active civil society with different interest groups freely participating therein;
- political parties and organisations, as well as political leaders and other citizens, have an obligation to refrain from incitement to violence and hatred.

1.4 The process of reconstruction and socio-economic development aimed at addressing the causes of violent conflict, must be conducted in a non-partisan manner, that is, without being controlled by any political organisation or being to the advantage of any political group at the expense of another.

1.5 Reconstruction and developmental projects must actively involve the affected communities. Through a process of inclusive negotiations involving recipients, experts and donors, the community must be able to conceive, implement and take responsibility for projects in a co-ordinated way as close to the grassroots as possible. In addition, reconstruction and development must facilitate the development of the economic and human resources of the communities concerned.

1.6 The initiatives referred to in 1.4 and 1.5 above, should in no way abrogate the right and duty of governments to continue their normal developmental activity, except that in doing so they should be sensitive to the spirit and contents of any agreement that may be reached in terms of 1.5 above.

1.7 The parties to this process commit themselves to facilitating the rapid removal of political, legislative and administrative obstacles to development and economic growth.

1.8 The implementation of a system to combat violence and intimidation will only succeed if the parties involved have a sincere commitment to reach this objective. Only then will all the people of South Africa be able to fulfil their potential and create a better future.

1.9 It is clear that violence and intimidation declines when it is investigated and when the background and reasons for it is exposed and given media attention. There is, therefore, need for an effective instrument to do just that. It is agreed that the Commission established by the Prevention of Public Violence and Intimidation Act, 1991, be used as an instrument to investigate and expose the background and reasons for violence, thereby reducing the incidence of violence and intimidation.

1.10 Since insufficient instruments exist to actively prevent violence and intimidation at regional and local levels, it is agreed that committees be appointed at regional and local levels to assist in this regard. Peace bodies are therefore to be established at both regional and local levels to be styled "Regional Dispute Resolution Committees" (RDRC) and "Local Dispute Resolution Committees" (LDRC) respectively. These bodies will be guided and co-ordinated at a national level by a National Peace Secretariat. At the local level the bodies will be assisted by Justices of the Peace.

1.11 The Preparatory Committee has played a crucial role in the process of bringing the major actors together to negotiate a Peace Accord. There is still much to be done implement the Accord and establish the institutions of peace. To assist in this regard, a National Peace Committee shall be established.

1.12 There should be simple and expeditious procedures for the resolution of disputes regarding transgressions of the Code for Political Parties and Organisations by political parties and organisations who are signatories to the National Peace Accord. These disputes should wherever possible, be settled at grassroots level, through participation of the parties themselves; and by using the proven methods of mediation, arbitration and adjudication.

1.13 An effective and credible criminal judicial system requires the swift and just dispensation of justice.

This in turn will promote the restoration of peace and prosperity to communities, freeing them of the ravages of violence and intimidation. Special attention should be given to unrest related cases by setting up Special Criminal Courts specifically for this purpose.

Chapter 2

Code of Conduct for Political Parties and Organisations

The signatories to this Accord agree to the following Code of Conduct:

2.1 We recognise the essential role played by political parties and organisations as mediators in a democratic political process, permitting the expression, aggregation and reconciliation of different views and interests, and facilitating the translation of the outcome of this process into law and public policy, and respect the activities of political parties and organisations in organising their respective structures, canvassing for support, arranging and conducting public meetings, and encouraging voting.

2.2 All political parties and organisations shall actively contribute to the creation of a climate of democratic tolerance by:

- publicly and repeatedly condemning political violence and encouraging among their followers an understanding of the importance of democratic pluralism and a culture of political tolerance; and
- acting positively, also *vis-à-vis* all public authorities including local and traditional authorities, to support the right of all political parties and organisations to have reasonable freedom of access to their members, supporters and other persons in rural and urban areas, whether they be housed on public or private property.

2.3 No political party or organisation or any official or representative of any such party, shall:

- kill, injure, apply violence to, intimidate or threaten any other person in connection with that person's political beliefs, words, writings or actions;
- remove, disfigure, destroy, plagiarise or otherwise misrepresent any symbol or other material of any other political party or organisation;
- interfere with, obstruct or threaten any other person or group travelling to or from or intending to attend, any gathering for political purposes;

- seek to compel, by force or threat of force, any person to join any party or organisation, attend any meeting, make any contribution, resign from any post or office, boycott any occasion or commercial activity or withhold his or her labour or fail to perform a lawful obligation; or
- obstruct or interfere with any official or representative of any other political party or organisation's message to contact or address any group of people.

2.4 All political parties and organisations shall respect and give effect to the obligation to refrain from incitement to violence or hatred. In pursuit hereof no language calculated or likely to incite violence or hatred, including that directed against any political party or personality, nor any wilfully false allegation, shall be used at any political meeting, nor shall pamphlets, posters or other written material containing such language be prepared or circulated, either in the name of any party, or anonymously.

2.5 All political parties and organisations shall:

- ensure that the appropriate authorities are properly informed of the date, place, duration and, where applicable, routing of each public meeting, rally, march or other event organised by the party or organisation;
- take into account local sentiment and foreseeable consequences, as well as any other meetings already arranged on the same date in close proximity to the planned event, provided that this shall not detract from the right of any political party or organisation freely to propagate its political views; and
- immediately and at all times, establish and keep current effective lines of communication between one another at national, regional and local levels, by ensuring a reciprocal exchange of the correct names, addresses and contact numbers of key leaders at each level, and by appointing liaison personnel in each location to deal with any problems which may arise.

2.6 All political parties and organisations shall provide full assistance and co-operation to the police in the investigation of violence and the apprehension of individuals involved. The signatories to this Accord specifically undertake not to protect or harbour their members and supporters to prevent them from being subjected to the processes of justice.

Chapter 3

Security Forces : General Provisions

3.1 GENERAL PRINCIPLES

3.1.1 The police shall endeavour to protect the people of South Africa from all criminal acts and shall do so in a rigorously non-partisan fashion, regardless of the political belief and affiliation, race, religion, gender or ethnic origin of the perpetrators or victims of such acts.

3.1.2 The police shall endeavour to prevent crimes and shall attempt to arrest and investigate all those reasonably suspected of committing crimes and shall take the necessary steps to facilitate the judicial process.

3.1.3 The police shall be guided by a belief that they are accountable to society in rendering their policing services and shall therefore conduct themselves so as to secure and retain the respect and approval of the public. Through such accountability and friendly, effective and prompt service, the police shall endeavour to obtain the co-operation of the public whose partnership in the task of crime control and prevention is essential.

