

COMMISSION OF INQUIRY INTO THE RIOTS AT
SOWETO AND OTHER PLACES IN SOUTH AFRICA.

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THE COMMISSION RESUMES ON THE 11th FEBRUARY, 1977.

DR YUTAR: M'Lord, having more or less concluded the factual evidence covering the whole country, we propose to start today with what we have termed the opinion evidence and the first witness I call in that regard is Mr Sam Moss, M.P.C. for Parktown.

SAMUEL MOSS: sworn states:

DR YUTAR: You were kind enough to prepare a memorandum for submission before this Commission, inquiring into the riots that took place in Soweto and elsewhere. Before I ask you (10) to read your memorandum, would you be so kind as to give His Lordship a background, a personal background of your good-self? -- Having trained .. (intervenes)

CHAIRMAN: It can't be necessary for personal reasons. -- Shall I leave out all the personal details. I was elected in the City Council in 1951 until 1954 and then I was out of civic politics until 1962 when I was re-elected to the Johannesburg City Council and I was elected to the Non-European Affairs Committee; it was then under the chairmanship of now Dr Patrick Lewis. In 1969 I was appointed as chairman of (20) the committee and remained as chairman until 1973 when the work of the Non-European Affairs Committee was taken over by the West Rand Bantu Administration Board. During this period, namely 1970/71 I served as the mayor of Johannesburg and one particular incident occurred during my mayoral year when there was a train crash in Soweto. As a result of this having been alerted to the situation and warned that if another train crash occurred in Soweto, it could lead to rather drastic consequences. On being told the news I left immediately for Soweto and was able to calm the people before any rioting broke (30) out. The importance of the incident was rather my question of concern/...

concern with anything happening which could precipitate any rioting in the area and this was way back in 1970.

That train disaster took place in? -- I think it was the Inkwezi Station on a Saturday morning.

CHAIRMAN: Wasn't this near Dube? -- Near Dube, yes, that is correct.

DR YUTAR: What year was that? -- 1970. I think it was the end of October or beginning of November, 1970.

CHAIRMAN: The particular incident has been mentioned again in another form and so that I do not forget about it. (10)

Can you remember, there was a communal funeral for the victims of the crash? Can you remember that? -- No, all I do remember, as I say very clearly, that Saturday morning having gone out and I met up with the then chairman of the Urban Bantu Council and between us the important thing was to calm the people who had gathered round the train crash. I was concerned about the presence of the police and I must say I had the utmost cooperation when I asked them to move behind the train coaches and not to be seen in front of the public with their dogs. I had the utmost cooperation and after talking to the crowd for the (20) best part of half an hour I then felt that they had calmed down, that the situation was under control and then I went to visit the injured in the Baragwanath Hospital. But after that the funeral arrangements and all that, I did not have anything to do with it.

There has been reference by one of the witnesses to the question of the common funeral which took place and that went off quietly, that there was no ... -- Yes, that was my - it went off quietly and it was not necessary for me to be there. I was only concerned with the immediate effect of the (30) news of the train crash and the people who gathered around to see/...

see the derailed coaches.

DR YUTAR: All right, with that I think we can read your memorandum. The introduction does cover some of the details you have mentioned, but I think we will read it nevertheless. -- Do you want me to read it?

Would you, please. -- In 1972 on my re-election to the City Council of Johannesburg, I was appointed to the Non-European Affairs Committee. I served on this committee until it was dissolved in June, 1973, when its functions were taken over by the West Rand Bantu Administration Board. My (10) position as chairman from 1969 to 1973 brought me in direct contact with the Department of Bantu Administration in Pretoria and the people in Soweto whose lives are controlled by regulation and departmental circulars. In this work I became aware of the multitudinous problems facing all sections of the Black urban population, their hopes and their frustrations. The Soweto riots came about because over the years frustrations outnumbered positive achievements and hope was replaced by despair. This feeling of hopelessness permeated both young and old and when the balloon went up, it appeared to those (20) who knew and cared that the inevitable had happened. The terms of reference of the Commission of Inquiry is to establish the reason for the riots and in submitting my views in this memorandum I respectfully request a hearing before the Learned Judge to enable me to elaborate the points I have made.

Will you proceed now to an elaboration of those points? -- The first point deals with the control exercised by the Department of Bantu Administration in Pretoria. The powers exercised by the City Council of Johannesburg in its administration of the Black urban areas and their peoples, were (30) delegated by the Department of Bantu Administration and like

the/...

the Administration Board of today, was not allowed to initiate policy. Practically every action of the Council was subject to the approval of the Department. The inordinate delay in granting the approval, sometimes from one to two years, added to the problems of efficient administration which affected the daily lives of the inhabitants. Housing projects from the commencement of planning until occupation, could take 3 years or more because of the approval required from the various sections.

To what would you ascribe this inordinate delay that took(10) place? -- Because the Department, let me say was burdened with the total administration of the Africans throughout South Africa and the applications from Johannesburg had to be treated the way any application from any small authority. No preference was given. I think that the whole of the administration was too unwieldy for itself to be efficiently administered and give rapid decisions. There were too many sections in the Department which had to approve of a particular action. In the question of setting up a housing scheme, it required the approval of at least possibly 8 sections in the Department (20) of Bantu Administration and finally even when we came to the last stage where we had all approvals, we then had to apply for a loan with the Department of Community Development and the Department of Community Development only receives one lump sum annually from the Central Authority and that sum of money had to cover all housing, White, Coloured and Black and therefore you had to stand in the queue and wait for your crumbs from the cake.

