reality

JULY 1984

90 cents

A JOURNAL OF LIBERAL AND RADICAL OPINION

Vol. 16 no. 4

ISSNOO34 0979
July 1984

in this issue . . .

COVER PHOTOGRAPH by Joe Alfers: WORK SEEKERS AT EMPLOYMENT BUREAU. From LESOTHO – THE ROAD TO THE MINES; CARNEGIE ENQUIRY EXHIBITION.

EDITORIALS

1. CARNEGIE AND THE VOTE

Over fifty years ago the first Carnegie Inquiry produced a report on the extent of white poverty in South Africa which resulted in a programme of government action, which, allied to the rapid industrialisation of South Africa in the war years and after, has largely eliminated that phenomenon from our midst. The second Carnegie Inquiry, concerned mainly although not entirely, with the problem of black poverty, brought together a remarkable amount of research material on the subject at its conference at the University of Cape Town in April. The conference itself is discussed elsewhere in this issue of REALITY, and we hope to publish some of the papers presented to it from time to time in this journal. It is important that they reach as wide an audience as possible.

The research material presented at UCT was much more wide-ranging and comprehensive, relative to the total South African condition, than was that collected 50 years ago. It will now be sifted and collated and a final report is to be compiled next year, from which recommendations for a programme to eliminate black poverty will presumably come. What chance is there that its findings will be translated into a government-supported effort which will see an end to black poverty in our country within a time-span comparable to that in which white poverty was eradicated? It is not easy to be optimistic under present circumstances. The first Carnegie Report brought the white poor much sympathy and no doubt the second will bring the same to the black poor. But the white poor had the vote, and it was the vote and not the sympathy which provided the lever for change.

Until black people get the vote at the place where real financial power lies, which is Pretoria, it is not likely that the recommendations from the second Carnegie Inquiry will get the same government support as did those from the first. Nevertheless, both we and the government will know the size of the problem and how it might eventually be resolved. □

2. MORE VIOLENCE

The appearance on our political scene of the extreme right-wing Afrikaner Volkswag with its neo-Nazi trappings is disturbing enough – but no more so than other things which have been happening recently and which have enjoyed none of the hostile Press and Television cover which the Nationalists have thought it proper to afford the Volkswag.

Some years ago scarcely a week would pass without there being an attack on the home, office, motor-car, protest stand or public meeting of individuals or organisations which the Government regarded as being of 'the left''. In one of those attacks Rick Turner died. Neither in his case, nor any others, was anyone ever caught. Then, with the departure of Mr. Vorster, things seemed to improve. There was even a trial in Cape Town, and some of the hit-men went to gaol. Now it seems all to be starting again, and spreading.

There has recently been a spate of attacks on the homes, cars and offices of opponents of the Government in Johannesburg, following much the same pattern as in the past. But at the University of the Witwatersrand, once a bastion of liberal tolerance, where anyone could expect to express controversial views without interference, there have been incidents of violence whose origins seem to range from the ethnic to the religious to the political. What could be more in conflict with the traditions of that great institution than that its campus should have come to this unhappy pass?

On the broader political front, in Johannesburg and other centres, supporters of the United Democratic Front have been harassed and manhandled while going about the perfectly legal business of collecting signatures and support for their petition against the new constitution. The deep divisions in Zulu society have again expressed themselves in violent terms. In early May, at a UDF meeting in Empangeni, Mr Archie Gumede, vice-President of the UDF, was knocked unconscious by, and had to be rescued from, a group which invaded the platform at a meeting he was addressing. Mr. Gumede's commitment to non-violence could hardly be stronger or his record of service to the cause of black liberation more honourable. That a man with his views and record should, at the age of 70, be treated in this manner is a disgrace to all of us. Elsewhere on the political spectrum students at the University of Zululand are reported to have marked Republic Day by staging a march on their campus which culminated in the burning of an effigy of Chief Buthelezi – an inherently violent and highly provocative act if ever there was one.

Political violence which once used to be almost exclusively the prerogative of the antecedents of the Afrikaner Volkswag (one of which was the Nationalist Party) is ne threatening to become endemic in other levels of our political activity. Not much can be done to persuade the Volkswag (one of which was the Nationalist Party) is now threatening to become endemic in other levels of our political activity. Not much can be done to persuade the Volkswag to see the dangers of this. Its leaders subscribe neither to the principles of non-violence nor those of rational argument. But this does not apply in the other areas where violence is increasing and we are entitled to demand firm action from leaders on all sides now, to ensure that their supporters practise what they preach. □

by DAVID UNTERHALTER

THE HOEXTER COMMISSION AND THE INDEPENDENCE OF THE JUDICIARY

The South African Government frequently claims its critics are unjust. Whatever the disfigurations wrought upon society by the byzantine legislative intrusions of apartheid, the judiciary remains independent of executive control. Judges usually affirm their independence as a self-evident feature of judicial office, unsullied by the taint of political partiality. Lord Diplock is perhaps representative, 'the administration of justice in our country depends upon respect which all people of all political views feel for the judges, and in my opinion that aspect depends upon keeping judges out of politics.'[1)]

The legitimacy of the judiciary in South Africa is rooted in this assertion of political neutrality. Confidence cannot rest upon proud assertions. Doubts as to the independence of the judiciary have been publicly aired, but caution prevails. Critics have generally made two claims. First, certain judges have been appointed on the grounds of political affiliation above merit and seniority. Secondly, certain judges are curiously vigorous in upholding the claims of the state in arguable cases where the rights of individuals are at stake.[2)]

The Commission of Enquiry into the Structure and Functioning of the Courts (the Hoexter Commission) was appointed on 29 November 1979. Its terms of reference were, to inquire into the structure and functioning of the courts . . . and to make recommendations . . . on the desirability of changes which may lead to the more efficient and expeditious administration of justice.' Many parts of the Commission's 583 pages will only be of interest to the legal profession and those concerned with the more technical aspects of the administration of justice. One of the matters taken up by the Commission which has a wider significance, is the relationship between the judiciary and the executive in South Africa.

JUDICIARY AND EXECUTIVE

The Commission points out that the independence of the judiciary is rooted in the constitutional doctrine of separation of powers. This doctrine requires the formal structural separation of the judiciary, the executive and the legislature. Notwithstanding the discharge of certain quasi-judicial functions, the Commission suggests that the doctrine is complied with in South Africa and other traditional safeguards are provided, such as security of tenure and qualified immunity from liability.

It is conceded by the Commission that these formal attributes of independence need not entail substantive independence. The view of B R Bamford is set out as follows:[3]

> 'All these safeguards, valuable as they are, touch only the periphery of the problem of judicial independence; without them the good judge remains incorruptible, and, with them, the weak and partial judge can deflect the course of justice. The only true and embracing protection to the citizenship is a proper method of choosing proper men'.3)

Evidence before the Commission indicated that 'the method of choosing proper men' betrayed an element of arbitrariness and merit was not always the decisive factor in making judicial appointments. The Commission quotes from a much publicized paper read by Advocate Sydney Kentridge in 1982:

> 'Over the past 30 years political factors have been placed above merit – not only appointments to the Bench, but in promotions to the appeal court . . . Fortunately such blatant political appointments have constituted a small minority of the Bench. But there have been enough of them to cause disquiet especially as this tendency has clearly not ceased.[4])

It was the opinion of the Commission that the legitimacy of the Bench would be gravely prejudiced if this suspicion about the pedigree of the judiciary was to continue. It was a finding of the Commission that it is essential for the proper administration of justice that prior to the appointment of any Supreme Court judge the Bench directly concerned should be consulted.[5]

The Commission recommended that 'before the Minister of Justice advises the State President in regard to the appointment of a judge in a provincial division of the Supreme Court, the Minister will be obliged by law to consult the Judge President of the division in which the vacancy occurs.'

It is, of course, significant that a Commission of Enquiry should concede that the independence of the judiciary in South Africa is not a self-evident fact. The Commission appears to have recognised the political motivations behind certain appointments to the Bench and the dangers of such a policy in a society where the majority of people have no access to political representation in Parliament.

There is an oddity in the recommendations made by the Commission. Recourse to political considerations in the appointment of judges does not simply taint particular judges who are appointed to the Bench, but extends to the whole system of selection.

The appearance of impartiality in the selection of judges is not secured by consulting with those who are the beneficiaries of office as a result of a tainted system. Furthermore, although Judge Presidents are men of robust independence, one cannot under the present system preclude the possibility of the appointment of a Judge President on grounds other than merit, thus perpetuating the very evil the commission hoped to remedy. It is rather surprising that the Commission thought the possibility of a more heterogeneous advisory body to have the least merit. The cause of legitimacy would have been better served had such a recommendation been made.