3.1.4 The police, as law enforcement officers, shall expect a higher standard of conduct from its members in the execution of their duties than they expect from others and in pursuance hereof, supports prompt and efficient investigation and prosecution of its own members alleged to have acted unlawfully and shall commit itself to continue the proper training and retraining of its members in line with the objectives of professional policing and the principles set out in Chapters 3 and 4 of this Accord. The police in particular shall emphasise that there is no place in the police force for policing practices based on personal or racial prejudice, corruption, excessive force or any unlawful actions.

3.1.5 The police shall exercise restraint in the pursuance of their duties and shall use the minimum force that is appropriate in the circumstances.

3.1.6 Parties, organisations and individuals acknowledge that they too have a contribution to make in the process of sustaining, developing and encouraging a police force of which all South Africans can be proud. This involves a respect for the professionalism of the police force, and assisting the police in the performance of their legitimate duties.

3.2 THE POLICE SHALL OBSERVE THE FOLLOWING MORE DETAILED SET OF REQUIREMENTS:

3.2.1 The police shall endeavour to protect the people of South Africa from all criminal acts and acts of political violence, and shall do so in a rigorously non-partisan fashion, regardless of the political belief and affiliation, religion, gender, race, or ethnic origin of the perpetrators or victims of such acts.

3.2.1.1 The police must always respond promptly to calls for assistance and intervention.

3.2.1.2 Where prior notification is given of possible violence, the police must take all reasonable steps to prevent such an outbreak of violence.

3.2.1.3 The police shall endeavour to disarm those persons illegally bearing dangerous weapons in any gathering or procession.

3.2.2 The police shall endeavour to prevent crimes and shall attempt to arrest and investigate all those reasonably suspected of committing crimes and shall take the necessary steps to facilitate the judicial process.

3.2.2.1 Where violent clashes occur the police shall attempt to arrest all those reasonably suspected of participating in any unlawful act. If the police are unable for any reason to arrest all suspects, efforts must be made to photograph, video or otherwise identify the suspects.

3.2.2.2 After a suspect has been arrested, the police shall conduct a full, proper and expeditious investigation into the complaint, shall endeavour to submit the necessary evidence to the Attorney-General as soon as possible and shall give all the necessary cooperation in this regard.

3.2.2.3 In addition to rights arrested persons have in terms of the law, suspects arrested solely for crimes related to political violence should be informed of their rights and given the opportunity to telephone their family or a lawyer. Judges' Rules shall consistently be applied by all police officials.

3.2.2.4 All criminal complaints shall be accepted at a charge office. After the complaint is accepted, the complainant shall be given a form containing the complaint number and the nature of the charge. The name and the telephone number of the investigating officer shall be made available or dispatched within seven days to the complainant.

3.2.2.5 The complainant shall, upon request, be entitled to any relevant information from the investigating officer on the progress and outcome of the investigation.

3.2.2.6 In order to investigate all crimes relating to "political violence", which includes public violence as defined in the Prevention of Public Violence and Intimidation Act, 1991, the police shall establish a special police investigation unit on the following basis:

(i) A police investigation unit shall be established under the command of a police general (or senior police officer in the case of self-governing territories).

(ii) This police general shall monitor, co-ordinate and supervise investigations into crimes of political

violence.

(iii) A senior police officer shall be appointed in the region of each special criminal court and shall carry out his duties and functions under the command of the said police general.

(iv) It will be the responsibility of each such officer as assisted by such officials as are seconded to him or appointed on an ad hoc basis to assist him, to conduct or supervise investigations into crimes of political violence, in the region of that special criminal court.

(v) When necessary each such officer shall liaise with the prosecutor of the special court in regard to the conduct of investigations into crimes of political violence.

(vi) Each such officer may personally investigate such crimes and/or supervise investigations performed by ordinary units of the police.

(vii) The police general who commands the special investigation unit as well as each such officer shall, where possible, have sufficient: personnel and resources at his disposal to enable him to effectively carry out his powers and functions.

(viii) Each such officer shall be responsible for compiling a monthly report on the progress of investigations and for referring it to the police general who commands the special investigations unit. The Standing Commission and/or the National Peace Committee may inquire on the progress of the investigations and the police general shall submit a report.

(ix) In all cases where an affidavit containing evidence is submitted to the National Peace Committee or Regional Dispute Resolution Committee to the effect that the local police in any station and/or district have acted with bias towards a political party or organisation in that district, the investigation into any incident of alleged political violence shall, on basis of the affidavit, be conducted by the special investigation unit with jurisdiction in that region or under the supervision of an officer from such unit.

(x) The National Peace Committee shall be informed of the appointment of the police general and the senior officers.

(xi) The Commissioner of Police shall have regard to recommendations of the National Peace Committee.

3.2.3 The police shall be guided by a belief that they are accountable to society in rendering their policing services and shall therefore conduct themselves so as to secure and retain the respect and approval of the public.

Accountability in this paragraph and also referred to in clause 3.13 above, as well as in the Police Code of conduct, entails the following:

3.2.3.1 In order to facilitate better communication with the community, the police shall, in each locality where a Local Dispute Resolution Committee exists:

(i) consult regularly with:

(a) the Local Dispute Resolution Committee, or in its absence, community leaders, including representatives of signatories to this accord, and

(b) community leaders,

on the efficient functioning of the police in that community and shall regularly communicate with such committee, representatives or leaders on the issues raised by them with the police.

(ii) establish a liaison officer of rank not lower than a warrant officer, in each police district, to which requests for urgent assistance may be directed. The police shall notify the LDRC of the identity of liaison officers.

3.2.3.2 In addition to the normal channels available within the Department of Law and Order, complaints against the police may also be referred to the Police Reporting Officer or, depending on the nature of such complaints, to the Standing Commission on Violence and Intimidation.

3.2.3.3 If the police feel that they are unfairly victimised or harassed by any person or body or organisation they will have the right to raise a complaint to the National Peace Committee or any other appropriate body.

3.2.4 The police shall expect a higher standard of conduct from themselves than they expect from others

3.2.4.1 Complaints of alleged police misconduct which is of such a serious nature that it may detrimentally affect police/community relations should be referred to the Police Reporting Officer or the Commissioner of Police, for investigation by a unit of the police specifically established for this purpose, under the supervision of a designated general of the police. Where the complaint is directed to

the Police Reporting Officer it should be referred by him to the Commissioner of Police for investigation by such a unit. The units will be available as far as possible in each police region.

3.2.4.2 The unit shall submit to the Police Reporting Officer, a report on the complaints submitted to it, as well as the progress and outcome of investigations into complaints. The Police Reporting Officer will have the authority to ensure that the investigation is a full and proper investigation and accordingly will be entitled to refer the report back to the unit. The Police Reporting Officer shall be appointed in the following manner:

(i) The Association of Law Societies and General Council of the Bar shall recommend to the Minister of Law and Order three candidates per region for the appointment of a Regional Police Reporting Officer. If the Minister is not prepared to make an appointment from the names so received, he may refer the recommendation back to the Association of Law Societies and the General Council of the Bar for additional three names from which he has to make an appointment.