In other words, you go along then with the views expressed by the Chief Director of the West Rand Administration (30) Board, Mr De Villiers, that you feel that there are many departments/...

departments or many sub-departments where perhaps the Board could exercise full control without having to refer to Pretoria. -- This is the whole point. The point is this that we were treated very much, if one draws a comparison, the way a municipality in terms of the present provincial system, where a municipality the size of Johannesburg, has precisely the same rights and is subject to the same control as a village council or health committee. That no consideration is given either to the size nor to the problems of that particular authority in its administration. (10)

So this problem of delay was not something just unique to the West Rand Administration Board, but also occurred when the control was vested in the municipality. -- The same control has been all the time there and if I may just elaborate, the other problem arising out of this rigid control by the Department, because these were people who were concerned and really in point of fact formulated policy for the government and therefore if we come now to this problem dealing with the development of the Sowetos, not only in Johannesburg, but the Sowetos throughout South Africa, certainly since 1948 (20)

the whole problem arose because the policy of the Department was that by the year 1978, the stream would be reversed and there would be the return to the homelands and because of that policy and because of the magical year of 1978, all official thinking was hampered; any development was in terms by the year 1978 it would be superfluous. On any question of the quality of housing, the quantum of housing and the facilities which go to making up of an urban community were handicapped by this particular thinking and one can also quote that the railways were hampered in their long-term development (30) because they felt that they could not undergo or undertake

long-term/...

long-term capital development of a very high expensive nature in order to provide an expansion of the rail-lines to Soweto because they also have this limitation in thinking, in believing that the numbers of Blacks in the townships would be restricted and therefore they should not indulge in undue capital expenditure and I put this down basically to this thinking in the Department which had this short-term outlook which has proved so fallacious in the development that has taken place.

I think in fairness to the Bantu Administration Depart-(10) ment, I must put it to you here as I did in the course of consultation in my office, that they will in due course give their view in reply to all the allegations made against them directly and indirectly and if I do not give you their points of view now, do not just take it as an acceptance. -- I accept that, except I point out that quite frankly in all the interviews that I had in my capacity as chairman of the Department of Non-European Affairs with various Deputy-Ministers of that Department, time and time again when we discussed things with the Ministers, we showed them the problems and if - and (20) I make this quite seriously and almost as an allegation - that when a Minister did deviate and, let us say showed probably a greater sympathy for our problems that we had before, time and time again the officials put it to him: Maar, mnr. die Minister dit is nie die beleid nie. And this I find very, let us say, circumscribing and I believe really restricted the work of a number of Deputy-Ministers.

In other words, it was a case of the tail weighing the dog. -- I quite agree with that.

Will you continue. -- So this is the - arising out (30) of this we had to then deal in terms of delegated powers against/...

against a higher authority which restricted us in all our activities or controlled it. Housing: The shortage of housing in Soweto has been a permanent feature of the post-war era. The lack of finance and the strangle-hold of red tape created by officialdom must bear responsibility for the over-crowded and anti-social conditions allowed to flourish.

Could we stop there for a moment. I think perhaps shortage of housing is something which is not confined only to the Black population. It applies also to the White, Coloured, Indian. -- I accept that, but why the (10) emphasis is on the shortage of housing especially as far as the Blacks are concerned, is this that in the rapid post-war development in South Africa, when Johannesburg was such a magnet for all the people coming from the rural areas, it is the responsibility of the local authority to provide housing for the people working in its area and the problem that arose here, and one must also be quite factual about it, that there was not the urgency about housing for the Blacks, there was not any urgency displayed by the local authority of that time and in point of fact, if you take right up to the periods (20) before 1948 and after 1948, a bone of contention between the local authority and the State was, who was to pay for the essential services to these houses. It is all very well, the local authority in Johannesburg was prepared to build these houses, but since the essential services would in any case have cost considerably more than the actual houses, the council of the day felt that it was not the responsibility of the local authority to pay for the essential services and also that they felt that the sources of revenue were so limited to the local authority and therefore they could not place this (30) enormous burden on the Rate Fund and it is as a result

of/...

of this difficulty and this impasse which had arisen which meant that houses were not being built in Johannesburg and I am not going to blame the State entirely for the slowdown in the program or lack of program, but the council of the day must also accept responsibility that because of this conflict regarding the financing ^{of} /the essential services, the housing was delayed, result of which we had squatter Moroka and Jabavu and all the squatter towns build up and all the iniquities of bad living and slum conditions which grew up, which was - let us say is really one of the shockwaves of a rapid (10) industrialisation where you have not made provision for expansion and it was only when the Bantu Service Levy was introduced and the late Dr Verwoerd who was then Minister of Bantu Administration of Native Affairs as it was called, that the deadlock was broken and the Council was then able to proceed with its housing program in 1956 because the Bantu Service Levy provided funds for the essential services.

Would you go along with the view expressed already that the housing shortage was aggravated also by the large number of illegal lodgers in Soweto for example? -- Well, the point (20) is this, you know, when you describe as illegal, illegal in terms of the law that they are not allowed to be there, but the housing shortage that you find that even at the present moment where there is a housing shortage for approximately, let us take the married people, about 20 000 families, these 20 000 families are entitled to be in Johannesburg. So you cannot say that the total or the sole reason for the housing shortage is because of illegal .. (intervenes)

Not the sole reason. -- In point of fact I would say that as it stands at the moment, that certainly the number (30) between the official registered people in Soweto and those who are/...

are alleged to be there, and I say there are well over a million instead of approximately 660 000 to 700 000 which may be registered at the moment, that while illegal immigrants do contribute to the shortage, but nevertheless these illegal immigrants, their figures are not included in the actual shortage.

Well, Mrs Suzman in her memorandum, mentions an official figure for Soweto of about just under a million - 900 000. In point of fact we have had evidence that the population in Soweto today is more in the region of 1,25 million, which (10) means that the illegal lodgers amount to as much as 250 000 or thereabouts. That must surely aggravate the housing shortage. -- It does, but I think we have got to be clear about this, when we talked about the Soweto of today, today it is a greater Soweto because it includes Dobsonville. Since the West Rand Administration Board took over, they have regarded Dobsonville which adjoins the original Soweto, as part of the whole of Soweto. So there has been that increase because of the incorporation of Dobsonville and it is now known as Greater Soweto. But nevertheless .. (intervenes) (20)

CHAIRMAN: Concerning that particular problem of the person who is there illegally, that affects the availability of housing space, not so much as houses. -- Let us put - no, the illegals cannot - they are not allowed to squat, so it means that prevents them from taking any land. They only live illegally with other people.

With other people. -- That is right.

So it is the space that they take up, not houses as such. -- No, they cannot; they are not entitled to houses, they could not get a house. Once you are not legally entitled (30) to work in Johannesburg, you are not even put on the waiting list/...

list for accommodation. So those illegals would not feature in any official records at all, nor would they have any chance of getting a house.