MERITS

A further unexplored assumption which runs through the considerations of the Commission is that there is some clear and obvious distinction between an appointment on the grounds of merit alone and an appointment which involves extraneous political factors. What exactly are the merits which will secure the appointment of 'proper men' to the Bench?

It is often claimed that our legal system upholds an immanent morality, enshrined within the common law, which represents the values of the community. Notwithstanding the statutory intrusions upon this morality which reflect the designs of the dominant political power, it is widely believed that the moral consensual core remains. It is for this reason that judges claim to speak for society when they settle disputes. The moral code of our legal system is said to stand for individual liberties when challenged by the state and ideally stands for the judicial virtues of impartiality and neutrality. Impartiality is the virtue of deciding a case by listening with equal attention to the arguments presented by each side, irrespective of personal views about the litigants. Neutrality is the virtue of upholding the immanent morality of the law which consists in the values of the community and not the private commitments of the individual judge.

An ancilliary aspect of this view is a tacit assumption that those members of the Bar who have risen to the top of the profession are imbued with the values of our legal system, especially the independence of the judiciary in countenancing the claims to individual rights in the face of coercive government authority. That the upper echelons of the profession are peopled with such individuals cannot be doubted, but it is not a necessary feature of such status. Since the

appointment of a person to the Bench is a decision reversible only in the most exceptional of circumstances, the wider the scrutiny given to candidates for appointments the better. Such scrutiny should not be confined to the professional peers of the candidates, but should enjoy a more public assessment. The real difficulty is to set out the criteria which ought to inform such scrutiny.

CRITERIA

The Commission is concerned with who should be consulted in deciding upon judicial appointments. A much more important issue is, as indicated, to specify the recognized criteria used in constituting the judiciary. It is a matter of difficulty and importance because it seeks to define the relationship between the exercise of legal authority and the democratic rights of people in society.

It is an extraordinary, though obvious, sociological fact that the judiciary is drawn from a limited social background. In South Africa judges are white and predominantly middle class and in England they are predominantly white and upper-middle class.[6] How important is this fact? If you believe in the idea of our legal system as a commonly shared bounty of values, then a 'good judge' is simply a person who embodies these values in the discharge of his duties of adjudication. Judges, on this view, do not need to be socially representative. What counts is adherence to the values of our law.

Many would doubt this view. The theory that judges are 'but the mouths which pronounce the words of the law'[7] may still be heard, but today it has no adherents among those who have given any serious attention to the act of adjudication. The sceptic would go further and question whether the law can be adequately understood as a store-house of well-tried principles invoked to resolve the novel disputes which come before the courts. Two positions are possible, though they are not exclusive of one another. First, in deciding novel disputes the applicable values of our legal order may conflict, leaving the judge a discretion to make a value judgement. Secondly, though the law may include certain values which win the adherence of most people in society, the structure of the law is skewed in favour of the powerful. The first position raises the problem of why judges should have the power to create rights outside the embrace of parliamentary democracy. The second position suggests judges are instruments of the prevailing social and political order, though they are not necessarily aware of this rôle. In both, the representativeness of the judiciary matters, because judicial decision-making ought to be democratic if it is to be just, and to be democratic ought to represent the diverse values of the society.

If neutrality, in the sense defined, is a pipe-dream, how can judges be made more representative? An important limitation must be recognised. Adjudication requires considerable technical competence; such competence depends upon an academic training in the law and, more controversially, upon professional practice. A pre-requisite for representative recruitment to the Bench is a positive strategy to open up academic and professional opportunities to Black persons and women.

SELECTION

How should selection be done to achieve representativeness?[8] The goal is to obtain public debate and participation in judicial selection, whilst ensuring technical competence and personal attributes other than a commitment to particular value positions. An evaluation of all the alternatives is beyond the scope of this article. Some of the possibilities are:

1. Direct election of eligible candidates by the community as a whole.
2. Nominations by political parties according to their strength in Parliament.
3. Selection by a committee appointed by M P's again according to their strength in Parliament.
4. Nomination by a number of elected political figures.

Difficulties may be raised about each of these suggestions, but they have a common objective. Instead of pretending that there is some way of choosing judges who will uphold and unproblematically apply the consensual values of the law, it would be better to recognize that judges make value-choices among legal principles and rather ensure that judges are representative of value positions across the social spectrum. In this sense, the judiciary may truly be said to be representative of the community.

Such a strategy isn't free of difficulty. Judges appointed in this way may not live up to the expectations of those who nominated them. Conversion to new creeds is not the sole preserve of religious belief. This possibility only heightens the importance of the distinction between a procedure of selection to encourage representativeness and the principle of accountability. The procedures of selection set out do not render the judge beholden to a particular constituency. Rather they hope to secure the use of judicial independence by a more socially representative Bench.

South Africa is not a country well known for its dedication to democratic principles. The legitimate exercise of authority depends upon such principles. This holds good for political power and judicial authority.

The rôle of the judiciary in a democratic society is an important matter and one considered by the Commission in a rather shallow and cautious way. Given the patent lack of democracy in South Africa, one would have expected the Commission to have made a more realistic appraisal of the legitimacy of the judiciary in a bitterly divided country. Instead the Commission demonstrates a rather hollow belief in a consensual legal order. □

REFERENCES:

1. 396 H.L. Deb., col. 1367.
2. See E Cameron (1982) 99 **SALJ** 38.
3. 1956 **SALJ** 390
4. Commission p 60.
5. Commission Report p. 36.
6. J A G Griffith, **The Politics of the Judiciary** (2nd edn. London, 1981).
7. Montesquieu, **De l'esprit des lois,** Book X1, ch.6).
8. See J Bell, **Policy Arguments in Judicial Decisions** 1983 Oxford pp 256-64.

THE DAY OF JUDGEMENT

Vortex

"Wake up, Jan. There's someone knocking on the front door."
"My dear woman, what are you talking about? "
"There's someone thumping on the front door. Listen."
"I do believe you are right. I wonder who it is."
"It sounds aggressive to me."
"Let me go and see. A person who was really aggressive wouldn't knock on the door at all."
"I don't think you should go. Who knows what nut-case may wish to settle some score with a judge? "
"I've been a judge for six years and no-one has ever molested or threatened me so far, Elize. I feel I can safely go."
"I hope you're right. Do be careful. Take that hockey-stick behind the cupboard. I'll bring up the rear."
"That's good of you, my dear."

Jan walked cautiously into the hall. The banging on the door had ceased. Then it started again.
"Who is that there? What do you want, at this hour of the morning? "
"We are the police."
"The police? "
"Yes."
"Why on earth are you knocking on my door at this hour? Do you realise that it is a judge that you are disturbing in this stupid, unseemly manner? "
"Yes sir: we know that. Could you please open the door – sir? "

Jan walked to the door, and pulled it open angrily.
"You **knew** I was a judge! Well, that makes your behaviour all the more disgusting, all the more intolerable. Are you mad? One doesn't bang on people's doors at 4 a.m., you know: it just isn't done. And I'm afraid to say that it is **especially** not done as far as judges are concerned. What is your name? "
"My name is Captain Snyman, sir, and I am acting on instructions that have come straight from the Minister of Justice and Police."
"Oh they have, have they? And what fine instructions are these, pray? "
"Did you not read yesterday's papers, sir? "
"No, as a matter of fact I didn't. I spent half the day at an important engagement at the club."

By now Elize was standing next to him, white with astonishment and anger.
"In answer to a challenge from a diplomat from overseas, the Minister had said, last week in Parliament, that the judges of the South African courts lived under exactly the same laws and regulations as all the people who appeared before them. Then two days ago, in response to a further challenge from overseas, the Minister angrily promised to make sure that judges receive no preferential treatment of any kind whatsoever. And he ordered local police authorities to work out the implications of his instruction."

"You must be joking."
"I assure you I am not, sir."
"Anyhow, what 'preferential treatment' do I receive? "
"Colonel de Villiers has instructed me to say this: Judge Smithson does not live under the same laws as black citizens."
"Well, who said I did? "
"Nobody, sir. But the Minister has now said that you must. That is why I have knocked on your door at this hour."
"This is ridiculous."

Elize could contain her fury no longer :
"I've never heard anything so absurd. What is this – an April Fool's trick? As a person not directly involved, I must say I am appalled and very angry."
"But madam, you **are** involved. It is you that we have come about." He then turned, and beckoned three policemen, who had been hidden in the darkness, to come into the light. They took hold of Mrs Smithson.
"Me? This gets crazier and crazier."
"Snyman, please stop this nonsense. Tell your men to take their hands off my wife. My God this scene is assuming the proportions of a sick nightmare. What do you think you are up to? "
"Colonel de Villiers has looked into Mrs Smithson's papers, and he finds that she comes from a farm in the Northern Transvaal."
"Well, what's significant about that? "
"And she has lived in this city for less than ten years."
"And so? "
"So she has no right to remain in the town, and will have to go back to the northern Transvaal."
"You must be out of your mind. And when in your opinion must she depart on this charming little journey? "
"Now sir. We must take her to the van now."
"What you are suggesting is totally barbaric and uncivilized."
"You have just repeated, Judge, the very words of the foreign diplomat's which so angered our Minister."

by ANNE RAYNAL

HEALTH SERVICE DEVELOPMENTS IN ZIMBABWE

Are there Lessons for South Africa?