(ii) Such Police Reporting Officer may be a former prosecutor, a former member of the attorney general's staff, a lawyer in private practice, a former magistrate, or a former policeman.

3.2.4.3 The Police Reporting Officer may recommend to the Commissioner of Police the suspension or transfer of the police official under investigation until the completion of the investigation.

3.2.4.4 The Police Reporting Officer shall, on the completion of the investigation, make a recommendation to the Commissioner of Police as to the disciplinary action that should be taken against the police involved in the misconduct. The complainant shall be notified of the recommendations and the outcome of this complaint. The Police Reporting Officer may, with the consent of the complainant, provide the National Peace Committee with the recommendations and outcome of the investigation.

3.2.4.5 All police officials in uniform should carry a legible external form of identification.

3.2.4.6 All official police vehicles shall have an identification number painted on the side, and all military vehicles acting in support of the police shall display an identification number on the side and no such number may be removed for as long as such military vehicles are used in support of the police, provided that this shall not apply to police vehicles which are required for official undercover work, not in breach of clause 3.5 related to clandestine or covert operations. It shall be an offence for a police or military vehicle to be driven on a public road without numberplates or without the numberplates allocated to such vehicle by the relevant registration authority.

3.2.5 The police shall exercise restraint in the pursuance of their duties and shall use the minimum force that is appropriate in the circumstances.

3.2.5.1 Clear guidelines shall be issued by the police for dealing with unlawful gatherings and the following aspects shall clearly be addressed in such guidelines.

- (i) When a confrontation between a police unit and a gathering is reasonably foreseeable, a senior police official shall where possible be in command of that unit.
- (ii) The police unit performing crowd control duties shall, where possible, be equipped with public address systems and someone who can address the crowd in a language the crowd will understand.
- (iii) Before ordering a gathering to disperse, an attempt must be made to ascertain the purpose of the gathering and to negotiate the immediate dispersal of the group.
- (iv) Where residents of a community or a hostel are clearly the subject of an attack, the police shall endeavour to disarm and disperse the aggressors.
- (v) A reasonable time must be given to the gathering to comply with the requests or instructions of the commanding officer.
- (vi) The commanding officer shall only authorise the use of injurious or forceful methods of crowd dispersal if he believes that the crowd constitutes a danger to the public safety or to the safety of any individual or to any valuable movable or immovable property and if he has reason to believe that less injurious methods will not succeed in dispersing the gathering. The least possible degree of force should be used in attaining the aim of policing. Unless circumstances prevent it, persuasion, advice and warnings should be used to secure co-operation, compliance with the law and the restoration of order.
- (vii) The police should focus on making less injurious equipment also available to police stations in order to minimize the risk of forceful actions.

3.3 POLICE BOARD

3.3.1 A Police Board shall be established whose composition shall comprise of both members of the public and representatives of the police in equal numbers. The chairperson is to be appointed by the Minister of Law and Order from one of the members representing the public.

3.3.2 The members of the public shall be appointed by the Minister of Law and Order to the Police Board from names put forward by unanimous decision by the National Peace Committee. The Minister of Law and Order shall have the discretion to appoint further members from parties who are not represented on the National Peace Committee.

3.3.3 The function of the Police Board shall be to consider and to make recommendations to the Minister of Law and Order in regard to this policy relating to the training and efficient functioning of the police, with a view to reconcile the interests of the community with that of the police.

3.3.4 The Police Board shall be empowered to do research and call for representations from the public regarding any investigation conducted by it.

3.3.5 The Police Board shall not have a role in regard to the day to day functioning of the police.

3.3.6 The recommendations of the Police Board in regard to the above matters shall be made public, insofar as it is essential in reconciling the interests of the community with that of the police.

3.4 COMPOSITION OF THE POLICE FORCE

3.4.1 The relationship between, and the status of, the South African Police and the Police Forces in the self-governing territories in the transitional phase, can only be decided by the interested parties through negotiations.

3.4.2 Where the Police Forces of any self-governing territory is alleged to be party to the conflict, the Standing Commission shall investigate this and make appropriate recommendations.

3.5 CLANDESTINE OR COVERT OPERATIONS

3.5.1 No public funds shall be used to promote the interests of any political party or political organisation and no political organisation shall accept any public funds to promote its interests which shall have the effect of interfering negatively in the political process.

3.5.2 The government shall not allow any operation by the security forces with the intention to undermine, promote or influence any political party or political organisation at the expense of another by means of any acts, or by means of disinformation.

3.5.3 If any of the signatories to this accord has reason to believe that any operation is being conducted in breach of this clause, it may lodge a complaint with the Police Reporting Officer or the Commission as the case may be.

3.5.4 In addition to any civil/criminal liability he/she may incur, any individual member of the defence force who is found to have breached this clause shall be dealt with in accordance with the Police Act, Regulations and Standing Orders.

3.5.5 In addition to any civil/criminal liability he/she may incur, any individual member of the defence force who is found to have breached this clause shall be dealt with in accordance with the defence statutes and codes and the Code of Conduct for the members of the defence force.

3.5.6 In order to monitor ongoing compliance with this provision the Commission, or a person authorised by it, shall upon receipt of any request by a party, or a complaint or on information received by it, be entitled by warrant to enter and inspect any place and interrogate any security force member, and seize any record or piece of evidence.

3.6 DANGEROUS WEAPONS

3.6.1 The parties agree that the disastrous consequences of widespread violence and the urgent requirement of peace and stability on which to build the common future make it necessary to act decisively to eliminate violence or the threat of violence from a political sphere.

3.6.2 In pursuit of this understanding the parties agree that no weapons or fire-arms may be possessed, carried or displayed by members of the general public attending any political gathering, procession or meeting.

3.6.3 All political parties and organisations shall actively discourage and seek to prevent their members and supporters from possessing, carrying or displaying weapons or fire-arms when attending any political gathering, procession or meeting.

3.6.4 The Government undertakes to issue the necessary proclamations to implement the principles of paragraph 3.6.2 after consultation with the interested parties.

3.7 SELF-PROTECTION UNITS (previously called self-defence units)

3.7.1 The Law accords all individuals the right to protect themselves and their property, and to establish voluntary associations or self-protection units in any neighbourhood to prevent crime and to prevent any invasion of the lawful rights of such communities. This shall include the right to bear licensed arms and to use them in legitimate and lawful self-defence.