DR YUTAR: Have you any idea of the amount spent on housing for Blacks, say during the last 25 years? -- I do not want to be quoted, but I would say it is probably well over R50 million or more. I would have to check that. Let us say that over the years a considerable sum of money has been spent, one must recognise that, but large as that sum has been, it is not commensurate with the needs. (10)

No, I understand that. And of course, if I remember correctly, the City Council also obtained a tidy sum from the Chamber of Mines in order to alleviate the housing shortage. -- That was the Ernest Oppenheimer Loan which was initiated by the late Sir Ernest Oppenheimer which was £300 000 at that time and the loan arose because Sir Ernest Oppenheimer was taken out to see the slums at Moroka and Jabavu and the squatter camps. He was so horrified that he went back and he arranged this loan and this loan of £300 000 was specifically earmarked for the removal of these slums, not for (20) newer housing schemes, specifically that the inhabitants of these squatter towns were re-housed and that is where Moroka came from.

And in addition the City Council also obtained a large loan from the Chamber of Mines in the order of about R6 million. -- I think that that loan is that original £300 000 which lasted over the years and in point of fact the large slums were - it was used for re-housing in Pimville. The only loan that was then obtained from the private sector so to speak, was the original Sir Ernest Oppenheimer Loan. (30)

Will you continue then. -- The conformity and the
austerity/...

austerity of the standard house in which the bulk of the people have been forced to live, has had a depressing effect on the inhabitants. The excuse given for the uniformity of these houses is that the houses had to be built and that particular time in the 50's, 1956/57, the Council as such was not concerned with the luxuries or the higher standard; all you had to do was to re-house the people. That was the prime priority and in addition to that one must also bear in mind that the Department of Community Development laid down the standards of the house which was to be built, because (10) ultimately you depended on their granting of a loan in order to build these houses and you could not build it unless it conformed with the standards set by the Department of Community Development and they gave you authorisation to build. There once again the thinking being that you have got to get the maximum from the loans available and therefore you have to build rather austere houses than anything bordering on mod. cons. in order to accommodate as many people as possible.

We have had evidence before His Lordship, you use a better phrase of austere, others have referred to it as (20) houses of a matchbox type. -- Well, maybe I am being euphemistic, I do not know.

Continue please. -- And I think that one must understand that parents who had come from the rural areas and one must accept that what they had been used to in the rural areas, that this may have represented an improvement. It certainly may have been an improvement from the slums of Klipspruit, Moroka and Jabavu, from which they had been taken, but nevertheless after 5 to 10 years when you get no improvement in your basic house and you already get children growing up, (30) who have grown up in this house, then you realise that these houses/...

houses have such a depressing effect on children growing up and what their attitudes, I think, in later life may well have been formed by the social circumstances and background in which they grew up. The monotony, the sheer monotony of it, miles and miles of these houses, with the occasional break of a playground and other communal facilities.

As a matter of interest, have you been to America? -- No.

So you do not know of the tenement conditions there, where perhaps they do not even see the sun, the sky. -- I will also quote that when I took Eartha Kit round Soweto (10) and I showed her the housing, although, as I say at the moment we are busy criticising, she made the point that she had seen worse slums in her life, and she had seen Black people live under certainly more - less amiable conditions, but nevertheless she said, what you Whites always do is put us Blacks in reservations and she was concerned with the fact that once you got into Soweto, you could not get out again. But this is of course another aspect of the housing problem. So I want to make the point there that because the young people then grew up in this almost sterile atmosphere with everybody (20) having to live - living under the same conditions and I think that may well have laid the basis for the unhappiness which has occurred recently. And although a Black man, as a result of his efforts, could afford to pay more for a better type of house, he cannot move as there is nothing better available. He develops the feeling that he is confined to a particular cell in a large prison and this is once again that in the planning where we plan this whole vast area, that because of the circumstances, the urgency and the need to put up these houses quickly, that no thought was given to the fact (30) that the Black man, that in the process becoming westernised and/...

and industrialised during - as he has become an urban person, a man of the city, that he could advance economically and as a result of his economic advancement he would want to move into a better house. And this is one thing that he has not been able to do. It is true that originally I think up to 1968 when home ownership - the so-called home ownership which was not true in fact because it was only a 30 year lease, you were only able to build the house on the basis of having the ground for 30 years, once again tied up to this magical year of 1978, that is why the lease was limited to 30 years, (10) and also on the fact that it was the policy of the time to deny Black people freehold indeed as it is now, freehold rights in the urban areas, no thought was given to the fact that you could well get a higher income group developing among the Black people and it would only then have been logical and fair that they would want to move out of the confines of these austere homes, build something of their own choice because they could afford to do it and which is a natural movement of progression which you get in any other community. So in spite of the fact that the man originally may have come from (20) the squatter camps and the very difficult conditions, very grateful for a small house in the beginning, the fact remains that after he had advanced economically, he could not then move anywhere else or buy a house or develop a larger house to accommodate a larger family, a grower family or any house to symbolise his own advancement economic advancement. He had to conform to a way of life which has been laid down from Pretoria so to speak.

His Lordship and the rest of the Commission did a tour of Soweto and we saw houses in an area which was called (30) the Houghton of Soweto. It is not to be compared of course to/...

to the Houghton represented by the two ladies who are to follow you in the witness box, but it does show a distinct improvement on the other types of houses. -- Yes, that is true that Dube is referred to as the Houghton and probably I think prove that if more ground was made available for home ownership and the people were allowed to develop it themselves, that we would have had a total different perspective of Soweto, but I think that in the years from the 50's and certainly if one looks back on the economic progress made by Blacks in industry and also in commerce, that if we had given them (10) a chance and made opportunities available, there would have been more Dubes developed in that period and if we had had more Dubes I think there would have been very much less frustration.

Unless that comes about in the near future. -- With respect, it is a question of the land available because in I think it was the early 60's a forward planning branch of the Johannesburg City Council at that time said that the City Council should acquire another 4 square miles in order to provide for future housing needs of the people of Soweto (20) only in terms of the requirements of the people inside Soweto, not those who would still be coming into Johannesburg and this report was frowned upon and in point of fact I must say that it was a very vigorous reaction against the thinking of the Council which said that we need another 4 square miles and which foresaw the development of a greater Soweto in terms of the needs of the people. Once again, and I must emphasize the point again because I think this is basis to the whole short-sighted planning from '48 onwards until right through until what is happening now what is a chain of sorts, that this belief (30) that the number of the Black people in the urban areas could be/...

be stabilised and controlled and because of that I think this is fundamental, a fundamental reason as to why we have had the situation today. Shall I continue?