INTRODUCTION

The views put forward in this paper are based on my personal experiences as a medical officer of health (the Assistant Provincial Medical Director) for Matebeleland from January 1983 to January 1984. Hence I cannot claim to give a total overview of the health services in Zimbabwe, but rather one of an outsider who held a middle-management position in a volatile area of the country.

When Zimbabwe achieved majority rule in April 1980, it inherited a well-developed health service structure in terms of physical amenities. However, this service was racially segregated, administered centrally along vertical professional structures, with little community consultation and a large curative bias.

This paper will describe some of the major beneficial and detrimental developments in the government health sector since independence, as well as developments in the private and traditional sectors.

1. BENEFICIAL DEVELOPMENTS

This term is used in relation to its observed effects on the majority of people. The major beneficial developments have been in the evolution of sound and progressive health service policies. They are as follows:

1.1 **Unification** of Government health services under one body. Racial segregation was removed. This contrasts with the eight different medical authorities operating in South Africa, based on race and geographical area, which have created a duplication of services at great expense. The removal of racial segregation in Zimbabwe was not problematic but has resulted in most Whites and more of the well-off Blacks using private hospital services.

1.2 **Equity in Health:** It is estimated that 80% of the population live in rural areas in Zimbabwe and that over 70% of the total population are children and women in the child-bearing age. Hence priority has been given to the development of the health service in rural areas and particularly to maternal and child health services. The number of rural health centres has more than doubled since independence and health services have been made free to the majority of people. (Those families whose income is less than 2$150 per month).

1.3 **Integration of Medical Professionals:** In the past each professional group, whether they were doctors, nurses, nutritionists, environmentalists, etc, had their own vertical structure and chain of command in the Ministry of Health. There was little interprofessional liaison and great hostility was evoked when encroachment of "territory" occurred. The policy of the Ministry of Health has been to create multidisciplinary teams at each level. The members of these teams should have equal status and be primarily responsible to the team and the community they serve, and secondarily to their seniors within the Ministry of Health.

1.4 **Inter-sectorial Co-operation:** The influence on health of factors such as the availability of food, adequate water supplies and sanitation, education, women's status and the general infrastructure is given full cognisance. Hence regular meeting of representatives from each ministry are held at every level to ensure the co-operation and understanding of the objectives of each sector.

1.5 **On-going Evaluation:** A unified national health information system has been introduced in which all health workers are involved in the collection, collation and discussion of results at local health authority meetings. Each authority is then expected to make decisions based on the information and to implement them to improve the service. This has created a dynamic environment in which health workers are more aware and critical of their activities, as well as of the health status of their communities.

1.6 **Decentralisation and Democratisation:** The Ministry of Health has been inspired by the success of health programmes in China and Cuba. The essence of these programmes appears to have been the active involvement of communities in their own health services. The ministry has attempted to create a similar service in the following way:

The Ministry of Health provides the overall health service policies, training, supervision and monitoring of activities. At each administrative level joint medical team and community representative health authorities have been created. These authorities will be allocated budgets and it is their responsibility to implement the policies of the Ministry in a way that is appropriate to the needs of their communities.

The structure of the decentralised health service is as follows:

STRUCTURE OF THE DECENTRALISED HEALTH SERVICE IN ZIMBABWE

ADMINISTRATIVE LEVEL (AND POPULATION SERVED)	HEALTH SERVICE TEAM	COMMUNITY REPRESENTATIVE BODY	HEALTH SERVICE AUTHORITY
Central (7.5 million people)	Ministry of Health	Parliament and Cabinet	No joint authority at present. The Ministry of Health is the authority.
Provincial (approx. 1 million people)	Prov. Medical Officer Prov. Nursing Officer Prov. Health Inspector Prov. Nutritionist Prov. Health Educator Prov. Hospital Superintendents City Medical Officers	Provincial Council	Provincial Health Services Authority
District (100 000/200 000 people)	District Medical Officer District Nursing Officer Environmental Health Officer Health Information Officer Village Health Worker Trainer	District Council	District Health Services Authority
Ward (10 000/20 000 people)	Rural Health Centre Med. Asst. Health Assistant Child spacing Educator-Distributor	Ward Council	Ward Health Committee
Village (0000/2000 people)	Village Health Workers Traditional Birth Attendants	Village Dev. Committee	Village Health Committee

Conflicts inevitably arise between the medical, professional and community representative groups in interpreting the implementation of policies. No formal channel has yet been established to resolve their differences and at present it is usually the medical team, and particularly doctors, who have the deciding vote.

The above policies have been implemented to varying degrees in different geographical areas. Their success appears to be related to the level of community organisation and motivation and experience of the authority members. However, the policies have created a system which has a broad approach to health problems, which should be responsive to local health needs, and in which communities can actively participate.

2. DETRIMENTAL DEVELOPMENTS

2.1 **Political Partisanship:** The overriding detrimental development in the health and other sectors has been the intrusion of party politics, particularly in pursuance of a one-party state, in the following areas:

(a) Staff Appointments: This has mainly occurred at a central level but is increasingly seen at other levels. Appointments have been made on the basis of political affiliation rather than on ability, training or experience. This has lead to demoralisation of other staff members.

(b) Suppression of Opposition: Recent elections of local representative bodies in Matebeleland have been conducted under much harassment and intimidation of electorate. ZANU has achieved land-slide victories in Tsholotsho and Gwanda districts, were there is overwhelming support for ZAPU. Under these circumstances the ability of communities to actively participate in their health services is greatly jeopardised.

(c) Obeisance to the Military: There has been no support for, or any attempt to intervene on the behalf of, Health workers caught in the conflicts in Matebeleland. Several have been killed and dozens have been assaulted. When the Ministry of Health has been approached for assistance the persons concerned have replied that military activities take priority and that they are not prepared to become involved. Clearly the principles of the Geneva Convention are over-ruled by political objectives.

While a political perspective is desirable on health service management, particularly in perceiving health as a manifestation of the socio-economic environment, the pursuance of political party dominance through the health

service has been found to be destructive to the latter's development.

2. **Co-option And Discrediting Of Traditional Practitioners.**

At independence the Minister of Health strongly supported the formal recognition of the valuable role played by traditional practitioners. This was welcomed by many health workers who felt that greater co-operation between the western and traditional sectors would benefit their patients. However, it appears that the platform of support for traditional practitioners was merely an attempt to obtain political support. The body which was set up to register and monitor acceptably qualified traditional practitioners, ZINATHA, registered any person who was prepared to pay the registration fee, in an attempt to increase its membership and lobbying strength. Many charlatans were given recognition. Unfortunately this had the effect of discrediting the abilities of competent traditional practitioners.

The establishment of a successful mode of co-operation between the traditional and western medical sectors would require great sensitivity and awareness, as the premises for practice are profoundly different, being the ancestral, cosmic perspective for the former and the scientific model for the latter.

The gross attempt to co-opt the traditional sector has sadly done great damage to the development of a co-operative system.

2.3 **Restriction of Fertility Control**

Depo-Provera, a long acting injectable contraceptive, was banned shortly after independence. This action was taken supposedly because of suspicions about carcinogenicity and effects on fertility. However, reports subsequently produced by the World Health Organisation which gave clearance to Depo-Provera on these aspects were ignored. When questioned about this, members of the Ministry of Health have admitted that the real reason Depo-Provera was banned was due to the pressure applied by men to have it removed. They were against their wives being able to control their own fertility without their husband's consent. The Child Spacing and Fertility Association have unofficially reported that their contraceptive usage has halved since the banning of Depo-Provera.

This antagonism towards women being able to unilaterally control their fertility appears to have been caused by the one-sided educational programmes of the Family Planning Association. In the past these programmes were directed only towards women, which their men found alienating and threatening. It was only after independence that these strong feelings could be manifested.

2.4 **Support For Private Practice.**

The official policy of the Ministry of Health is that no doctor employed in a full time capacity by the Government should see private patients. However, it is believed that many doctors in the Ministry do have private practices themselves, as do senior consultants in the teaching hospitals. This has a demoralising effect on junior doctors who are often left without supervision to carry the government-hospital patient load, at low salaries compared to the private sector.