3.7.2 The parties also agree that no party or political organisation shall establish such units on the basis of party or political affiliation, such units being considered private armies.

3.7.3 No private armies shall be allowed or formed.

3.7.4 The parties also recognise that a liaison structure should operate between any community based

self protection unit and the police so as to facilitate education on citizens' rights, police responsiveness and other aspects in respect of which there is a legitimate and common interest.

3.7.5 The police remain responsible for the maintenance of law and order and shall not be hindered in executing their tasks by any self protection unit.

3.7.6 All existing structures called self-defence units shall be transformed into self protection units which shall function in accordance with the principles contained in paragraph 3.7.

3.8 GENERAL

3.8.1 This Accord shall, where applicable, be issued as a directive by the Commissioner of Police and if necessary, the Police Act and regulations will be amended accordingly.

3.8.2 In view of the changing policing demands of a changing South Africa the police shall continue to take steps to retrain their members on the proper functions of the police as set out in the Code and in this agreement and in particular in methods of defusing conflict through discussion.

3.8.3 This Accord shall, where applicable, be honoured by and shall in terms of paragraph 3.8.1 be binding on the police.

3.8.4 This Accord shall, where applicable, be binding on the defence force in as much as it performs any ordinary policing function.

3.8.5 Where a government of a self-governing territory becomes a signatory to this Accord, the provisions of this Accord will, *mutatis mutandis*, be applicable to such a government as well as the police force of such a government.

3.8.6 A government of a self-governing territory which is a signatory to this Accord may opt to accept the jurisdiction of the Police Board or Police Reporting Officer established in respect of the South African Police Force.

3.9 CODE OF CONDUCT FOR MEMBERS OF THE DEFENCE FORCE

A Code is in the process of being negotiated under the auspices of the National Peace Committee.

Chapter 4

Security Forces: Police Code of Conduct

Mission of the South African Police

“We undertake, impartially and with respect for the norms of the law and society, to protect the interests of the country and everyone therein against any criminal violation, through efficient service rendered in an accountable manner.”

CODE OF CONDUCT OF THE SOUTH AFRICAN POLICE All members of the South African Police shall commit themselves to abide by the Code of Conduct in the following terms:

As a member of the South African Police, I undertake to adhere to the following Code of Conduct to the best of my abilities:

As POLICE OFFICIAL I will observe the oath of loyalty which I made to the Republic of South Africa by performing the task that is required of me by law, with untiring zeal, single-mindedness and devotion to duty, realising that I accept the following principles:

- In order to preserve the fundamental and constitutional rights of each individual by the use of preventive measures, or alternatively, in the event of disruption, to restore social order by the use of reactive policing.
- The authority and powers accorded to the Police for the maintenance of social order, and the subsidiary objectives they adopt are dependent upon and subject to public approval, and the ability to secure and retain the respect of the public.
- The attainment and retention of public approval and respect include the co-operation of the public in the voluntary observance of the laws.
- Any offence or alleged offence by any member of the South African Police, of the common law or statutory law, including the Police Act and the regulations promulgated in accordance thereof, shall be thoroughly investigated and in the event of any violation thereof, appropriate measures shall be taken. Such an offence or alleged offence, depending on the nature thereof, may be referred to a Police Reporting Officer or the Commission established in terms of the Prevention of Violence and Intimidation Act, 1991, or to a commission that shall be specifically appointed for that purpose. All assistance and co-operation possible shall be rendered to a commission such as this, and the Police Reporting Officer and where investigations are undertaken by the Police at the request of the commission or the Police Reporting Officer, a special investigation team shall be used for this purpose.
- The extent and quality of public co-operation proportionally diminishes the need for corrective measures.
- The favour and approval of the public shall be sought by:

- enforcing the law firmly, sensitively and with constant and absolute impartiality;
 - giving effective and friendly service to each individual, regardless of the political and religious belief, race, gender or ethnic origin;
 - reacting as quickly as possible on requests for help or service;
 - making personal sacrifices in order to save lives; and
 - encourage police community relationships, and by promoting participation by the community.
- The least possible degree of force be used in attaining the aim of policing, and then only when persuasion, advice and warnings have failed to secure co-operation, compliance with the law and the restoration of order.
 - Judges' Rules shall consistently be applied by all police officials.
 - Police officials must adhere to the executive function of policing and refrain from taking it upon themselves to perform a judicial function.
 - All police officials in uniform shall wear a clearly distinguishable mark of identification.
 - The integrity of policing is reflected by the degree of personal moral responsibility and professional altruism evident in the behaviour and actions of every individual member of the police.
 - The stability of society, and the vitality and continuity of democratic ideals are dependent upon policing that:
 - is consistently aware of the sensitive balance between individual freedom and collective security;
 - is consistently aware of the dangers inherent in illegal and informal coercive actions and methods; and
 - will never give in to the temptation to sacrifice principles by resorting to reprehensible means to secure good ends.
 - The professionalisation of policing depends primarily upon intensive selection, training, planning and

research.

- The needs of the community shall be considered in the training programme of the Police, and the contribution made by communities in this regard, shall be taken into account.
- Every member should strive and apply him/herself to individual and institutional professionalism by self-improvement and study.
- Any offence by any member of the police, committed in the presence of a fellow member of the police, shall be dealt with by such a fellow member in accordance with the powers and duties conferred upon him or her by any act relating to such an offence. In addition such a fellow member shall forthwith notify his or her commander.

In order to maintain these principles, I undertake to:

- make my personal life an example worthy to be followed by all;
- develop my own personality and also create the opportunity for others to do likewise;
- treat my subordinates as well as my seniors in a decent manner;
- fulfil my duty faithfully despite danger, insult or threat;
- develop self-control, remain honest in thought and deed, both on and off duty;
- be an example in obeying the law of the land and the precepts of the Force;
- prevent personal feelings, prejudice, antagonism or friendships from influencing my judgement;
- receive no unlawful reward or compensation; and
- remain worthy of the trust of the public, by unselfish service, seek satisfaction in being ready to serve and to dedicate myself in the service to my God and my country.

“SERVAMUS ET SERVIMUS—WE PROTECT AND WE SERVE”

Chapter 5

Measures to Facilitate Socio-Economic Reconstruction and Development

5.1 Reconstruction and development projects must actively involve the affected communities. Through a process of inclusive negotiations involving recipients, experts and donors, the community must be able to conceive, implement and take responsibility for projects in a co-ordinated way as close to the grassroots as possible. In addition reconstruction and development must facilitate the development of the economic and human resources of the communities concerned.

5.2 Projects at a local level require the co-operation of all members of the community irrespective of their political affiliation. The people within local communities must see local organisations working together on the ground with common purpose. Parties with constituency support in an area must commit themselves to facilitate such an approach to development projects.