Would you, please. -- The change in government policy on home ownership could be a form of parole provided new areas are opened up for residential development which could allow for individual design and modern township planning. Now this is now being spoken about and what it in point of fact means is that you have got to go further and further westwards, because if you move southwards in Soweto you will then (10) come right across the White suburbs which have developed. So now in order to get housing for the Blacks, they have to probably come in now 20 to 25 miles every day which is about nearly 40 kilometres. It is true that when you compare it with the commuters from larger cities in Europe and America, some of them travel considerably further distances in order to come to work, but nevertheless it remains that the further you travel out from the centre of town where most of the Blacks work, you will find that the costs go up, not only direct in transport costs, but in addition because you have to build (20) in the year 1977 when inflation is rampant and costs have gone up considerably, the cost of that house, if you want to purchase it, is very much higher than it has ever been for any of the other houses; if you want to rent it, if the Board as such can provide any housing, your rental will be very much higher for a similar type of house for people living nearer town and it is true that at times you do try and rationalise the rent, but the fact remains now that because the corridor remains for the expansion of the people of Soweto, I think it is going to add considerably to the costs and other problems will (30) arise from the distance from their work. Then I come to
this/...

this question of the break-up of family life. The burden of poverty carried by the masses is the prime cause of the breaking up of family life in Soweto. Both parents have to work and the children are left in the care of an older person, neighbour or on their own. It becomes easy to play truant from school, join up with a gang and start a life of crime. Ill-gotten gains and the ease with which they are obtained, create contempt by the children for their honest parents who have to work hard, travel many miles in over-crowded trains, to earn inadequate salaries. This is once again that in order to (10) try and give the children a better start in life, you start off with the question of schooling and very often where the child should have left school for economic reasons in order to assist the family, both parents are working in order to keep the child at school in order to give them a better chance in life. One only had to see the mothers who brought their children to the Dube Vocational Training School where there was limited entrance available and to see and speak to them and understand what sacrifice they were making in order to keep their sons at the school for 3 years so that they could (20) acquire a trade and then you would quite understand how very important the Blacks feel about making the sacrifices in order to give their children an educational background and a better start in life and this being away from home and the children sort of not having the control exercised over them that should be exercised, the mother coming home, probably leaving Johannesburg in the main the mothers work in the clothing factories, leaving at approximately 4 o'clock, I doubt whether they got home before 5 or 5,30; then they had to prepare an evening meal, there was not any time really to see what the (30) children had done during the day and I think it is unfair to expect/...

expect that the teacher in the school, labouring under such difficulties as they do in the school at that time with double sessions, that the Black teacher was expected to play the part of the parent as well, of an absent parent and this is probably one of the main reasons why the gulf developed between the youth and their parents. The other aspect of course and this is also, I believe, vital to what happened in Soweto is that you have that the Blacks who came into the town, they were mostly illiterates; the youngsters who are born in Johannesburg at least started and got some sort of schooling, so (10) there was a gulf between the literates and the illiterates. The mothers and fathers could not speak either English or Afrikaans and mostly spoke to them in the vernacular. They have their problems at school and once again I think there you have the same as you have in any immigrant family and you have in the White community, a contempt starts developing for the child who cannot communicate adequately with his parent and this is also probably a .. (intervenes)

I think this unfortunate and almost tragic break-up of family life applies albeit to a lesser extent, amongst the (20) poorer White people as well. -- I agree entirely. I think this .. (intervenes)

I think it is almost a universal problem. -- Of the first group generation of immigrants in all parts of the world, but over here it started that, as I say, because of the lack of control, the lack of communication and I think that one must examine this now against the background of the events that have occurred and this is my belief that this is where it started. That in analysing the cause we must go back right to the root cause of it all and this is why I felt it was so (30) important that this trying to strive for a higher standard of/...

of living for the family, having to work harder because of the inadequacy of the wages, that has led to this break-up.

We proceed now to the topic of violence. -- Violence is commonplace in Soweto; arguments are finalised with a flash of a knife; life is cheap and without value; 20 to 30 deaths over a weekend is commonplace. This was there when we talked to the police and we asked for greater police protection in Soweto, the police view has been that for a city - we call it a city - the size of Soweto, 20 to 30 deaths over a weekend is not an unduly high ratio it was felt. But I think that (10) because of our let us say adoption of Western standards, every life is invaluable and therefore we view that a death was unnecessary and every human being had to be preserved and we found it difficult to accept 20 to 30 deaths over a weekend as being normal, very, very difficult to accept. And the children that took part in the procession and the consequent riots are the products of a violent ruthless society. It is no wonder then that they are militant, fearless, contemptuous of authority and death. Because I feel that they are brought up in this society, they have learned to fend for themselves; (20) it is a case of the survival of the fittest, the law of the jungle applied because there was no authority by way of parental authority and certainly it is extremely difficult for the masters and certainly I think for the law enforcement officers to be effective over such a large area becomes well-nigh impossible. And the same is, you get a similar situation in the question of tenements in other parts of the world, I think you get the same gang law rule applying in Soweto as apply in any part of the world.

Are you of the view that the children took part in (30) these processions spontaneously? -- Yes, I believe that they took/...

took part in it spontaneously because the children are aware of, let us put it the inequalities, the discrimination as applied to them. They are well aware that as far as education is concerned, that they do not get as good a deal as the White children. They have had to look at their own schools or rather the lack of schools, that there have had to be double sessions, that there has been an inadequacy of competent teachers and they have only got to compare standards and this they must then realise that they have been discriminated against and this is why they have felt so (10) frustrated and when a situation arose where the schools became a big issue and that is why I believe that spontaneously they joined these riots.

CHAIRMAN: I do not know whether I should ask Dr Yutar the question or you, but what do you mean by spontaneous? Does spontaneous to you mean unpremeditated, not arranged, not inspired? -- I find it difficult because I do not believe that because if spontaneous means to happen on the spur of the moment, then I would say it was not spontaneous, but if it meant talking among themselves for a long time as they (20) look what happens at other schools, we cannot get into school when we want to, we have to leave school early because our parents cannot afford to give us - I think that over the years the children have spoken about it, they have been aware of what is happening to them and therefore I will say to you that certainly that it may not be spontaneous in the true sense of the word, but it was the end product of maybe years and years of talking and dissatisfaction and when suddenly there came an opportunity to show how they felt and no matter how incorrect it may have been for them to show their dis- (30) satisfaction by the destruction which occurred, nevertheless they/...

they felt they did not have an alternative or any other avenue open to them in which they could express their feelings and that is why, when violence occurred, they joined up with the violence because they felt this was the only avenue of expression. So therefore it was premeditated in the sense that it was the result of a lot of discussion, but not spontaneous that suddenly decided well, let us have a riot, let us burn the school.