It is hence not surprising that the vast majority of young doctors go into private practice as soon as they can, and that nearly all of the doctors taking up posts in rural hospitals are missionaries.

The involvement of government doctors in illicit private practice was apparently not a large feature before independence. The present situation is not unusual in the developing world, but is certainly out of line with the purported socialist policies of the new government. If socialism and equity in health had been a real intention it is surprising that the government did not nationalise all health resources and ban private practice outright, as was done in Zambia at independence. Officials in the Ministry of Health state it is their intention to gradually move towards nationalisation, but so far the trend has been in the opposite direction.

CONCLUSION

While the health service policy developments in post-independent Zimbabwe have been progressive, the interference of party political considerations, particularly in pursuance of a one-party state have been destructive.

I feel that the developments in the health service in Zimbabwe, particularly concerning co-operation with the traditional sector, fertility control and private practice, bring to light issues which we in South Africa have still to confront. We could do well to learn from Zimbabwe's experience.

(This paper was given at the Conference of the Second Carnegie Inquiry into Poverty and Development in Southern Africa, University of Cape Town, 13 – 19th April, 1984).

by PETER COLENBRANDER

A REPLY TO DR O. DHLOMO

I am sorry that Dr. Dhlomo has found immense difficulty in grasping the point of my article, "The 'Year of Cetshwayo' revisited" (**Reality**, March 1984), and has, besides, found considerable cause for objection. In this brief reply I shall attempt to answer some of the more important of his criticisms and in the process hopefully clarify my original purpose.

Some of our differences are more apparent than real. Like Dr. Dhlomo, I certainly do not think that finality can be reached in historical research, and I very much doubt whether any historian would make claims to the contrary, except perhaps those working in totalitarian societies. Nor do I think that Jeff Guy has said the last word on the destruction of the Zulu Kingdom, and indeed in my article I suggested that some of his conclusions regarding the restoration of Cetshwayo and the ensuing civil upheavals were less than totally satisfying. Nonetheless, no one would deny that Jeff Guy's act is a difficult one to follow, precisely because in Dr. Dhlomo's words, his work marks "a clear point of departure". Jeff Guy's **magnum opus** is, and will no doubt long remain, the most authoratative book on the subject.

But there are other areas in which Dr. Dhlomo and I will have greater difficulty in reaching consensus. The gravamen of his case against me lies, it seems, in the last few paragraphs of his article. Here Dr. Dhlomo suggests that I, like some other well-meaning white South Africans, am guilty of cultural oppression or cultural imperialism. He bases his claims on what he sees as my attempts to dictate to Black peoples on a number of important issues. I am not sure that 'dictate' (or 'prescribe') best describes my intentions. But leaving that aside for the moment, one of Dr. Dhlomo's charges is, to quote him, that I wish to 'dictate', 'which aspect of their history (blacks) should be allowed to study'. This should be seen in conjunction with his earlier assertion that I consider, 'pre-colonial history is irrelevant to the needs of Black South Africans.' I am sorry to have created this impression but am somewhat perplexed that I appear to have done so, for it seems to me that much of my article reflects not only my personal interest in pre-colonial history, but an appreciation of its importance to **all** South Africans in an understanding of our society (to quote myself) 'as it was and has become'. In fact, like several of my colleagues at South African universities, I rather regret the fact that pre-colonial history is something of a Cinderella subject. Post-graduate students are, understandably perhaps, but nonetheless unfortunately, more apt to select research topics from the less distant past. On this score then, Dr. Dhlomo and I may be less far apart than he seems to believe.

HONOUR

But Dr. Dhlomo further asserts that I want to prescribe who blacks should honour, how they should honour them, what political pitfalls they should avoid in so doing, who their authentic leaders are and which black political movements should be regarded as credible. On the first score, what Dr. Dhlomo seems to be implying is that I would not recommend Cetshwayo for commemoration. On the contrary, I argued in my article that for several reasons he was entitled to historical prominence. What disturbs me is his elevation to the galaxy of 'historical and cultural heroes' – the words are Dr. Dhlomo's, not mine – which is where Dr. Dhlomo would have him. In this sense he is right; I do have reservations about how Cetshwayo should be 'honoured' (if that is the right word), and I do feel that there are political pitfalls to be avoided in such an exercise. Given the role that other 'historical and cultural heroes' in South Africa have played in political and ethnic mobilisation, in fostering a sense of racial exclusivity and in further dividing the peoples of this land, can we really afford to be complacent about adding his name to the list? Surely Cetshwayo deserves better? Particularly because Cetshwayo runs the real risk of assuming a specifically Zulu and partisan significance. How can it be otherwise when his commemoration as an 'historical and cultural hero' was initiated by a political organisation closely associated with the ethnically based Kwa-Zulu government, and when both these organs are led by a person who is proud of his descent from Cetshwayo? Cetshwayo might well come to divide blacks and will be shorn of even the dubious merit of having been a successful 'historical and cultural hero'. Under those circumstances the non-ethnic charter of Inkatha, to which Dr. Dhlomo refers, will have availed little.

One last point needs to be made. To equate my fairly restrained questioning of the wisdom and motives of the 'Year of Cetshwayo' exercise with, among other things, an attempt by me to dictate to blacks about which leaders and organisations they should support, is cause for concern. If this is to be the trend, I despair for the future of the liberal tradition Dr. Dhlomo claims to value and admire. □

by NORMAN BROMBERGER

THE CARNEGIE CONFERENCE —

Poverty and Development in Southern Africa

The Second Carnegie Inquiry into Poverty and Development in Southern Africa is a three-year undertaking which has slightly more than a year still to run. The first phase of the Inquiry culminated in a major Conference at the University of Cape Town from 13 - 19 April organised by the co-ordinators of the Inquiry – the Southern African Labour and Development Research Unit headed by Professor Francis Wilson.

According to my programme 298 papers were presented – with up to 20 small-group sessions taking place at one time. There were a series of parallel 'demiplenaries' for report-backs from the small-group sessions, and full plenary sessions to which certain major, and in some cases simply representative, papers were presented. In the second half of the Conference delegates participated in discussions in Working Groups in an attempt to summarize material in areas of interest and reflect on policy recommendations; these latter were also reported to plenaries. Sandwiched in between all this normal conference activity was the showing of a collection of films entitled 'Festival of Hope' –which reflected Third World experience in tackling poverty and development problems. There was a striking exhibition of photographs around some of the themes of the Conference – with 20 exhibitors. Omar Badsha, the co-ordinator of the group of photographers, wrote in a programme introduction that "The late Seventies has once again seen the emergence of working class and popular resistance to Apartheid. It is within this new movement that a School of social documentary photographers is emerging". Paintings were also on show – some of which had emerged from painting workshops organized for children at the Nyanga Arts Centre and for adolescents from a resettlement camp close to Mafikeng. And at lunch-times music, dancing and drama groups performed.

I looked at some but not all of the photographs. I particularly remember David Goldblatt's sequence 'The Bus Riders of KwaNdebele' with its extraordinary images of long-distance commuters by the side of the road, blanket-wrapped against the cold, illuminated by the headlights of a bus pulling in at 2.45 a.m. to take them a 3-hour journey to Marabastad on the first stage of the trip to work in the Pretoria area. I was not able to get to the films however (apart from Ray's "Distant Thunder" about the Great Bengal Famine of 1943) and will confine myself in what follows to some impressions of, and reflections on, those parts of the research-and-discussion core of the Conference which I was able to sample.

OBJECTIVES

Perhaps the place to begin is with the objectives of the Inquiry which are involved with the assumptions of both Conference and Inquiry. The underlying presumption is that there is a poverty problem – and that, especially in rural areas, it is "extremely serious". Before the Conference Wilson went on record in the **UCT Alumni** magazine as saying that the first results of research had confirmed this view: "With every day that has passed, the evidence tells us yet more firmly that there is a rural crisis upon this country which we ignore at our peril." The initial goal of the Inquiry was to document the facts – "a scientific investigation into poverty in all its dimensions in this country". The facts would help to generate a debate about the causes – in a deep sense. And that debate would lead on to a fruitful consideration of policies or "strategies for action" – "both short-term ways and means of fighting poverty within the present situation and long-term solutions like, for instance, land reform".

Two comments are called for. First, the Inquiry has not to date adopted a formal definition of "poverty". This was almost certainly a sensible way to proceed given the difficulty of formulating or agreeing on a definition. However there are costs to proceeding in this way. Given some hard work it is possible to measure the incomes of households in certain peri-urban areas, for instance. But are they poor? If yes, how poor are they? Are they poor enough to constitute what might be called a "poverty crisis"? In some cases most observers would agree, in other cases there would be less agreement. Thus David Webster, an anthropologist from Wits, presented a picture of the "embattled working class" in Soweto as involved in a "struggle for survival" (Paper No. 20) although overall socio-economic circumstances are such that a social norm has emerged which prescribed that at least R500 be spent on a funeral. There were papers tabled at the Conference which addressed problems of the definition and measurement of poverty, but they did not affect the climate of thinking. One is left with a certain unease.