5.3 Reconstruction projects must work on the ground at local level. This requires a combined effort by all political organisations and affected parties to raise the required level of capital and human resources for development. Public and private funds will have to be mobilised for this purpose.

5.4 Sustainable development implies that all individuals must be assisted and encouraged to accept responsibility for their socio-economic well-being. Each actor must define and accept his/her role and there must be an acceptance of co-responsibility for and co-determination of socio-economic development.

5.5 This development initiative should in no way abrogate the right and duty of governments to continue their normal development activity, except that in doing so they should be sensitive to the spirit and contents of any agreement that may be reached.

5.6 The parties to this process commit themselves to facilitating the rapid removal of political, legislative and administrative obstacles to development and economic growth.

5.7 The National Peace Committee and the Regional Dispute Resolution Committees will establish permanent sub-committees on socio-economic reconstruction and development.

5.8 Both the national and regional sub-committees defined above could establish advisory and consulting groups to facilitate their work.

5.9 The functions of these sub-committees would be to:

5.9.1 assist the peace structures in regard to socio-economic reconstruction and development;

5.9.2 take initiatives to implement the principles outlined above and to deal with the issues set out

hereunder;

5.9.3 the combined inputs of the sub-committees' participants would be to facilitate, co-ordinate and expedite reconstruction and development in terms of the principles outlined above.

5.10 The general guideline on issues to be dealt with is to move from immediate issues related to violence and the peace process toward pre-emption of violence and then toward integrating into the overall need for socio-economic development.

5.11 The sub-committees should identify areas at community level where they could begin to facilitate the co-ordination of the following issues:

- reconstruction of damaged property;
- reintegration of displaced persons into the community;
- expansion of infrastructure to assist in consolidating the peace process; and
- community involvement in the maintenance and improvement of existing community facilities and the environment.

5.12 The sub-committees should facilitate crisis assistance that will link to socio-economic development in the following areas:

- dealing with the immediate effects of violence and the resultant social effects, displaced persons problem and homelessness; and
- where infrastructure is itself a spark to violence, eg water, electricity, transportation, schools etc.

5.13 In addressing the above issues attention will have to be paid to:

- the equitable allocation of state resources, including state-funded development agencies (physical and financial) for both public and community-based initiatives;
- mobilisation of additional resources—both public and private;

- the cumbersome nature of governmental structures in the provision of resources and services;
- the position of the very poor and marginalised groups;
- land, its accessibility and use;
- basic housing;
- provision of basic services;
- education;
- health and welfare;
- job creation and unemployment; and
- the availability of land for housing and basic services.

5.14 The sub-committees should identify potential flash points and coordinate socio-economic development that will defuse tension eg squatter settlements: squatter settlement-township interfaces; hostels: hostel-township interfaces, provision and maintenance of basic services and rural resource constraints. The sub-committees should identify areas of socio-economic development that would prevent violence.

5.15 The sub-committees would attempt to ensure that overall socio-economic development is cognizant of the need to reinforce the peace process and defuse the potential for violence.

Chapter 6

Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (“the Commission”)

6.1 It is acknowledged that the police is primarily responsible for the investigation of crime. The police is, as a result, also responsible for the investigation and bringing to book of all perpetrators of violence and intimidation.

6.2 *Post mortem* inquests play an important role in exposing and opening up circumstances relating to unrest and violence. Inquests with judges as presiding officers have taken place more frequently since the implementation of the Inquests Amendment Act, 1990 (Act 45 of 1990). The Inquests Amendment

Act, 1991 (Act 8 of 1991), has furthermore streamlined the process and inquests can be disposed of more rapidly. Records of all inquest proceedings relating to public violence should be submitted to the Commission.

6.3 It is clear that violence and intimidation declines when it is investigated and when the background and reasons for it is exposed and given media attention. There is therefore need for an effective instrument to do just that. It is agreed that the Commission established by the Prevention of Public Violence and Intimidation Act, 1991, be used as an instrument to investigate and expose the background and reasons for violence, thereby reducing the incidence of violence and intimidation. However, in order to improve the efficacy of the Act in preventing violence it may be necessary to amend the Act, to accommodate the provisions of this Chapter. Where amendments are necessary, the National Peace Committee shall send its proposals to the Minister of Justice as soon as possible.

6.4 In terms of the Prevention of Public Violence and Intimidation Act, 1991, the Commission shall function as follows:

6.5 The Commission shall function on a permanent basis.

6.6 The Commission's objectives shall be to:

6.6.1 inquire into the phenomenon of public violence and intimidation in the Republic, the nature and causes thereof and what persons are involved therein;

6.6.2 inquire into any steps that should be taken in order to prevent public violence and intimidation;

6.6.3 make recommendations to the State President regarding:

6.6.3.1 the general policy which ought to be followed in respect of the prevention of public violence and intimidation;

6.6.3.2 steps to prevent public violence or intimidation;

6.6.3.3 any other steps it may deem necessary or expedient, including proposals for the passing of legislation, to prevent a repetition or continuation of any act of omission relating to public violence or intimidation;

6.6.3.4 the generation of income by the State to prevent public violence and intimidation as well as the compensating of persons who were prejudiced and suffered patrimonial loss thereby;

6.6.3.5 any other matter which may contribute to preventing public violence and intimidation.

6.7 It is agreed that the Commission shall be composed as follows:

6.7.1 A judge or retired judge of the Supreme Court or a senior advocate with at least 10 years' experience in the enforcement of the law. This will ensure that the Commission has suitable, independent and objective leadership, fully versed in the law and fearlessly given to grant all parties an equal opportunity to state their views and give their facts. This person will be the chairman.

6.7.2 A senior advocate or a senior attorney or a senior professor of law. The incumbent will assist the chairman of the Commission, providing balance from a legal point of view. Because of his status this person will not be susceptible to influence from other parties. This person will be the vice-chairman.

6.7.3 Three other duly qualified persons.

6.8 The National Peace Committee shall submit a short list of persons to be considered for appointment.

6.9 It is acknowledged that it is desirable that the Commission should be and be seen to be independent and non-partisan.

6.10 Members of the Commission are appointed for a period of three years.

6.11 The Commission will be assisted by a secretariat to provide administrative and logistical services.

6.12 The Commission's functions will include the following:

6.12.1 to investigate the causes of violence and intimidation;

6.12.2 to recommend measures capable of containing the cycle of violence;

6.12.3 to recommend measures in order to prevent further violence;

6.12.4 to initiate research programmes for the establishment of scientific empirical data on violence; and

6.12.5 to make recommendations concerning the funding of the process of peace.