It was not a spontaneous combustion as you would find in coal for example. -- No. (10)

If I understand you correctly, you say that the whole situation was such, well, all the facts in the life of these people were such that when one thing happened, there was a huge outburst because of particular conditions. -- Yes, I would say, with due respect, that it was very much like a festering sore on the body politic which grew and grew with pus and there came a stage when the body could not contain any more of this pus and it burst and this is what happened, I think, with the Soweto riots.

You see, the expression 'spontaneous' is used in (20) particularly in the American literature of this sort of thing, but I think more in the sense which you have put it now, but not in the strict sense of something which happened - as something which was unexpected and which nobody thought would happen. -- Could I substitute the word 'spontaneous' by 'inevitability'.

We have had in South Africa riots which had started spontaneously, I think, but of course the start itself, I think the Durban riots in 1949 which started with a fight between two youngsters, a Black youngster and an Indian (30) escalated into an enormous catastrophe and a large number

of/...

of people killed and houses burned down. That start was probably also, well, it was, it would appear, spontaneous, but there were, what the Commission there called, concomitant factors which caused it to escalate and become such a thing as it did become. -- I agree.

Here I must say, of course, it was not such an innocent thing as just a fight between two youngsters. Here it was something which had worked up over a few months because it started with - it would appear to have started with an educational difficulty, but even that had been going on (10) for some months. -- Yes, but I find it difficult - you cannot take the education issue in isolation, it forms part of a broad pattern and I do not think that you can just pinpoint to the question of the use of one particular language, because education forms part of the broad pattern of life.

That was probably the first explosion that happened about that particular thing, about language, about the language difficulty and then all the other things came with it. -- Yes, I think one may well say that was the spark that ignited the dynamite or the volcanic action which was being stored up (20) all the time and all the energy that burst forth, came as a result of all the frustrations for the various reasons which I have very briefly tried to enunciate, which was there at the bottom all the time and once you had a cause, then it all came to the top and at that particular moment, if one could talk about it being a spontaneous action is because it gave an opportunity for the people who were around to give vent to their frustrations, to all the restrictions that had been placed on them, to all the hopes that had been dashed over the years. It gave everybody - but if you had to examine everybody (30) who took part in those riots, they would probably give you

a different reason as to why they were in that particular procession.

Yes, well, you see, it would appear, although it is not at this stage yet quite finally possible say, that this was all that had happened, you will find that on the placards used on the 16th June were placards which referred specifically or mostly, referred specifically to the educational issue. There has been evidence into which I do not want to go at this stage, of other happenings the day before, the night before, the week before, but by the time it spread to other parts of the country, this particular educational issue was no longer an issue. (11) And then other factors were mentioned. But in view of what you have said about violence and about the family life, a large number of people have said that it started off with scholars in the morning, but by midday of the 16th, perhaps a little later, you already found what is commonly referred to as tsotsis were taking part in it - those people who do not go to school, well, you know what I mean by that term. -- Yes.

That term has been freely used. They even spoke of a take-over by these people. Do you think that that first in (20) with what you have said to me? -- I think that once again I think like any other community, the Black community of Soweto has got several facets to it and there is no doubt about it that you would get these, we call them gangsters, let us say, tsotsis, gangsters, whatever it is, who opt for the easy way out of life because they have seen films, they have read books and believe that it is heroic to be a gangster, that it is degrading to have to work, earn money and I think that these groups have been there all the time and they have been like vultures on their own people. One only has to examine the (30) events on the Friday night when people come back from work with their/...

their pay and then you realise that of course you have, let me say a truly criminal element among that community. Here once again it is important to distinguish that those who have gone to jail for statutory offences and those who have gone to jail for truly criminal offences. So you have that small group have been in jail purely for criminal offences because they have preyed, as I have said, as vultures on the community. Now it is those people who do not care what the colour of the victims are and they are the people who dominate any community by the sheer force, the fear and when they see there is an (10) opportunity to capitalise on a particular situation they also become part and parcel of that unrest and unfortunately they may well in some instances take over control of that unrest situation. I think this is once again that where values are cheap the life is cheap and because these people are brought up with a disregard for life that these gangsters play such a large part.

I should add that - to what I have said to you, that by the afternoon of the 16th there were numerous indications of a political force in the riots, you know, the shouting of (20) Black Power, the giving of the sign and then of course there is also the evidence at a later stage that they towards evening, of a misuse made by the people you have described, of stopping cars, getting them to give the sign and making them pay a particular sum by way of a donation they used to say, but by threat, for a purpose which was not the correct purpose. So that politics did seem to have been there in the whole crowd of these people. -- Yes, I believe that this was an aspect of it because I do refer later in my memorandum to political eunuchs, that this was one of the results of the (30) fact that they had no political rights at all and that we did not/...

not build up a stable urban population, therefore it was the same as people may have originally come out because of dissatisfaction with education as in the use of language. Every person who had a grievance, real or imaginary, then took part in this mass demonstration. So therefore I do not think that one could say that everybody came out for political purposes or everybody came out for educational reasons. Each one had his or her own particular reason for showing an abhorrence of the system in which they had grown up and the resentment in a particular community and area in which they had to live(10) and that is why I feel it is important that it is well-nigh impossible to say it is for this particular reason that it happened. I think to a large extent it is only cause and effect.