The second comment that comes to mind about the assumptions of the Inquiry is that the certainty that there is a poverty problem with crisis-proportions (whatever exactly that means) in Southern Africa is a little surprising – even for rural areas. There is now considerable evidence that the 1970s (as a result of a number of factors) saw substantially rising African real wages, and a shift in the share of total personal incomes from Whites to Blacks of some 10%. Since the massive increase in real wages in mining and the switch to recruiting South Africans rather than Malawians and Mozambicans benefited migrant **rurally-based** workers, circumstances would have to have been very strange for none of the benefit to reach rural areas. Jerry Eckert and his colleagues in the Lesotho Agricultural Sector Analysis (LASA) project decided that there had been a contraction of the area under cereal cultivation in the 1970s and hypothesised that this was because households dependent on goldminers were better off.

Of course this is not the whole story: we are told influx control has tightened, there have been substantial resettlements of population, and unemployment has been rising on trend – and it is probable that these features of the scene will be born in on one very forcibly if one has one's roots in Cape Town and the Ciskei (as Wilson does), the more so as the second of these areas is the periphery of a **declining** metropolitan area.

Anyway, the 'poverty-crisis' view was not imposed by the organizers. They issued a call for papers on the theme of "Poverty and development" and were quite willing to receive reports which did not share their assumptions nor fit easily into the presumptive picture they had in mind. Indeed, as we shall see, a major paper reported increased incomes and reduced measured poverty for a majority of 'homeland' inhabitants and caused some consternation. I think this openness on the part of the Conference organizers is to be applauded.

It is also worth remembering when one is told that Government departments and Government supporters were 'excluded'. It is unfortunate that major figures in Afrikaner social studies research, some of whom have been actively concerned with poverty and income distribution – such as Professor 'Sampie' Terreblanche were not there and did not contribute papers. But the second-in-command at the Human Sciences Research Council was, and so were research and publications staff from the new Development Bank as well as the leadership of the new Development Association from UNISA and the University of the Orange Free State. A substantial number of authors have been invited to publish their papers in the new journal of the Development Bank and one may expect that part of the message (or messages) of the Carnegie Inquiry will reach a wider audience in this way.

FACTUAL RESEARCH

I have no doubt that whatever else may come out of the Carnegie investigation the detailed factual research on poverty (i.e. the incomes, material living standards and quality of life of those in the lower range of the South African distribution of income) that it has sponsored, or co-ordinated, or simply provided a platform for will justify its existence. For years to come the Carnegie papers will be mined for information. I have no doubt that it will find its way beyond the academic sphere.

Both planners and politicians searching for ways to 'legitimate" the process of controlled change now under way, and those seeking to mobilize political forces to wrest power from its current controllers will need the findings collected for the Conference. One hopes that ways will be found to summarize much of the mass of information into a more readily assimilable form and scale.

The coverage is extraordinary. There are **area studies** in which the main focus is on incomes and poverty in over 50 localities (on my count) – including the main metropolitan areas, smaller 'platteland' towns (mainly in the Karoo), peri-urban belts, rural areas – both White-owned farming areas and 'homelands'. There are other papers, often of course relating primarily to some or other locality, which are concerned with **aspects of poverty** or poverty-related questions, e.g. basic needs and their provision, resettlement, legal provisions – especially influx control – conducing to poverty, education, labour and unemployment, the new independent trade unions, "the social wage" – unemployment insurance, injury compensation and working conditions, the State allocation of resources on social services and public goods, old age pensions, ecological issues, water supplies, fuel and energy needs of the poor, housing and urban planning, health and poverty, food and nutrition, "informal sector" activity, methods of rural development, industrial decentralization, and so on. Some papers also touched **questions of policy** or technique (apart from those implicit in the topics already listed) : school-feeding, food-stamp schemes, the organization of farmers' associations in KwaZulu, a redesign of the social security system, lessons for South Africa from Zimbabwean post-independence experience with rural health services and public work programmes "as the core of a rural development programme". I hope that this inelegant shopping-list approach to discussing coverage will at least inform potential customers for the papers (available from SALDRU, School of Economics, UCT, Private Bag, Rondebosch 7700) about whether their areas of interest were dealt with. In what follows I shall simply write about a few matters which interested me.

INCOMES OF THE POOR

Jane Burnett Prinsloo reported a study of income, expenditure and earning patterns in 13 localities – of which 5 were in Cape Town and 8 in the Durban area. (A much longer report which will include material on attitudes and perceptions of people living in poverty will be published by SALDRU). There is much of interest in this careful piece of research with its intensive statistical processing. What particularly interests me are the differences that emerge between Cape Town and Durban, and the possible reasons for these. In Cape Town the sample includes households from an African squatter settlement (Crossroads), an African township (Guguletu), 2 Coloured townships (Uitsig; Bonteheuwel) and a Coloured squatter settlement (Modderdam). The Durban localities are all inhabited by Africans – and are either townships (Chesterville, KwaMashu, Lamontville, Umlazi) or squatter settlements (Clermont, Folweni, Inanda, Malukazi). Prinsloo calculates the percentage of households which are below the Minimum Living Level (M.L.L.) as defined by the Bureau of Market Research at UNISA; the range is from 8,7% (Guguletu) to 66,7%(Lamontville),

or from roughly 1 in 11 households in Guguletu to 2 out of 3 households in Lamontville. Within that range the five Cape Town communities all have lower percentages 'in poverty' than do the Durban communities: the highest Cape Town figure is 32%, the lowest Durban is 41,3%. A similar picture emerges if one looks at calculations of monthly per capita income for these areas. The range is from Bonteheuwel (R100,72) to Malukazi (R45,60); again, the Cape Town incomes are higher than those in Durban with the exception of a reversal in the case of Inanda (R71,27) and Crossroads (R71,01).

Prinsloo also asked enough questions about unemployment to be able to calculate estimates of the unemployment rate according to three different definitions. Taking the "active work seekers" definition, which is what the official estimates are based on, on overall figure of 9,46% emerges. All the Cape Town rates are below this average; while the Durban squatter settlements average 14,49% and the Durban townships 15,84%. A similar picture results using the other definitions; in terms of what Prinsloo thinks is the most appropriate definition the overall figure is 16,91%, all the Cape Town figures are below this (ranging from 7,49% to 14,67%) and the Durban figures average 24,55% for squatters settlements and 29,02% for townships. (Prinsloo's paper was No. 16).

All these figures have some interest in themselves. When compared in this way they immediately raise the question whether we are not seeing the consequences of influx control (Cape Town) and of influx control substantially (though not of course entirely) circumvented (Durban). As a result of some townships being part of KwaZulu and of squatter areas in KwaZulu being within easy commuter distance of Durban and related labour markets, neither residential control nor job access control function in the Durban area as they do in Cape Town. If this is true (and it would need more careful analysis than I have given it here) then here would be an aspect to the phasing-out of influx control which many who call for it – and it was insistently called for at the Carnegie Conference – may not be fully aware of.

Of course for the full picture to be considered we need to measure incomes in the more distant rural areas from which the urban influx takes place. In a study which Gandar and I did in Mahlabatini (1981) the average monthly per capita incomes were roughly R14,50 (Paper No. 56) whereas the lowest Durban-area figure reported by Prinsloo in 1982 was R45,60. Elizabeth Ardington reports incomes for Nkandla and Isithebe in two excellent, detailed and thoroughly-worked reports (No. 53a and b; No. 246). In 1983 the median monthly per capita income in Nkandla was just under R12. In this study, as in the Mahlabatini work, a serious effort was made to measure "income" from subsistence agriculture – it is not simply ignored. It is difficult to believe that these rural inhabitants are not materially poorer than the squatter-inhabitants of Malukazi.

ARE 'HOMELAND' INCOMES RISING OR DECLINING?

It is important for various reasons to know what the inhabitants of Mahlabatini and Nkandla and many other rural areas have available as 'income resources' **now.** But it is also important to be able to put current incomes in a time-series. Is there a time-trend? Is it rising or falling or roughly constant? Charles Simkins addressed himself to this question in a fascinating paper (Paper No. 7). One is so accustomed to the "dumping-ground" views of the "homelands" and the view that most increases in incomes are going to a limited class of State employees that Simkins's findings that real increases in family incomes in the 1960-1980 period extended down to the 15th percentile in the income distribution (i.e. were participated in by the top 85% of the distribution) came as something of a shock. To me it was a very pleasant shock, but apparently not to many who heard it.