6.13 Any individual will be able to approach the Commission with a request to investigate any particular matter relevant to combating violence and intimidation. If any such individual is held in detention, the

relevant authorities will facilitate the transmission of such a request to the Commission. If a request is unfounded, trivial or designed for purposes other than the prevention of violence and intimidation, the Commission may in its discretion decline to act upon the request. The Commission does not only act upon receiving a request from an individual, but may of its own accord investigate matters.

6.14 The investigation by or at the behest of the Commission shall not affect any legal processes.

6.15 Where a matter has already been dealt with as a result of legal processes, the Commission shall not re-investigate the matter but may take cognizance of the evidence presented during such processes and the findings emanating from such proceedings.

6.16 The Commission shall be empowered to enlist the help of other institutions in its investigations. Investigations by the Police Reporting Officer referred to in this Accord shall not be affected by the Commission.

6.17 Members of the Commission and its secretariat (insofar as they may not be employed by the State) shall be remunerated by the State. The State shall provide funds for the operation of the Commission.

6.18 The Commission shall be empowered in order to conduct an investigation and insofar as it may be relevant to:

6.18.1 require any person to give evidence on the matter being investigated;

6.18.2 require any person to put any document or other evidentiary material at the disposal of the Commission;

6.18.3 order that the identity of any person mentioned in 6.18.1 and 6.18.2 shall not be revealed if that person's life or property or his family may be endangered because of his assistance to the Commission;

6.18.4 order that the relevant authority provide appropriate protection to a person mentioned in 6.18.1 and 6.18.2 if his life is endangered because of his assistance to the Commission; and

6.18.5 order that the contents of any document or other evidentiary material shall not be revealed or published if circumstances so demand.

6.19 The proceedings of the Commission shall take place in public, unless the Commission decides that circumstances demand otherwise. This is designed to ensure that the safety of witnesses can be guaranteed.

6.20 The Commission shall determine if legal representation is desirable in any particular given case.

6.21 After completion of an investigation the Commission shall compile is no alternative to making use of a statutory enactment, such as the Act. It is suggested that the Act be employed to fulfil this role, because it can be utilised immediately and does not require further statutory attention a report on its findings and recommendations. This report will be handed to the State President who may make known for public information the facts in question and the findings of the Commission which he deems necessary in the public interest. Without derogating from the State President's discretion, the State President is requested to make such reports available to *inter alia* the National Peace Committee.

6.22 Measures shall be enacted to provide for the expenses and mechanisms of the Commission.

6.23 In order to ensure that steps are taken against perpetrators of violence and intimidation, the Commission may refer any evidence constituting an offence to the relevant Attorney-General and to the Special Criminal Courts.

6.24 Anyone hampering or influencing the Commission or any of its members in the execution of their duties shall be guilty of an offence. This will ensure that the status of the Commission is established and that it does not fall prey to pressures.

6.25 The above-mentioned is reflected in the Prevention of Public Violence and Intimidation Act, 1991.

6.26 Fully aware of the fact that the composition of the proposed body will determine its relevancy and legitimacy, the Minister of Justice indicated during the Second Reading Debate of the Act that no appointments would be made without consultation and negotiation with the relevant role players. Consensus will be the key word. The group agrees that for this system to be effective, it needs to be credible.

6.27 In terms of section 4 of the Act, committees may be established to assist the Commission in the exercise of its functions. The relevant players will therefore also be able to be represented on these committees by their own members and experts. These committees will enjoy the same far-reaching powers as the Commission itself. Regional committees of the Commission should be established in each of the regions identified by the Commission to monitor and inquire into public violence and intimidation. Local and regional security force commanders, and the LDRC and RDRC members, should advise the Commission or a Subcommittee of the Commission of any advance warning of anticipated or current public violence.

6.28 The parties agree that for the Commission to be effective it needs to be a credible instrument. It will furthermore only obtain credibility if it is to be constituted after the National Peace Committee has been consulted. If this condition is met, the establishment of the Commission should be given unconditional support.

6.29 In order to function properly within a legal framework, to exercise the considerable powers given

and to obtain State funding, there

Chapter 7

National Peace Secretariat, Regional and Local Dispute Resolution Committees

7.1 It is clear from the foregoing that sufficient instruments exist to investigate violence and intimidation and to bring the perpetrators thereof to book. Insufficient instruments exist however to actively combat violence and intimidation at grassroots level. It is therefore proposed that committees be appointed at regional and local levels to assist in this regard. These committees will require national co-ordination.

7.2 In order to provide management skills, budgetary commitment and statutory empowerment and sanction, State involvement is essential.

7.3 A National Peace Secretariat

7.3.1 A National Peace Secretariat shall be established, comprising at least four persons nominated by the National Peace Committee and one representative of the Department of Justice. Further members, up to a maximum of four may also be appointed.

7.3.2 The function of the National Peace Secretariat will be to establish and co-ordinate Regional Dispute Resolution Committees and thereby Local Dispute Resolution Committees.

7.3.3 The National Peace Secretariat will take decisions on a consensus basis.

7.3.4 The required financial and administrative resources of the National Peace Secretariat, and the other bodies established by it, will be provided by the Department of Justice.

7.4 Regional and Local Dispute Committees

7.4.1 Peace bodies are to be established at both regional and local level, to be styled "Regional Dispute Resolution Committees" (RDRC) and "Local Dispute Resolution Committees" (LDRC) respectively.

7.4.2 Just as the Commission will gain its legitimacy from its composition, reflecting the interested and relevant organisations, the RDRCs and LDRCs will gain their legitimacy by representing the people and communities they are designed to serve.

7.4.3 The areas of jurisdiction of the RDRCs shall be decided by the National Peace Secretariat until

such time as statutory provision is made.

7.4.4 RDRCs will be constituted as follows:

7.4.4.1 representatives from relevant political organisations;

7.4.4.2 representatives from relevant churches;

7.4.4.3 representatives of relevant trade unions, industry and business in the region;

7.4.4.4 representatives of relevant local and tribal authorities; and

7.4.4.5 representatives from the police and the defence force.

7.4.5 Duties of RDRCs shall include the following:

7.4.5.1 attending to any matter referred to it by the LDRC, the National Peace Secretariat or the Commission;

7.4.5.2 advising the Commission on matters causing violence and intimidation in its region;

7.4.5.3 settling disputes causing public violence or intimidation by negotiating with the parties concerned and recording the terms of such settlements;

7.4.5.4 guiding LDRCs in their duties;

7.4.5.5 monitoring current applicable peace accords and future peace agreements entered into in the relevant region and settling disputes arising from them;

7.4.5.6 informing the National Peace Secretariat of steps taken to prevent violence and intimidation in its region including breaches of Peace Agreements; and

7.4.5.7 consulting with relevant authorities in its region to combat or prevent violence and intimidation.