DR YUTAR: I'll tell you why I put that question to you, because I would like you to help us there. We have led an abundance of evidence that a number of school children, particularly from schools where the Afrikaans issue was not an issue at all, the Afrikaans language was not an issue at all, that they were incited, instigated and indeed threatened that if they did (20) not leave their classrooms and did not leave their schools and join the protest march arranged by other schools, their schools would be burned down and they were also threatened with death. And one other fact I want to mention to you you, we led it, a place nearby Pretoria where 2 o'clock in the morning where adults got together to protest and in front of them were a large number of children at 2 o'clock in the morning. Now does that conform to your idea of spontaneity? -- No, I agree it does not, but the fact remains that one must consider that there could have been let us say better leadership or leader- (30) ship was available in certain areas and not in others and that

is/...

is why others, if they were more docile in their approach to the problem and others were certainly more rebellious and more militant. Because I think it is when you have adverse socio-economic conditions it is only people with leadership and ability who understand fully the implication of those conditions who are able or want to do something about it and then they use the masses of the people in order to bring about change, but the initiative of leadership is always left to a small group. I do not believe in the history of revolution throughout the history of the Western civilisation, that (10) you could say that such a thing is a popular revolution, that everybody partook in it willingly. You find that mostly it has been a group of intellectuals or any other group who groom the masses into following them for whatever purpose or change they wanted to bring about.

THE COMMISSION ADJOURNS FOR TEA. THE COMMISSION RESUMES.

SAMUEL MOSS: still under oath:

May I correct an error which I gave in my evidence. It is a question on the Ernest Oppenheimer Loan. I am sorry, but the correct amount is £3 million or today R6 million. I (20) seemed to insist on £300 000 for some reason or other.

CHAIRMAN: That was the loan? -- That was the loan that Sir Ernest Oppenheimer granted for the Council.

DR YUTAR: He gave to Johannesburg City Council. -- Yes, £3 million.

So I was correct in my figure of R6 million. -- Correct.

All right, now we can continue with the third paragraph under the heading of violence. -- More than 55% of the population under the age of 21, that unless solutions are found for the problems of the young people, the present mood of (30) defiance and rejections of standards could escalate into such conditions/...

conditions that could undermine the structure of our society. The reason why I say it is because the people had grown up in the atmosphere and the conditions which I described earlier; that these are the people who are entitled to be in Soweto legally. These are the young men for who we must create job opportunities within Johannesburg; these are the people who, because of the improvement in economic conditions among the African people, are now able to stay longer at school. A greater proportion, a greater percentage of them will filter through to the universities, a greater percentage of them (10) will be able to acquire professional training and that is why, from a number of aspects we have to provide the job opportunities for these people, but we have also now got to realise that we are dealing with young men and women who are city born, they know of no other life, they are products of Johannesburg and they come in close contact with the whole of Johannesburg, they have seen what is going on, their standard, their way of life, their attitude to life is like that of any young person in any White community in South Africa. And this is why I believe that at the moment when we look at the problems (20) and we understand what it is all about, that this to me is the most important factor. That you also have that the young people now has said and demonstrated quite clearly to their parents and they have said to them that we have contempt for you because you have taken this discrimination and all the iniquities of the present system without doing anything about it. In point of fact you just lay down and allowed them to walk over you and we are not going to allow that to happen to us and their attitude arising, because of the frustrations which they have seen and they have felt, that they, I believe, (30) for the first time are beginning to believe that the only way out/...

out will be by fighting for their rights and for their advancement. And this to me is the crux and the crisis that faces South Africa today. That whereas their parents would be prepared to talk and discuss the problems with you, have some hope for the future of peaceful change, that the young people of today, because they are in the main products of the violent society I have spoken about, because they have only achieved certain things by force within their own community or in certain cases by coming in and indulging in criminal acts outside the community, now believe that the only way that (10) you can bring about change is by force. And because the largest percentage of the urban population, the Black urban population of South Africa is under the age of 21, this is why I am very concerned about the future if we continue on this present lines.

You speak of the necessity and the urgency for solutions to be found. -- Yes.

That, I take, also includes improvements in the educational system. -- I think it includes improvements in the educational system, but the educational system itself is not in isolation.

No, but it is part. -- It is part of the whole (20) thing and we cannot separate and say improve education and then automatically all will improve, because if you haven't got a job or if you do not allow an educated person an opportunity for fulfilment of himself, you have greater frustration then and greater problems.

No, I say that because of your next line where you say the Black youth must be given direction in purpose, in life. I think basic to all that is a sound education. -- Yes.

Now would you try and help the Commission by explaining why it is on the one hand you have a shortage of schools, (30) a defect which even The Star through its TEACH system is

trying/...

trying to remedy and on the other hand you have this element burning down schools, burning down libraries, burning down facilities which are planned to give them the direction in purpose in life that you speak of.

CHAIRMAN: Before you do that, I want to intervene. It is 12 o'clock. -- Your Lordship, I appreciate your concern, but I have decided I must get my priorities right and I feel that this is of the utmost importance.

No, I was going to give you an opportunity for you and Dr Brody to come at another time and I could do it perhaps (10) fairly soon.

DR YUTAR: I have made arrangements with Dr Brody, she will come another time and I am taking Mrs Suzman next.

CHAIRMAN: Would Wednesday morning be convenient?

DR YUTAR: Quite in order. -- I am quite happy now to continue.

CHAIRMAN: I do not want to take you away from your other ... -- No, I feel that there are two parts I can avoid, I can miss the Council meeting and I can be in time for the actual funeral which is at 2 o'clock. Thank you very much for your concern.

And what will Dr Brody's position be? (20)

DR YUTAR: I have arranged for her to come at a later stage, on a date to be arranged and Mrs Suzman will be going into the witness-stand next because she wants to leave for Greytown.

CHAIRMAN: Yes, well, then we can proceed.

DR YUTAR: All right, Mr Moss. -- When we talk about direction, I think it is important that the youth - oh, no, sorry, your question was regarding the burning of schools. I think that - let me say this first of all that having been associated with The Star schools and the problem of lack of schools, it is indeed with a great deal of sadness that one sees that what (30) one is trying to build up was destroyed. When one thinks
back/...

back of the numerous deputations and all the hassle so to speak that one had with the various government departments in order to create that limited number of schools, what it meant when the first Star school was opened, you can quite imagine how very deeply I feel about the burning of these schools. How can one explain the actions of people who lose their sense of reason for a moment, that they are so frustrated that they do not stop to think. The only purpose is to try and show to the world and probably more immediately the people in South Africa, how they feel; that they who place so much stress (10) on education will burn a school in order to draw attention to the situation, to my mind shows how desperate they felt about things. And it also reflects the mood of the people and I think that when mob violence takes over and the irresponsible element controls this mob violence, we are apt to have these things and I think that it is just that they did not stop to think, but they had to show how frustrated they were.