It is simply not possible here to write about the paper in any detail. One ought however to make clear that these results are not based **directly** on surveys or measurements of income. No such comprehensive measurements of incomes exist for the "homelands" for this period. Simkins has used a method of **simulation** to synthesize an artificial population which has the overall characteristics we do know about from Census reports and other surveys. Individual characteristics are assigned on a random basis and households formed in a similar fashion. The simulation then traces normal demographic processes over time given what we know about births, deaths, migration, employment and unemployment and so on. The current estimates are 'first runs' and results may well come to be modified as the work is refined; though Simkins himself at this stage is fairly confident that the overall character of the results will not change.

I think it is also important to note the "underbelly" of the results. In his simplified model in which only four components of income are considered (agricultural production, pensions etc., remittances from migrants, incomes of commuters and those locally employed) Simkins has the bottom 5% of the distribution as being "destitute" (zero income) in 1960, and 13% in 1980. Since the overall homeland population has grown very substantially in the period, 5% of households involved a quarter of a million inhabitants in 1960, but 13% was close to one-and-a-half million people in 1980! (Of course there is a problem with this result, too – after all, those "zero incomes" are not literally zero.) Again, he measures about 99% of households as below the **urban** Minimum Living Level (M.L.L.) in 1960 – a figure which declines to 81% by 1980; but the absolute number of people below the M.L.L. increases. Simkins highlighted the downwards trend in the percentage; others have chosen to emphasise the increase in the number of poor.

It is rather interesting to ask why some people were angered by the initial presentation of the Simkins results, and others pleased. As a guess I would say those who were angered were those committed to the view that a total recasting of the socio-economic and political system in this country is called for – a commitment in which they are confirmed by the evident failure of the system to cope with poverty, in fact by its tendency to create poverty. Confronted with the view that poverty may actually be being reduced in the least likely places, this whole identity-related commitment is called in question. My own view is that there is not going to be a total recasting of the socio-economic and political system in the next 15 years or so and so it is very good news that at least in some senses and some areas poverty can be reduced even under the current dispensation. Which still leaves open the question, as Simkins asked at Carnegie, how can we speed up the process and help it along? □

by ALAN PATON

SPLENDID LICENCE

A review of AKE: THE YEARS OF CHILDHOOD by Wole Soyinka (Africasouth Paperbacks, David Philip, 1984)

Wole Soyinka

(Wole Soyinka, the Nigerian dramatist, poet and novelist (born in 1934) is Professor of English at the University of Ife. He studied at the Universities of Ibadan and Leeds, worked at the Royal Court Theatre in London, and has taught and worked also at the Universities of Ibadan, Lagos and Cambridge. He was imprisoned for a time in Nigeria during the civil war. His best-known works are the plays **The Road** and **The Lion and the Jewel**, and the novels **The Interpreters** and **Season of Anomy**.)

Wole Soyinka's story of the first eleven years of his life is one of the best books to come out of Africa. He is a master of the English language, he has a sharp sense of humour, and he has the greatest gift that a writer can ask for – the ability to communicate. It's the kind of book that, once put down, is easy to pick up again.

Aké is the name of the village where he lives and where his father is the headmaster of the primary school. Aké is in the Western Region of Nigeria, and is not far from the town of Abeokuta, and the city of Lagos. His father's initials are S.A., and he is very appropriately called Essay. His mother has been given by the small boy Wole the name of Wild Christian. Both his parents are industrious and upright, and are extremely strict with their children. They use the cane, very often it seems, but this does not seem to alienate them in any way from their children.

The teller of the story is Wole himself, obviously a child of exceptional gifts, a perpetual asker of questions, and a maker of some very witty sayings. Sometimes the older Wole makes the younger Wole a bit too wise and witty for his years. In other words Soyinka the novelist strongly influences Soyinka the autobiographer, and some of the stories related are more entertaining than true.

A good example of this is the story of the boys at the Abeokuta Grammar School, who stole one of the headmaster's chickens and roasted it over a fire in a remote glade of the estate. The spokesman for the offenders, a boy named Iku, explained to the headmaster, a formidable man nicknamed Daodu, how they had decided to investigate spontaneous combustion, and how delighted they had been when their heap of twigs and fibre burst into spontaneous flame. Meanwhile they had observed that one of the headmaster's chicken had escaped from the coop, and they desired above all else to restore this chicken to the headmaster. During their attempts to catch the chicken, it unfortunately flew onto the spontaneous fire, and was then done to a turn. Iku explained to the headmaster that it was impossible to save the chicken, because the heat of a spontaneous fire is much greater than that of any ordinary one. After listening to this audacious fabrication Daodu dismissed the charge of theft, but punished the three for concealing an accident. The penalty was that they were to have no food but the chicken for the next seven days.

It would be petty to object that Soyinka's autobiographic licence exceeds anything known in the conservative West. That is how Soyinka writes, and that's an end of it. The anti-West bias in Nigeria is there, but it is certainly not obtrusive. Many Nigerians were suspicious of Ibadan High School because it was run by whites. The white principal would not allow the use of pockets, though he himself was a very high Scoutmaster, and had a uniform full of pockets. The headmaster of the Grammar School could not see how a white teacher could impart **character** to a black pupil. The headmaster's wife was outraged that America had dropped a bomb on the Japanese, but never dropped one on the Germans, simply because they were white.

Aké gives a fascinating picture of a society that has many common elements with a Western society, and many elements that are quite different. Morality and immorality are seen to be human attributes, and Nigerian morality, as seen in this story of Wole's home, is as stern and as humane as it is anywhere in the world. There is however one respect in which the Nigerian society differed from our own South African society. Although Nigeria was then a British colony, Wole's father Essay held a high and dignified position in the community; in South Africa his status would have been considerably less dignified.

Essay's wife, the Wild Christian, and Daodu's wife Beere, were strong and independent characters, and it would appear that they enjoyed a degree of independence unknown to many Black South African women. The closing pages of **Aké** concern the women's demonstrations before the ruler's palace, protesting against women's taxes, the behaviour of police and officials, and the corruptness of the administration. There can be little doubt that these strongly held views on human freedom were passed on to the small boy, who as a man and a writer was later subjected to imprisonment and detention by his own modern Nigerian government.

People often ask me if I can recommend a good book. Well today I can. I recommend Wole Soyinka's **Ake,** the story of his first eleven years. It is intensely readable, funny, serious, and splendid. □

---

by M J DAYMOND

CONTROLLING VOICES

A review of ADVANCE RETREAT by Richard Rive : David Philip, Cape Town 1983 R14.85 excl.

Although Richard Rive is one of South Africa's internationally better known black writers, not much of his work has appeared in his own country. If the intention in publishing *Advance, Retreat* was to make Rive's stories better known here, then it is a pity that four of the stories currently in print in *Selected Writing* (Ad Donker, 1977) should reappear in this present volume of twelve stories. Also, if this volume is intended as a representative collection, then it is a pity that the date of each story's first appearance is not given. The volume has been generously illustrated by Cecil Skotnes. It is pleasing to see a publisher using the talents of a local painter in this way; perhaps David Philip's example will encourage other publishers to do the same.

The collection shows Rive to be an ambitious writer who undertakes an impressive range of subject matters and narrative modes. Range is important for, as Ahmed Essop has said in a collection of statements in *Momentum: On Recent South African Writing* (Natal University Press, in press), what the South African writer has to protect above all is the capacity to be many-voiced:

Richard Rive

> Under the pressure of a crushing social reality . . . The writer may reduce himself to the level of the secretary, the journalist, the zealot, the demagogue . . . To be many-voiced . . . is not easy . . . But I believe that the creative imagination reveals perceptions and truths that are not otherwise discoverable . . .

Sometimes Rive's stories attain a many-voiced power to reveal otherwise undiscoverable truths; sometimes they don't. "The Bench" demonstrates the difficulties. It dramatises the first moments of political awareness in Karlie as he sheds the teachings of Ou Klaas that all races must accept their different, God-given places in

society. At a rally in Cape Town, Karlie encounters speakers who preach and practice equality; he is stirred by what he hears and seeks to make his own gesture of protest by sitting on a 'Whites Only' bench at a railway station until he is arrested by the police. The moment and the gesture are real enough, but Rive's grasp of Karlie's developing awareness is not secure. It is hard to believe that a man who has only just met the concept of equality should respond to the bench like this:

> For a moment it symbolised all the misery of South African society. Here was his challenge to his rights as a man. Here it stood. A perfectly ordinary wooden bench like hundreds of others all over South Africa.

Karlie is made to place the ordinariness of the bench with a geographical sweep which a country boy recently arrived in the city is unlikely to command. Similarly, his recognition of what the bench symbolises carries in its phrasing years of bitter political recognitions – it is not that of the novice. Rive has allowed his writing to become "secretary" to a reductive political purpose. His response as a man to the crushing South African reality impedes his grasp as a writer of his subject.