7.4.6 The communities within which LDRCs are to be established should be identified by the RDRCs.

7.4.7 LDRCs will be constituted by drawing representatives reflecting the needs of the relevant community.

7.4.8 Duties of the LDRCs shall include the following:

7.4.8.1 attending to any matter referred to it by either the Commission or the RDRCs;

7.4.8.2 creating trust and reconciliation between grassroots community leadership of relevant organisations, including the police and the defence force;

7.4.8.3 co-operating with the local Justice of the Peace in combating and preventing violence and intimidation;

7.4.8.4 settling disputes causing public violence or intimidation by negotiating with the parties concerned and recording the terms of such settlements;

7.4.8.5 eliminating conditions which may harm peace accords or peaceful relations;

7.4.8.6 reporting and making recommendations to the relevant RDRCs;

7.4.8.7 to promote compliance with currently valid and future peace accords and agreements entered into in the relevant area;

7.4.8.8 to agree upon rules and conditions relating to marches, rallies and gatherings; and

7.4.8.9 liaise with local police and local magistrates on matters concerning the prevention of violence, the holding of rallies, marches and gatherings.

7.5 Justices of the Peace

7.5.1 It is proposed that additional Justices of the Peace be appointed after consultation with the relevant parties and the LDRCs. The purpose of the Justices of the Peace will essentially be to promote the peace process at grassroots level and to assist the LDRCs in their activities.

7.5.2 Duties of Justices of the Peace shall include the following:

7.5.2.1 investigating any complaint received from anyone pertaining to public violence and intimidation, except where legal processes or investigations instituted by the South African Police, other police forces, the Commission, the RDRCs, the Police Reporting Officer or a commission of inquiry are dealing with the relevant matter;

7.5.2.2 mediating between relevant parties to a dispute by negotiation;

7.5.2.3 applying rules of natural justice when issuing an order which will be fair and just in the particular circumstances in order to restore peaceful relations;

7.5.2.4 referring facts constituting an offence to the relevant Attorney-General;

7.5.2.5 in co-operation with parties and in consultation with the LDRCs acting as the ears and eyes of LDRCs and reacting in urgent cases;

7.5.2.6 in all matters relating to public violence reporting to the LDRC; and

7.5.2.7 to pronounce as a judgement the terms of a settlement reached at LDRCs or RDRCs, provided that the terms of such settlement are executable.

7.6 RDRCs, LDRCs and Justices of the Peace shall be empowered to:

7.6.1 request the presence of any person with knowledge of any acts of violence or intimidation to give evidence;

7.6.2 request that any person in possession of any relevant document or other evidentiary material put the same at their disposal; and

7.6.3 protect the identity and safety of anyone assisting the relevant body as contemplated in 7.6.1 and 7.6.2 by excluding the public and/or media from its proceedings or by limiting access to its documents or reports or by prohibiting the publication of the contents of any of its documents or reports.

7.7 The National Peace Secretariat shall assist RDRCs in the exercise of their duties.

7.8 RDRCs may limit the number of members of a LDRC taking into account the prevailing circumstances in the community.

7.9 RDRCs shall determine the boundaries of the area constituting the jurisdiction of LDRCs within their own areas of jurisdiction.

7.10 The National Peace Secretariat and the Commission will advise on the policy to be applied to and by the RDRCs and the LDRCs and the management of the said bodies.

7.11 Members of the RDRCs, LDRCs and Justices of the Peace not in the full-time employment of the

State shall be entitled to remuneration and allowances to be paid by the State.

7.12 RDRCs and LDRCs shall appoint chairmen and vice-chairmen to represent the RDRC or LDRC concerned for a period of one year.

7.13 RDRCs and LDRCs shall furnish the National Peace Secretariat, the Commission or the relevant RDRC, as the case may be, with any information required by such bodies.

7.14 In view of the lack of effective peace promoting mechanisms at grassroots level it is urgent that these proposals be implemented as soon as possible. Because of the said urgency, it is agreed that the proposals be implemented on a voluntary basis at the outset. In order to give permanency and effectivity to the proposed structures it will have to be given statutory recognition as soon as possible. This should also ensure that the structures be funded by the State. In drafting the required legislation there should be wide consultation including with the National Peace Committee. The proposed legislation will also be published for general information and comment.

7.15 In order to ensure the proper functioning of the LDRCs, it is necessary to:

7.15.1 give them high status in their communities for their role in the peace process;

7.15.2 compensate the members of LDRCs for out-of-pocket expenses for attending meetings; and

7.15.3 train the members of the LDRCs in conciliating disputes, running meetings, negotiating skills, etc.

Chapter 8

National Peace Committee

8.1 COMPOSITION

8.1.1 Those political parties and organisations currently represented on the Preparatory Committee shall constitute the National Peace Committee together with representatives drawn from other signatory parties where the National Peace Committee believes such inclusion will give effect to the National Peace Accord.

8.1.2 The National Peace Committee shall appoint a chairperson and vice-chairperson, who shall be drawn from the religious and business communities.

8.2 OBJECTIVE

The objective of the National Peace Committee is to monitor and to make recommendations on the implementation of the National Peace Accord as a whole and to ensure compliance with the Code of Conduct for Political Parties and Organisations.

8.3 FUNCTIONS

8.3.1 The functions of the National Peace Committee shall be, *inter alia*, to:

8.3.1.1 perform those functions imposed upon it by the National Peace Accord;

8.3.1.2 receive and consider reports by the National Peace Secretariat and the Commission;

8.3.1.3 decide disputes concerning the interpretation of the Code of Conduct for Political Parties and Organisations;

8.3.1.4 resolve disputes concerning alleged transgressions of the Code of Conduct for Political Parties and Organisations;

8.3.1.5 convene a meeting of the signatories in the event of an unresolved breach of the National Peace Accord; and

8.3.1.6 recommend legislation to give effect to the National Peace Accord.

8.4 POWERS

8.4.1 The National Peace Committee shall have the following powers:

8.4.1.1 promote the aims and spirit of the National Peace Accord;

8.4.1.2 convene a meeting of the signatories where necessary;

8.4.1.3 amend the constitution of the National Peace Committee;

8.4.1.4 negotiate and conclude further agreements to achieve the, objects of the National Peace Accord.

8.5 MEETINGS

8.5.1 The National Peace Committee shall elect a chairperson who shall not be a representative of any of the signatory parties.

8.5.2 Meetings shall take place on a regular basis at a date and time agreed to in advance.

8.5.3 Urgent meetings shall be convened by the chairperson on not less than 48 hours' notice in writing to the authorised representatives.

8.5.4 The service of written notice of a meeting at the specified address of the authorised person shall constitute due notice.