Then I must put to you further evidence that was led, that the destruction of some of the schools normally and usually preceded by destruction of the principal's office and (20) records, was usually done by that element of the youth who knew they were going to fail the end of the year examinations and in order to be confronted with that fait accompli as it were, they took up the attitude we cannot pass and you are cleverer than us, you also will not pass because we are going to burn down the schools and all the records. That is the evidence we have led. -- I think that the attitude of any group to the school remains the same, it is a symbol of authority and something that disciplines him. But I think that what I find is most important in the point you have just made, (30) is this, that if you examine a lot of the deaths that occur
in/...

in Soweto, the indiscriminate killings that occur, you will find that it is mostly young men who have achieved something in life. They may be good football players, they may be good students of and I think one - good student at the Vacational Training Centre at Dube. If you have a look at a lot of these wanton killings, you will find it is people who have pushed themselves up out from the masses and they create resentment among those who are not so successful and they seem to be the target of these indiscriminate killings. It is almost symptomatic of a pattern of social life in Soweto. (10)

We go on to page 3. -- We then deal with middle class. The importance of creating a Black middle class with vested interests, have been emphasised time and time again as being the only answer to Black Power. America proved in the 60's that the creation of job opportunities at managerial and executive level, promotion of individual businesses by way of financial assistance and know-how could destroy the effectiveness of Black Power.

Now is that not being done by the private sector in an ever increasing measure, and is the private sector not (20) even going one step further? We saw evidence of it in Cape Town where they are providing even housing facilities, adequate housing facilities for their employees? -- Yes, but the first thing I think for creation of a stable middle class is home ownership. As we discussed earlier that until 1968 until the government abolished that minor privilege of building your own home on a 30 year lease, we had 10 000 homes built and we could have then had the nucleus of a start of an urban middle class who own their homes which could then become to them a more stable community, they could not be evicted (30) from their homes, any government notice; it could form a form

of/...

of compulsory savings that would form a hedge against inflation . All these benefits which accrue to any middle class group. The mere giving of the home is only one aspect of the creation of a middle class. What is important to my way of thinking is the opportunity to become an entrepreneur, an opportunity to build a business and in point of fact an opportunity to build a corporation if you can. But if you find that the Black people can only open shops and then they are restricted in their activities in Black areas; that licences are restricted in any other area, you will then find that any economic (10) advancement that they could try to achieve as a result of their own efforts are limited by statute and by law because they are confined there. And what - when I talked of America, America created that you - a certain law provided that you - discrimination against Blacks and jobs was abolished. The question of wages, the question of - the law went as far as to forcedly bring them into the main stream of the economy. Here, as far as the Blacks are concerned that the small group who form the trading groups really form a tributary of the main stream of economic life in South Africa. By far and large (20) the opportunity available to them is purely as unskilled labour that only as workers there is no chance of them truly becoming capitalists in the true sense of the word and this is, when I talk is that one wanted to see the opportunities made available to them so that if they had talent that they too could take advantage of the system and enjoy the material benefits from the system and I believe that once they have that, then they would refuse to have any parley with anybody who comes and talks about the abolition of the system in South Africa, the capitalist system. (30)

CHAIRMAN: Can I put your point somewhat differently? You say that we must create a Black middle class. I am concerned/...

concerned with the causes. You say that one of the causes of the disruption was the fact that no Black middle class had yet been created? -- Yes, because let me put it, the point is that this was once again another avenue of frustration, of the hopelessness of banging your head against a brick wall, the official which created - which says you can advance so far and no further.

DR YUTAR: Go on, the professional members of the Black community. -- The professional members of the Black community is regarded as the most frustrated segment of that (10) community. They have achieved a higher education as a result of great personal sacrifices and determination and when it comes to capitalise on their efforts, they find discriminatory salaries offered and lack of freedom of choice in job opportunity. Where they do succeed in getting a fair remuneration for their talents, they find the avenues of enjoyment of the fruits of their labour limited. They cannot move to a better residential area, invest in a house of their own and enjoy a full life comparable with the White colleague of similar professional ability. The products of an affluent society (20) are not there to enjoy because of the colour of their skin. And here once again I want to state that the professional members of the Black community are the people who are the most erudite , the people who have achieved something, as I have said, by great sacrifice and they find that when they want to practice the particular profession, they hit restrictions all over. Even officially if they wish to serve on a provincial or government hospital, there is discrimination in salaries and there are other discriminations, certainly as far as the question of relationship between nurse and Black doctor (30) and all these which are contributing factors to what must be regarded/...

regarded as a frustration of these classes. And although at the moment the Black elite form a very small percentage of the Black population, but with more and more Blacks being able to go to university, this group will grow and that is why I am particularly concerned that this elite group suffer more frustrations than say, for argument sake, an unskilled labourer.

The last paragraph.-- Political eunuchs. Blacks are still looked upon as children incapable of participating in decisions which affect their lives. The paternalistic approach of officials and the policies of the government fail to (10) recognise the growth to adulthood in both urban and rural areas of the Blacks. The Urban Bantu Councils which could have developed into worthwhile organisations within our constitutional framework, have failed because their powers were advisory. This has resulted in the rejection by the large majority of the urban Blacks. Their ineffectiveness in the spheres of local government is legend and the low percentage poll at elections is indicative of the people's reactions to a tiger without teeth.