The issue is not that of a simple opposition between political purposes and an unfettered imagination, for South African writing must document political realities so as to counteract the official view. Literature is one of the means by which people can awaken to their real interests and experience. "The Bench" is known world-wide because it undertakes to do this, but it is not Rive at his best as a story-teller for it fails in what can be the unique achievement of such a fiction – to allow each reader to share in the particular processes of Karlie's awakening resolve.

Discoveries possible only through the many-voiced imagination are, however, made in stories like "Riva" and "The Visits". In "Riva" an ugly, middle-aged Jewish woman meets Paul, an impatient, insecure young 'coloured' student (In *"Advance Retreat"*, Rive has fun with this same embarrassed scrupulosity of using inverted commas.) They dislike each other – or rather, Paul dislikes her triumphant demands for attention and her pathos for reasons which are not articulated but which are all there in the action. Rive has captured the meeting of two kinds of racial suffering and their competing claims so well that the story has a power to disturb beyond words. "The Visits" too captures what cannot be stated without introducing the reductions of the single voice. Its subject matter is guilt, but to label it is to lift it into our known world in a way which misses how it actually works in our lives. The actual workings are just what Rive, at his unfettered best, can create.

Contradictory as it may seem, Rive is many-voiced when he uses a narrating or perceiving persona close to his own being. His autobiography, *Writing Black*, shows that he is a fine *raconteur* who delights in ironies which operate partly against him. It is perhaps in this delight that some understanding can be found of how a narration held within the limits of his personal experience can reveal general truths. South Africans have to be very good at ironies – at living within them if not at perceiving them – and our short story writers have established a powerful line of narrators who are only partly in control of the contradictions they handle. This is Bosman's particular gift to our literature. When Rive follows the story-telling inclinations of his autobiography, he stands securely in this line. Thus, when Rive retains his hold on the complexities of one character's way of experiencing, he succeeds in speaking for many lives and in giving us truths that are "not otherwise discoverable". □

AMONG OUR CONTRIBUTORS

Jill Arnott – Lecturer in English, University of Natal, Pietermaritzburg.

Norman Bromberger – Senior Lecturer in Economics, University of Natal, Pietermaritzburg.

Peter Colenbrander – Senior Lecturer in History; University of South Africa.

M.J. Daymond – Senior Lecturer in English, University of Natal, Durban.

Philip van Niekerk – Political correspondent, Rand Daily Mail.

Alan Paton – Distinguished South African Author, former chairman of the South African Liberal Party.

David Unterhalter – Lecturer in the School of Law, University of the Witwatersrand.

Anne Raynal – M.B., Ch.B.; D.P.H.; M.Sc.Com. Health Dev. Countries, at present in Namibia.

by JILL ARNOTT

VARIATIONS ON ORTHODOXY

A review of OLIVE SCHREINER AND AFTER: ESSAYS ON SOUTH AFRICAN LITERATURE IN HONOUR OF GUY BUTLER; van Wyk Smith and Maclennan (Eds.). David Philip, Cape Town, 1983.

One of the dangers implicit in assembling a number of essays with the aim of pleasing or honouring a specific person – in this case Professor Guy Butler – is that the tastes and preferences of that person may limit the scope of the collection in terms of both content and approach. A preliminary glance at the first section of this book, that devoted to the work of Olive Schreiner, suggested that this had not happened and that an interesting variety of critical methods were, in fact, represented. Closer examination, however, revealed that departures from liberal-humanist orthodoxy almost invariably mark the offerings of contributors from overseas, while the South African participants, separated out, do reveal a somewhat depressing homogeneity as regards the critical values and assumptions underlying their articles.

Nadine Gordimer in her review of Ruth First and Ann Scott's **Olive Schreiner: A Biography** makes her position plain through her claim that she is concerned with Schreiner "exclusively as an imaginative writer . . . (who) dissipated her imaginative creativity . . . in writing tracts and pamphlets rather than fiction". (p. 18) She denies that this is "to discount her social and political mission in the claims of formalist symmetries and aesthetic hoverings" (p.18), but it is clear that for her the locus of value in Schreiner's work is aesthetic before ever it is political or ideological. Alan Paton follows this line when he complains of **Trooper Peter Halket of Mashonaland** that "the weakest parts of the novel are the didactic parts" (p. 33). This may well be a sound judgement, but it fails to take into account the fact that in **Trooper Peter Halket** Schreiner was not, as Arthur Ravenscroft argues in his lucid and well-reasoned essay, [2]"trying to produce a work of fictional art, but making a passionate statement of political principle, using the fictional mode, not to create fiction, but, quite as legitimately, for purposes of analysis, judgement and suasion". (p. 48) From this point of view it is invalid to condemn 'the didactic parts' of the novel as 'weak' because they fail to meet certain standards of purely literary excellence.

Cover illustration **Trooper Peter Halket of Mashonaland** *(Africana Library).*

Ridley Beaton's essay, "Olive Schreiner's Fiction Revisited" could stand as a paradigm, if not a parody, of the liberal-humanist position, combining as it does a belief that the task of fiction is to convey the immediacy of 'lived' experience, a New-Critical concern with formal unity and 'organicism', and a positively reverential regard for the imagination as an autonomous creative faculty. He opens his essay by drawing the classic distinction between "art" and "propaganda" (p. 35), and goes on to state that Olive Schreiner's two 'lesser' novels may be so designated because of their relative lack of "imaginative vision" (p. 37), while **The Story of An African Farm** is praised for its "organic unity" (p. 37), (the word 'organic' is used three times in as many pages), and, bafflingly, for "glorifying the mystery by our dedication to the most intense forms of life we can know". This is a characteristically incomprehensible example of the tendency of this type of criticism to rely more upon awe-inspiring vagueness than upon accuracy of research or cogency of argument.

NOT TACKLED

All this is not to deny the right of these critics to follow whatever critical paths they choose, but it is undeniable that their consensus has led to a noticeable lacuna in this particular collection. One of the most fascinating aspects of Olive Schreiner's work must surely be what that work reveals about her own relation to her Colonial context, and the relation of her fictional texts to the unusual set of social, economic and ideological factors which determined them. Yet no essay in this collection makes any real attempt to tackle this topic.

Cherry Clayton[3] comments that "as an English-speaking colonial and the child of a missionary, she (Schreiner) understood the two great expansionist movements of Europe in the nineteenth century, Evangelicism and Imperialism, as spiritual and material annexations of another country" (p. 20) and goes on to link this with Schreiner's concern with questions of power and dependence. It is a perceptive remark and suggests that Ms Clayton may be about to embark on the sort of analysis that the collection so conspicuously lacks. But despite offering several valuable insights, she moves away from an analysis of the determining influence of context towards one of form and her essay is in the main concerned with the structural aspects of **African Farm**; what she calls "the freedom and control of imaginative power". (p. 29)

Rodney Davenport[4] does provide a valuable account of the development of Olive Schreiner's political thought, but confines his commentary to her non-fiction (with the exception of **Trooper Peter Halket)** and once again the crucial relationship between fiction and ideology remains unexplored.

At this point what seems to be at issue is the reason behind the choice of these particular critics as contributors to this volume. Were they chosen because they are personal friends of Professor Butler? Because the positions they adopt are likely to be more acceptable to him? Or because they are considered to be the best, if not the only, critics in this particular field? If the last, one can assume that the exponents of materialist criticism in this country are either sadly few, or sadly undervalued. It is, of course, possible that some such critics may have been invited to contribute but declined because they felt that their particular critical approach might not be welcome to Professor Butler.

The second aspect of Schreiner's work which is generally conceded to be of considerable interest is her status as a feminist writer. This is dealt with, but merits only one essay.[5] which, though shrewd and informative, is negative in its evaluation and occasionally patronising in its effect. Lerner's assessment of the limitations and shortcomings of Schreiner's feminism in **African Farm** is thought-provoking but one-sided, largely ignoring the positive aspects of her achievement: her pioneering attempts to demolish sexist stereotypes and the courage with which she depicted a heroine who was both a feminist and a sexual rebel, at a time when the women's movement as a whole was publicly endorsing Victorian sexual mores for fear of alienating potential supporters of their campaign for economic and political emancipation

HETEROGENEITY

If the first section of the book suffers from too great a homogeneity of approach, the second could be said to be notable for the heterogeneity of its content. The impact of this section is perhaps lessened by the random nature of the topics presented: chosen, it would seem, in accordance with no organising principle besides that of the personal interests of individual contributors. However, this does give it something of the character of a lucky-dip, and there are several treasures to be brought to light. Space does not allow for much in the way of comment on specific essays, although the meticulous research behind A.E. Voss's "The Hero of **The Native Races:** The Making of a Myth" deserves recognition, as does Bernth Lindfors's "Charles Dickens and the Zulus", a devastating exposé of racial prejudice in the most 'liberal' of novelists, but also a horrifying reminder of the capacity for survival of racial myths. My over-all response to the second section of this volume was one of interest and approval, but also of disquiet over the fact that only two of the eight essays were written by resident South Africans and the question this raises regarding the status of South African literature in South African schools and universities.