8.5.5 An urgent meeting shall be called by the chairperson on a written request of one of the signatory parties to the National Peace Accord.

8.6 VOTING

8.6.1 All decisions shall be by consensus.

8.6.2 In the event of a dispute over the interpretation of the National Peace Accord, the failure of the National Peace Committee to achieve consensus at the meeting at which the dispute is raised or at such further meetings as agreed, the dispute shall be referred to expedited arbitration in the manner set out in paragraph 9.4.

8.6.3 In the event of a breach of the National Peace Accord not being resolved by consensus at a meeting of the National Peace Committee, the chairperson of the National Peace Committee shall convene a meeting of national leadership of the signatories within 30 days of that meeting.

Chapter 9

Enforcing the Peace Agreement Between the Parties

9.1 There should be simple and expeditious procedures for the resolution of disputes regarding transgressions of the Code of Conduct for Political Parties and Organisations by political parties and

organisations who are signatories of the National Peace Accord. These disputes should wherever possible, be settled:

9.1.1 at grassroots level;

9.1.2 through the participation of the parties themselves; and

9.1.3 by using the proven methods of mediation, arbitration and adjudication.

9.2 Disputes and complaints regarding the transgression of the Code of Conduct for Political Parties and Organisations shall be referred to the National Peace Committee or a committee to whom it has referred the matter for resolution, if the parties were not able to resolve the dispute themselves.

9.3 Where the dispute cannot be resolved by the National Peace Committee or the committee to whom it has been referred to by the National Peace Committee, it shall be referred for arbitration.

9.4 The arbitrator shall be a person with legal skills, appointed by the relevant parties by consensus, failing which the arbitrator shall be appointed by the National Peace Committee within 21 days of being requested to do so in writing and failing which the Chairperson of the National Peace Committee shall appoint an arbitrator.

9.5 Subject to the above, the procedure of the arbitration shall be as follows:

9.5.1 the complaint shall be referred to the arbitrator by the complaining parties;

9.5.2 the arbitrator shall decide on a date of hearing and call upon the parties to the dispute to be present at the hearing with their witnesses;

9.5.3 the hearing shall be conducted in private;

9.5.4 the arbitrator shall make a finding on the facts and make an order on the organisation concerned to remedy the breach either by a public distancing of the organisation from the events or by steps to be taken to prevent further breaches of the Code and the time within which the order has to be implemented;

9.5.5 the arbitrator shall hold a compliance hearing once the time period has expired to determine compliance;

9.5.6 the arbitrator will then submit a report of its findings to the National Peace Committee.

9.6 The signatories agree to consult each other in the National Peace Committee on methods of ensuring that the Code of Conduct for Political Parties and Organisations is enforceable on all such bodies, including the possibility of statutory enforcement.

Chapter 10

Special Criminal Courts

10.1 An effective and credible criminal judicial system requires the swift but just dispensation of justice. This in turn will promote the restoration of peace and prosperity to communities, freeing them of the ravages of violence and intimidation. Special attention should be given to unrest related cases, cases of public violence and cases involving intimidation by setting up Special Criminal Courts specifically for the purpose.

10.2 It is agreed that the Department of Justice, in co-operation with local legal practitioners of the Law Societies and the Bar, should establish project committees to advise the Department of Justice on the administration of the proposed Special Criminal Courts.

10.3 These Special Criminal Courts will not deal with ordinary day-to-day crime. Its function will be to deal with unrest related cases. As a result, cases being heard in these courts will be disposed of swiftly and effectively without delay. Cognizance is taken of the initiative to establish mobile courts in certain areas to bring justice closer to the people. The initiative is supported.

10.4 Special Criminal Courts should be located in areas where its services are most urgently needed. This implies that cases can be heard more expeditiously than ordinary criminal courts would be able to. This ensures that perpetrators of violence and intimidation will not unnecessarily be let out on bail enabling them to become re-involved in violence and intimidation. This also ensures that those who are maliciously accused of being violent can have their names cleared sooner than is the case at present.

10.5 The Criminal Law Amendment Act of 1991 provides a mechanism for a programme of witness protection. It is based on the voluntary co-operation of the person threatened by others and can also protect his family members. It is agreed that these provisions be actively utilised in areas affected by unrest.

10.6 For unrest, political violence and intimidation related offences to be effectively combated, criminals should be prosecuted as effectively as possible and at the earliest instance.

10.7 It is acknowledged that for Special Criminal Courts to be effective, special procedural and

evidential rules should apply. The parties therefore commit themselves to promoting procedural and evidential rules that will facilitate the expeditious and effective hearing of criminal cases.

Johannesburg

16 October 1991

APPENDIX G

CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

DECLARATION OF INTENT

We, the duly authorised representatives of political parties, political organisations, administrations and the South African government, coming together at this first meeting of the Convention for a Democratic South Africa, mindful of the awesome responsibility that rests on us at this moment in the history of our country, declare our solemn commitment:

1. To bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination;
2. To work to heal the divisions of the past, to secure, the advancement of all and to establish a free and open society based on democratic values where the dignity, worth and rights of every South African are protected by the law;
3. To strive to improve the quality of life of our people through policies that will promote economic growth and human development and ensure equal opportunities and social justice for all South Africans;
4. To create a climate conducive to peaceful constitutional change by eliminating violence, intimidation and destabilisation and by promoting free political participation, discussion and debate;
5. To set in motion the process of drawing up and establishing a constitution that will ensure inter alia:
 - A. that South Africa will be a united democratic, nonracial and non-sexist state in which sovereign authority is exercised over the whole of its territory;
 - B. that the constitution will be supreme law and that it will be guarded over by an independent, nonracial

and impartial judiciary;

C. that there will be a multiparty democracy with the right to form and join political parties and with regular elections on the basis of universal adult suffrage on a common voters' roll; in general the basic electoral system shall be that of proportional representation;

D. that there shall be a separation of powers between the legislature, executive and judiciary with the appropriate checks and balances;

E. that the diversity of languages, cultures and religions of the people of South Africa shall be acknowledged;

F. that all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees equality of all before the law.

We agree:

1. That the present and future participants shall be entitled to put forward freely to the convention any proposal consistent with democracy.

2. That CODESA will establish a mechanism whose task it will be, in cooperation with administrations and the South African government, to draft the texts of all legislation required to give effect to the agreements reached in CODESA.

We, the representatives of political parties, political organisations and administrations, further solemnly commit ourselves to be bound by the agreements of CODESA and in good faith to take all such steps as are within our power and authority to realise their implementation.

Kempton Park

21 December 1991

Cooper, C et. al., Race Relations Survey 1991/92, (Johannesburg: South African Institute of Race Relations) 1992.