Well, you know of course that legislation is pending (20) for the abolition of these councils to be replaced by community councils with greater powers for the Black people. -- Yes, I am well aware that there is even talk of granting them municipal status. This is now coming about, this is the talk and it may well be that there will be municipal status granted to these and I think that the whole point I want to make here, that had the Urban Bantu Council been given more effective powers in the beginning and not been merely advisory, that there would have been a period of training, you would have created a large element, a large number of responsible people who would (30) be prepared to serve the community, people who would be looked

upon/...

upon with a great deal of respect among the members of their people because they would have then seen to be doing a worthwhile job. But because their powers were purely advisory and not in any way executive, they just became, as far as we were concerned, a sounding board. One tried to, under the Non-European Affairs Committee regime, to bring them into discussions, but one did not do anything without sounding them out and trying to take them along at all times, indeed as we did with the rationalisation of our rent and thereby avoided a great deal of unrest, but nevertheless the fact remains (10) that they knew they were purely advisory, that we could reject their advice and that in point of fact they were ineffective. And when they did try to make representations on behalf of their constituents certainly to certain government departments, they were not treated with the respect due to them as leaders of the people and certainly one can argue about only 18% voters but nevertheless you had that low percentage poll because the Urban Bantu Councillors were held in contempt instead of respect among their own community and this should have been a stepping stone and when we talk about granting them (20) municipal status, it is once again how effective is their independence going to be? Where will be their sources of revenue? What exactly will they be able to do in their own areas? Will they be purely confined to municipal functions as it is with any other municipality or will the problem of the political problem which affect the Black people, will that be able to be debated and discussed and representations made by these independent municipalities? Because whereas one can to a large extent define or limit the work of the White municipalities to purely municipal functions, I think it (30) will be extremely difficult to confine Black municipalities' activities/...

activities purely to municipal affairs because life for them is influx control, housing control, large numbers of controls which the Whites do not have to contend with and that is why the question of implementing municipal status for urban Black townships is going to provide greater difficulties for the authorities and for the White community because of the integration of problems that occur. The question of homeland representation. Who is going to speak on behalf of citizens of the homelands in these municipalities when they get affected? These are the complications which will arise (10) but nevertheless let me say quite clearly that any movement forward which will give the Blacks in the urban areas a more meaningful place in the running or in the government at whatever level it is, is at least a step forward compared with what went on since this urbanisation of the Blacks has occurred.

We come now to your conclusion.

CHAIRMAN: Before you come to that, on this point here. I am not asking you to give an opinion on policy, but does your argument on the parental control of the urban Bantu, the urban Black man go so far as to say that he is frustrated because (20) he has not the same meaningful say in his - in matters that affect him immediately than the man in the homelands would have who has a form of homeland administration and government? -- Is Your Lordship's question that the man in the homeland has got less .. (intervenes)

He has probably got more than the man in the city. -- He has got more than the man in the city?

Yes, he has a vote, he votes for his parliament or whatever you wish to call it, which represents him, which really governs him. -- I feel that the greater frustration which (30) the urban Black feels is because one must accept that there is

a different standard say of background, of education, of approach to problems, of a city person as opposed to a rural person and the people in the homelands have great respect - are still to a large extent rural in outlook and in practice and there they are not as far advanced as the urban Black. One must accept that no matter what one says for the moment about the lack of education, there are large numbers of Blacks who have educated themselves, who read more, who come into the city daily to earn their bread, they meet with a large number of White people, they discuss and they are able to lift (10) themselves intellectually, probably a few rungs, very much higher than the rural Black who is limited in his contact with the more highly developed society and therefore the frustrations felt by the urban Black is very much more than the rural Black who has got a vote in his homeland. But the urban Black is more conscious that because of his contact, his training, his development he believes, and I accept that he can make a greater contribution not only to his community but to the community at large and therefore not being able to exercise a vote in the area or make a contribution, I feel is more (20) frustrating.

I think perhaps I did not put my question clearly enough to you. Do you say that - would you say that some frustration is caused to the urban Black because he, whether his development is further than that of the urban Black, nevertheless has less say in his own government than the Black in the urban area? -- Yes.

DR YUTAR: Your conclusion. -- Conclusion: That the agony and tragedy of Soweto of dramatic and great cost of human lives show the suffering and humiliations of the major part of (30) our population. The Commission gives South Africa an opportunity/...

opportunity of re-examining the causes and above all, having isolated the reasons for our gravest national illness to prescribe such remedies that will effectually bring about a condition of hope and optimism once again in the Republic. By this I mean that here is an opportunity purely to examine the causes, the effect with a cold, impartial judicial eye and can make such recommendations which you believe to be for the future of South Africa; recommendations which you have come to after analysing the evidence and recommendations which will not have any political bias or concern for your survival as an individual in the political field or as a political party. And I think this is the greatness of the opportunity and one would hate to see such an opportunity lost, because I doubt whether the future generations of South Africa will ever forgive us if we lose the opportunity at this particular moment. (10)

CHAIRMAN: I should say that I have been given the task of finding the cause, the illness, but I have not been asked to prescribe the cure. -- I think, with respect, I think the greatest difficulty and I do not know if my colleague, Councillor Brody will agree with me, the greatest difficulty lies in diagnosing the illness. Having diagnosed the illness, remedies I believe are available. (20)

Then they would be in other hands, not in mine. -- Well, I think having started the ball rolling, with great respect, I think the impact as such will be such that they will take notice of the medicine required for this particular illness.

DR YUTAR: There is one other thing I would like to ask you. You mentioned the date 1948 and you spoke of the short-sighted policy that started in 1948. Now, what is your reason for so limiting yourself? -- No, I think that I would like to just/... (30)

just amplify that and I would like to say that I think that it is not quite fair of me to start at 1948, because in point of fact in my own mind it goes back, starts very much earlier than that and when one thinks back on the slums of Prospect Township which was removed and we have the present Kazerne, and one sees the - looks back and thinks the conditions the way the Non-Whites were living even before the war, then the problems of South Africa did not start with 1948. I want to make that absolutely clear and I think it is important and if you want me to be quite blunt about it, that I think that (10) all Whites should bear the guilt and responsibility for the present situation and it goes back a long, long time.

The reason I ask that question, I remember coming to Johannesburg in 1934 prosecuting in Sophiatown, a western Native township and when I compare those locations with Meadowlands and Soweto today, I must confess that there has been tremendous advance. -- There has been a tremendous advance but one must also bear in mind that the conditions also, if you try to compare between, let us say '45 onwards, that there has been a greater influx of people from the rural area, (20) the industrialisation that has occurred in Johannesburg and in any other city, there has been a natural trend the way it is all over the world, the drift to the cities because of job opportunities, that that is why the social conditions which may have been germane to the whole South African situation had been aggravated because of the quantum, that the seriousness and the basic causes quite possibly started maybe from 1652 onwards, but the point is this, now in 1977 we must do something about it, it has been an awful long time.

Because I want to suggest that possibly the ills (30) that you have asked His Lordship to diagnose is something that might/...

might have been inherited from days gone by. -- Well, it may be congenital, but perhaps we can introduce a new strain into the system and that will bring an alteration.

I have no further questions, M'Lord.

NO FURTHER QUESTIONS.