The predominance of negative criticism in this review will not, I hope, suggest that this volume is not to be welcomed. With such a shortage of critical material on South African writing, any intelligent and informed contributions in this field can only be received with gratitude. But two factors continue to disturb me: firstly, that any collection of essays can reflect so clearly the dominance of any one critical method, and secondly, that Colin Gardner's [6] is the only essay to concern itself with, or even acknowledge the existence of, Black writing. Anyone unacquainted with South African writing, and approaching it for the first time through the medium of this book, could be forgiven for concluding that the literature of this country is largely produced and exclusively criticised by Whites. □

2. Ravenscroft, Arthur. "Literature and Politics: Two Zimbabwean Novels", p.p. 46-57.
3. Clayton, Cherry. "Forms of Dependence and Control in Olive Schreiner's Fiction", pp. 20-29.
4. Davenport, Rodney. "Olive Schreiner and South African Politics", pp. 93-107.
5. Lerner, Laurence. "Olive Schreiner and the Feminists", pp. 67-79.
6. Gardner, Colin. "A Poem About Revolution", pp. 184-195.

by PHILLIP van NIEKERK

UNITY

ALMOST three years of delays and bitter wrangling among union leaders working towards a federation of the country's emerging unions ended earlier this year.

And on June 12 the final constitution of the new federation was thrashed out by the six union groupings which are still part of the unity initiative which began at Langa near Cape Town in August 1981.

These groupings – the Federation of South African Trade Unions (Fosatu), the Council of Unions of South Africa (Cusa), the General Workers' Union, the Food and Canning Workers' Union, the Commercial, Catering and Allied Workers Union (Ccawusa) and the Cape Town Municipal Employees Association – are likely to link up early next year into the most powerful united body of mainly black workers this country has known.

Their breakthrough has come at a time of rapid and bewildering charge in the South African union scene – perhaps the most intense in the 11 years since the Durban strikes of 1973 heralded in a new era of black trade unionism.

At the heart of all this change is the reality that trade unions have to have organisation and muscle on the shopfloor to be able to survive as viable bodies fighting for the interests of their members.

Many of the older established unions long ago neglected building strength on the shopfloor by opting for participation in official bargaining forums and for closed shop agreements which compelled workers to belong to them.

Some of the newer unions have chosen another extreme. By limiting their union activity to press statements and political rhetoric they have as small a foothold among workers as the older generation of predominantly Tucsa (Trade Union Council of South Africa) unions.

Between Tucsa, the fringe unions and the right-wing all-white unions, South Africa's trade union movement is deeply divided – on racial, ideological, class and skills lines.

Starting from the right, there is the Confederation of Labour, a dwindling group of all-white unions. Once the most powerful union grouping in the country and very close to the Nationalist government, they are now fighting a rearguard action against the government's labour reforms.

Perhaps the most powerful union in this group is Arrie Paulus' Mine Workers' Union which is successfully resisting the scrapping of racial job reservation on the mines – the last preserve of white worker privelege in South African industry.

In the middle of the road is Tucsa. Long regarded as a dilute liberal opponent of the government, since 1979 Tucsa has become the establishment union grouping.

Its affiliates now include rightwing unions which have recently gone multi-racial such as the Mine Surface Officials Association and the Artisan Staff Association.

But the bulk of Tucsa's support lies with the large "compulsory" unions such as the Garment Workers Union of the Western Province which on its own has some 60 000 members locked into a closed shop agreement.

While much of the changing support in Tucsa – which would explain its gradual lurch to the right – is coming from the former all-white unions on the right, it is being forced to adapt to head off the challenge from the emerging unions.

At last year's congress – which was marked by vicious attacks on the emerging unions and by a resolution calling on the government to ban unregistered unions – Tucsa doubled its affiliation fees.

This was seen as an attempt to pay for beefed-up services with the aim of fighting off the emerging unions who are increasingly touching sides with Tucsa unions in a fight for membership on the shopfloor.

But since affiliation fees have doubled seven unions have withdrawn from Tucsa, including the important S A Boilermakers Society, probably the largest union in the country.

And the rivalry between established and emerging unions has worsened, particularly in the garment and textile industries.

One of the most important of the established unions, the Garment Workers Union of South Africa, is to join forces with the GWU (WP) – under fire at its Cape Town base as never before – to form a national garment workers union.

The growth of the emerging unions – putting them increasingly into conflict with the established unions – is likely to be accelerated by the new federation which could coincide with the lifting of the recession and an accompanying fresh wave of worker militancy.

Talk of unity among all emerging unions has been going on since the seventies, but the outcome of unity moves then was the creation of two union co-ordinating bodies – Cusa and Fosatu with a number of other unions left unaffiliated.

As an exercise in drawing together all these unions as well as the new generation of unions which sprang up in the eighties, the new federation has not been a startling success: its breakthrough earlier this year happened precisely after it had shed some unions.

The renewed vigour of the unity moves, which came after talks appeared hopelessly deadlocked at the beginning of the year, followed the removal in March of three

unions from participation in the talks – the South African Allied Workers' Union (Saawu), the General and Allied Workers' Union (Gawu) and the Municipal and General Workers' Union (Mgwusa).

Excluding the industrially-based Mgwusa these unions – all participants in the unity talks since they began in 1981 – were, on the basis of not being ready for a federation because they were not industrial unions, offered observer status only by the other unions.

All three refused to accept this and left the talks, claiming they had effectively been expelled. They have retained their stated commitment to unity.

One union, the Motor Assembly and Component Workers Union of South Africa (Macwusa), who were not present at the March meeting, have accepted observer status at the talks.

Meanwhile, many of the other general unions have accepted the principle of becoming industrial unions.

One, the Pretoria-based National General Workers Union, has set the end of this year as the deadline for its demise and has already started forming itself into industrial unions.

Meanwhile, in Johannesburg a seperate grouping of seven black-consciousness-leaning trade unions has formed itself into an alliance which they hope to develop into a new federation.

The support of these seven unions – which include the Insurance Assurance Workers Union, the Black Allied Mining and Construction Workers Union, the African Allied Workers Union and the Black General Workers Union – is difficult to gauge.

One thing is certain. The unions who are going into the non-racial federation represent the vast majority of unionised workers in the black and non-racial unions.

While publicly-proclaimed membership figures are seldom an accurate guide to actual strength, these six groupings represent more than 300 000 workers.

They have the strongest unions on the mines (the Cusa-affiliated National Union of Mineworkers); in the retail sector (Ccawusa); in the motor industry (Fosatu's National Automobile and Allied Workers Union); in the food industry (the Food and Canning Workers Union, Fosatu's Sweet, Food and Allied Workers' Union and Cusa's Food, Beverage Workers Union); in the transport sector (the General Workers Union and Fosatu's Transport and General Workers Union); and in the metal industry (Fosatu's Metal and Allied Workers Union and Cusa's Steel, Engineering and Allied Workers Union).

The new federation will also be a means of preventing demarcation disputes between unions and of pooling resources to initiate organisation in the largely un-organised sectors such as farm workers, railway workers and domestic workers.

Its stated aim will be to provide a common front of black workers against the 'state and capital'.

But while this principle is being upheld, there is still fraying at the edges – particularly as a result of the recession and the hammering many of the unions have received in the past 18 months.

There have been reported splits, breakaways or expulsions in Saawu, Ccawusa, Mawu, Macwusa, the GWU, and several other unions.

The most dramatic and widely publicised of these has been the expulsion of Mr Sam Kikine, the former general secretary of Saawu, and two of the union's other leading former officials.

Mr Kikine and his cohorts refused to abandon the union offices and continued to operate as Saawu officials.

A court case to get them ousted has failed and, according to Mr Kikine, a new election is being held to re-elect executive members of Saawu. □

RATES (6 issues - published every two months)

ORDINARY SUBSCRIBERS	DONOR SUBSCRIBERS
S.A. R6.00 p.a.	S.A. R25.00 p.a.
U.K. £4.00 p.a.	U.K. £12.00 p.a.
U.S.A. $6.00 p.a.	U.S.A. $20.00 p.a.

REALITY, P.O. Box 1104, Pietermaritzburg 3200 R.S.A.

Printed by L. Backhouse, Pietermaritzburg S 880